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116TH CONGRESS
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H. R. 2500

IN THE SENATE OF THE UNITED STATES

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AN ACT

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

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “National Defense Au-
3 thorization Act for Fiscal Year 2020”.

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

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

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

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

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

15 (4) Division D—Funding Tables.

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

Sec. 1. Short title.

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

Sec. 3. Congressional defense committees.

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Sec. 112. Repeal of requirement to adhere to Navy cost estimates for certain
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Sec. 113. Ford class aircraft carrier support for F-35C aircraft.

- Sec. 114. Prohibition on use of funds for reduction of aircraft carrier force structure.
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- Sec. 117. Limitation on availability of funds for VH-92A helicopter.
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- Sec. 1258. European Center of Excellence for Countering Hybrid Threats.
- Sec. 1259. Sense of Congress on European investments in national security.
- Sec. 1260. Briefing on Department of Defense Program to Protect United States Students Against Foreign Agents.
- Sec. 1260A. NATO Support Act.
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Subtitle G—Other Matters

- Sec. 1261. Sense of Congress on United States partners and allies.
- Sec. 1262. Modification to report on legal and policy frameworks for the use of military force.
- Sec. 1263. Limitation on availability of certain funds until report submitted on Department of Defense awards and disciplinary action as a result of the 2017 incident in Niger.
- Sec. 1264. Independent assessment of sufficiency of resources available to United States Southern Command and United States Africa Command.
- Sec. 1265. Rule of construction relating to use of military force.
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- Sec. 1267. Sense of Congress on acquisition by Turkey of Patriot system.
- Sec. 1268. Amendments relating to civilian casualty matters.
- Sec. 1269. Limitation on the production of nuclear proliferation assessment statements.

- Sec. 1270. Restriction on emergency authority relating to arms sales under the Arms Export Control Act.
- Sec. 1270A. Report on annual defense spending by ally and partner countries.
- Sec. 1270B. Sense of Congress on the United States-Israel relationship.
- Sec. 1270C. Sense of Congress on stability of the Caucasus region and the continuation of the Nagorno Karabakh cease-fire.
- Sec. 1270D. Western hemisphere resource assessment.
- Sec. 1270E. Strategy to Improve the efforts of the Nigerian military to prevent, mitigate, and respond to civilian harm.
- Sec. 1270F. Limitation on use of funds from the Special Defense Acquisition Fund.
- Sec. 1270G. Prohibition on the use of emergency authorities for the sale or transfer of defense articles and services to Saudi Arabia and the United Arab Emirates.
- Sec. 1270H. Prohibition on support for military participation against the Houthis.
- Sec. 1270I. Repeal of prohibition on transfer of articles on the United States Munitions List to Cyprus.
- Sec. 1270J. Prohibition on use of funds for shorter- or intermediate-range ground launched ballistic or cruise missile systems.
- Sec. 1270K. Report on implications of Chinese military presence in Djibouti.
- Sec. 1270L. Report on efforts to combat Boko Haram in Nigeria and the Lake Chad Basin.
- Sec. 1270M. Report on Saudi led coalition strikes in Yemen.
- Sec. 1270N. Prohibition on in-flight refueling to non-United States aircraft that engage in hostilities in the ongoing civil war in Yemen.
- Sec. 1270O. United States Strategy for Libya.
- Sec. 1270P. Sense of Congress relating to Mongolia.
- Sec. 1270Q. Report on relationship between Lebanese armed forces and Hizballah.
- Sec. 1270R. Imposition of sanctions relating to Central America.
- Sec. 1270S. Prohibition relating to joint task force with Guatemala.
- Sec. 1270T. Prohibition on use of funds to establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Somalia.
- Sec. 1270U. Report on hostilities involving United States Armed Forces.
- Sec. 1270V. Reports and briefings on use of military force and support of partner forces.
- Sec. 1270W. Repeal of Authorization for the Use of Military Force.

Subtitle H—Baltic Reassurance Act

- Sec. 1271. Findings.
- Sec. 1272. Sense of Congress.
- Sec. 1273. Defense assessment.
- Sec. 1274. Appropriate congressional committees defined.

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- Sec. 1281. Short title.
- Sec. 1282. Modification of certification and report requirements relating to sales of major defense equipment with respect to which non-recurring costs of research, development, and production are waived or reduced under the Arms Export Control Act.
- Sec. 1283. Review and report on use and management of administrative surcharges under the foreign military sales program.

- Sec. 1284. Performance measures to monitor foreign military sales program.
- Sec. 1285. Report and briefing on administrative budgeting of foreign military sales program.
- Sec. 1286. Training program for relevant officials and staff of the Defense Security Cooperation Agency.
- Sec. 1287. Definitions.

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- Sec. 1292. Imposition of existing and additional sanctions for the violation of human rights and the commission of human rights abuses in Burma.
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- Sec. 1294. Report and determination on accountability for war crimes, crimes against humanity, and genocide in Burma.
- Sec. 1295. Definitions.

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- Sec. 1296. Report on intelligence community assessment relating to the killing of Washington Post columnist Jamal Khashoggi.
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Subtitle L—Stop Financing of Al-Shabaab Act

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- Sec. 1297A. Sense of Congress and statement of policy.
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- Sec. 1302. Specification of cooperative threat reduction funds.
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- Sec. 1402. Chemical agents and munitions destruction, defense.
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- Sec. 1404. Defense Inspector General.
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Subtitle B—Other Matters

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- Sec. 1412. Authorization of appropriations for Armed Forces Retirement Home.

TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS
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- Sec. 1501. Purpose.
- Sec. 1502. Procurement.
- Sec. 1503. Research, development, test, and evaluation.
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- Sec. 1511. Treatment as additional authorizations.
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- Sec. 1521. Afghanistan Security Forces Fund.

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- Sec. 1601. National Security Space Launch program.
- Sec. 1602. Preparation to implement plan for use of allied launch vehicles.
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- Sec. 1604. Space-based environmental monitoring mission requirements.
- Sec. 1605. Prototype program for multi-global navigation satellite system receiver development.
- Sec. 1606. Commercial space situational awareness capabilities.
- Sec. 1607. Independent study on plan for deterrence in space.
- Sec. 1608. Resilient enterprise ground architecture.
- Sec. 1609. Demonstration of backup and complementary positioning, navigation, and timing capabilities of global positioning system.
- Sec. 1610. Report on space debris.
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Subtitle B—Defense Intelligence and Intelligence-Related Activities

- Sec. 1611. Modifications to ISR Integration Council and annual briefing requirements.
- Sec. 1612. Survey and report on alignment of intelligence collections capabilities and activities with Department of Defense requirements.
- Sec. 1613. Modification of annual authorization of appropriations for National Flagship Language Initiative.
- Sec. 1614. Intelligence assessment of relationship between women and violent extremism.
- Sec. 1615. Funding for Defense Counterintelligence and Security Agency.
- Sec. 1616. Report on potential Defense Intelligence Polygraph Examination Military Transition Program.

Subtitle C—Cyberspace-Related Matters

- Sec. 1621. Notification requirements for sensitive military cyber operations.
- Sec. 1622. Quarterly cyber operations briefings.
- Sec. 1623. Cyber posture review.
- Sec. 1624. Tier 1 exercise of support to civil authorities for a cyber incident.
- Sec. 1625. Evaluation of cyber vulnerabilities of major weapon systems of the Department of Defense.
- Sec. 1626. Extension of the Cyberspace Solarium Commission.
- Sec. 1627. Authority to use operation and maintenance funds for cyber operations-peculiar capability development projects.
- Sec. 1628. Notification of delegation of authorities to the Secretary of Defense for military operations in cyberspace.
- Sec. 1629. Limitation of funding for Consolidated Afloat Networks and Enterprise Services.
- Sec. 1630. Annual military cyberspace operations report.
- Sec. 1631. Report on synchronization of efforts relating to cybersecurity in the Defense Industrial Base.
- Sec. 1632. Briefings on the status of the National Security Agency and United States Cyber Command partnership.
- Sec. 1633. Modification of cyber scholarship program.
- Sec. 1634. Report on cybersecurity training programs.
- Sec. 1635. National Security Presidential Memorandums relating to Department of Defense operations in cyberspace.
- Sec. 1636. Cybersecurity Defense Academy pilot program.

Subtitle D—Nuclear Forces

- Sec. 1641. Improvement to annual report on the modernization of the nuclear weapons enterprise.
- Sec. 1642. Briefings on meetings held by the Nuclear Weapons Council.
- Sec. 1643. Elimination of conventional requirement for long-range standoff weapon.
- Sec. 1644. Extension of annual briefing on the costs of forward-deploying nuclear weapons in Europe.
- Sec. 1645. Ten-year extension of prohibition on availability of funds for mobile variant of ground-based strategic deterrent missile.
- Sec. 1646. Prohibition on availability of funds for deployment of low-yield ballistic missile warhead.
- Sec. 1647. Report on military-to-military dialogue to reduce the risk of miscalculation leading to nuclear war.
- Sec. 1648. Plan on nuclear command, control, and communications systems.
- Sec. 1649. Independent study on policy of no-first-use of nuclear weapons.
- Sec. 1650. Independent study on risks of nuclear terrorism and nuclear war.
- Sec. 1651. Consideration of budget matters at meetings of Nuclear Weapons Council.
- Sec. 1652. Report on nuclear forces of the United States and near-peer countries.

Subtitle E—Missile Defense Programs

- Sec. 1661. National missile defense policy.
- Sec. 1662. Development of hypersonic and ballistic missile tracking space sensor payload.
- Sec. 1663. Requirement for testing of redesigned kill vehicle prior to production.

- Sec. 1664. Development of space-based ballistic missile intercept layer.
- Sec. 1665. Organization, authorities, and billets of the Missile Defense Agency.
- Sec. 1666. Missile defense interceptor site in contiguous United States.
- Sec. 1667. Missile defense radar in Hawaii.
- Sec. 1668. Limitation on availability of funds for lower tier air and missile sensor.
- Sec. 1669. Command and control, battle management, and communications program.
- Sec. 1670. Annual assessment of ballistic missile defense system.
- Sec. 1671. Modifications to required testing by missile defense agency of ground-based midcourse defense element of ballistic missile defense system.
- Sec. 1672. Independent study on impacts of missile defense development and deployment.
- Sec. 1673. Report and briefing on multi-object kill vehicle.

Subtitle F—Other Matters

- Sec. 1681. Modification to reports on certain solid rocket motors.
- Sec. 1682. Repeal of review requirement for ammonium perchlorate report.
- Sec. 1683. Repeal of requirement for commission on electromagnetic pulse attacks and similar events.
- Sec. 1684. Conventional prompt global strike weapon system.

TITLE XVII—SANCTIONS WITH RESPECT TO FOREIGN TRAFFICKERS OF ILLICIT SYNTHETIC OPIOIDS

- Sec. 1701. Short title.
- Sec. 1702. Findings.
- Sec. 1703. Sense of Congress.
- Sec. 1704. Definitions.

Subtitle A—Sanctions With Respect to Foreign Opioid Traffickers

- Sec. 1711. Identification of foreign opioid traffickers.
- Sec. 1712. Sense of Congress on international opioid control regime.
- Sec. 1713. Imposition of sanctions.
- Sec. 1714. Description of sanctions.
- Sec. 1715. Waivers.
- Sec. 1716. Procedures for judicial review of classified information.
- Sec. 1717. Briefings on implementation.
- Sec. 1718. Inclusion of additional material in International Narcotics Control Strategy Report.

Subtitle B—Commission on Combating Synthetic Opioid Trafficking

- Sec. 1721. Commission on combating synthetic opioid trafficking.

Subtitle C—Other Matters

- Sec. 1731. Director of National Intelligence program on use of intelligence resources in efforts to sanction foreign opioid traffickers.
- Sec. 1732. Department of Defense operations and activities.
- Sec. 1733. Termination.
- Sec. 1734. Exception relating to importation of goods.
- Sec. 1735. Appropriate committees of Congress defined.
- Sec. 1736. Funding.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

- Sec. 2001. Short title.
- Sec. 2002. Expiration of authorizations and amounts required to be specified by law.
- Sec. 2003. Effective date.

TITLE XXI—ARMY MILITARY CONSTRUCTION

- Sec. 2101. Authorized Army construction and land acquisition projects.
- Sec. 2102. Family housing.
- Sec. 2103. Authorization of appropriations, Army.
- Sec. 2104. Modification of authority to carry out certain fiscal year 2019 projects.

TITLE XXII—NAVY MILITARY CONSTRUCTION

- Sec. 2201. Authorized Navy construction and land acquisition projects.
- Sec. 2202. Family housing.
- Sec. 2203. Improvements to military family housing units.
- Sec. 2204. Authorization of appropriations, Navy.
- Sec. 2205. Modification of authority to carry out certain fiscal year 2017 project.

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

- Sec. 2301. Authorized Air Force construction and land acquisition projects.
- Sec. 2302. Family housing.
- Sec. 2303. Improvements to military family housing units.
- Sec. 2304. Authorization of appropriations, Air Force.
- Sec. 2305. Modification of authorities to carry out phased Joint Intelligence Analysis Complex consolidation.
- Sec. 2306. Modification of authority to carry out certain fiscal year 2016 project.
- Sec. 2307. Modification of authority to carry out certain fiscal year 2017 project.
- Sec. 2308. Modification of authority to carry out certain fiscal year 2018 projects.
- Sec. 2309. Modification of authority to carry out certain fiscal year 2019 projects.

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

- Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.
- Sec. 2402. Authorized energy resiliency and energy conservation projects.
- Sec. 2403. Authorization of appropriations, Defense Agencies.

TITLE XXV—INTERNATIONAL PROGRAMS

Subtitle A—North Atlantic Treaty Organization Security Investment Program

- Sec. 2501. Authorized NATO construction and land acquisition projects.
- Sec. 2502. Authorization of appropriations, NATO.

Subtitle B—Host Country In-Kind Contributions

- Sec. 2511. Republic of Korea funded construction projects.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

- Sec. 2601. Authorized Army National Guard construction and land acquisition projects.
- Sec. 2602. Authorized Army Reserve construction and land acquisition projects.
- Sec. 2603. Authorized Navy Reserve and Marine Corps Reserve construction and land acquisition projects.
- Sec. 2604. Authorized Air National Guard construction and land acquisition projects.
- Sec. 2605. Authorized Air Force Reserve construction and land acquisition projects.
- Sec. 2606. Authorization of appropriations, National Guard and Reserve.
- Sec. 2607. Review and report on construction of new, or maintenance of existing, direct fuel pipeline connections at Air National Guard and Air Force Reserve installations.

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.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program Changes

- Sec. 2801. Prohibition on use of military construction funds for construction of a wall, fence, or other physical barrier along the southern border of the United States.
- Sec. 2802. Modification and clarification of construction authority in the event of a declaration of war or national emergency.
- Sec. 2803. Inclusion of information regarding military installation resilience in master plans for major military installations.
- Sec. 2804. Improved consultation with tribal governments when proposed military construction projects potentially impact Indian tribes.
- Sec. 2805. Amendment of Unified Facilities Criteria to promote military installation resilience, energy resilience, energy and climate resilience, and cyber resilience.
- Sec. 2806. Modification to Department of Defense Form 1391 regarding consideration of potential long-term adverse environmental effects.
- Sec. 2807. Improved flood risk disclosure for military construction.
- Sec. 2808. Technical corrections and improvements to defense access road resilience.

Subtitle B—Military Family Housing Reforms

- Sec. 2811. Enhanced protections for members of the Armed Forces and their dependents residing in privatized military housing units.
- Sec. 2812. Prohibition on use of nondisclosure agreements in connection with leases of military housing constructed or acquired using alternative authority for acquisition and improvement of military housing.
- Sec. 2813. Authority to furnish certain services in connection with use of alternative authority for acquisition and improvement of military housing.
- Sec. 2814. Modification to requirements for window fall prevention devices in military family housing units.

- Sec. 2815. Assessment of hazards in Department of Defense housing.
- Sec. 2816. Development of process to identify and address environmental health hazards in Department of Defense housing.
- Sec. 2817. Report on civilian personnel shortages for appropriate oversight of management of military housing constructed or acquired using alternative authority for acquisition and improvement of military housing.
- Sec. 2818. Inspector General review of Department of Defense oversight of privatized military housing.
- Sec. 2819. Department of Defense inspection authority regarding privatized military housing.
- Sec. 2820. Improvement of privatized military housing.
- Sec. 2821. Installation of carbon monoxide detectors in military family housing.
- Sec. 2822. Lead-based paint testing and reporting.
- Sec. 2823. Pilot program to build and monitor use of single family homes.
- Sec. 2824. Investigation of reports of reprisals relating to privatized military housing and treatment as material breach.

Subtitle C—Real Property and Facilities Administration

- Sec. 2831. Improved energy security for main operating bases in Europe.
- Sec. 2832. Access to Department of Defense facilities for credentialed transportation workers.
- Sec. 2833. Report on encroachment challenges on military installations posed by non-military aircraft.
- Sec. 2834. Report on capacity of Department of Defense to provide survivors of natural disasters with emergency short-term housing.
- Sec. 2835. Improved recording and maintaining of Department of Defense real property data.
- Sec. 2836. Continued Department of Defense use of heating, ventilation, and air conditioning systems utilizing variable refrigerant flow.
- Sec. 2837. Report on Department of Defense use of intergovernmental support agreements.

Subtitle D—Land Conveyances

- Sec. 2841. Land conveyance, Hill Air Force Base, Utah.
- Sec. 2842. Release of conditions and reversionary interest, Camp Joseph T. Robinson, Arkansas.
- Sec. 2843. Modification of authorized uses of certain property conveyed by the United States in Los Angeles, California.

Subtitle E—Military Land Withdrawals

- Sec. 2851. Public notice regarding upcoming periods of Secretary of the Navy management of Shared Use Area of the Johnson Valley Off-Highway Vehicle Recreation Area.

Subtitle F—White Sands National Park and White Sands Missile Range

- Sec. 2861. Short title.
- Sec. 2862. Definitions.
- Sec. 2863. Findings.
- Sec. 2864. Establishment of White Sands National Park in the State of New Mexico.
- Sec. 2865. Transfers of administrative jurisdiction related to the National Park and White Sands Missile Range.

Sec. 2866. Boundary modifications related to the National Park and Missile Range.

Subtitle G—Other Matters

- Sec. 2871. Installation and maintenance of fire extinguishers in Department of Defense facilities.
- Sec. 2872. Definition of community infrastructure for purposes of military base reuse studies and community planning assistance.
- Sec. 2873. Report on vulnerabilities from sea level rise to certain military installations located outside the continental United States.
- Sec. 2874. Black start exercises at Joint Bases.
- Sec. 2875. Report on projects awaiting approval from the Realty Governance Board.
- Sec. 2876. Santa Ynez Band of Chumash Indians Land Affirmation.
- Sec. 2877. Report on lead service lines at military installations.
- Sec. 2878. Renaming of Lejeune High School in honor of Congressman Walter B. Jones.
- Sec. 2879. Operation, maintenance, and preservation of Mare Island Naval Cemetery, Vallejo, California.
- Sec. 2880. Restrictions on rehabilitation of Over-the-Horizon Backscatter Radar System receiving station, Modoc County, California.

TITLE XXIX—OVERSEAS CONTINGENCY OPERATIONS MILITARY CONSTRUCTION

- Sec. 2901. Authorized Army construction and land acquisition projects.
- Sec. 2902. Authorized Navy construction and land acquisition projects.
- Sec. 2903. Authorized Air Force construction and land acquisition projects.
- Sec. 2904. Authorized defense agencies construction and land acquisition projects.
- Sec. 2905. Authorization of appropriations.

TITLE XXX—AUTHORIZATION OF EMERGENCY MILITARY CONSTRUCTION

- Sec. 3001. Authorization of emergency Navy construction and land acquisition projects.
- Sec. 3002. Authorization of emergency Air Force construction and land acquisition projects.
- Sec. 3003. Authorization of emergency Army National Guard and Army Reserve construction and land acquisition projects.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs and Authorizations

- Sec. 3101. National Nuclear Security Administration.
- Sec. 3102. Defense environmental cleanup.
- Sec. 3103. Other defense activities.
- Sec. 3104. Nuclear energy.

Subtitle B—Program Authorizations, Restrictions, Limitations, and Other Matters

- Sec. 3111. Personnel levels of the Office of the Administrator for Nuclear Security.
- Sec. 3112. Office of Cost Estimating and Program Evaluation.
- Sec. 3113. Clarification of certain Stockpile Responsiveness Program objectives.
- Sec. 3114. Modification to plutonium pit production capacity.
- Sec. 3115. Annual certification of shipments to Waste Isolation Pilot Plant.
- Sec. 3116. Repeal of limitation on availability of funds for acceleration of nuclear weapons dismantlement.
- Sec. 3117. Elimination of limitation on availability of funds relating to submission of annual reports on unfunded priorities.
- Sec. 3118. Program for research and development of advanced naval nuclear fuel system based on low-enriched uranium.
- Sec. 3119. Replacement of W78 warhead.
- Sec. 3120. National Laboratory Jobs Access Program.
- Sec. 3121. Independent review of plans and capabilities for nuclear verification, detection, and monitoring of nuclear weapons and fissile material.
- Sec. 3122. Funding for low-enriched uranium research and development.
- Sec. 3123. Availability of amounts for denuclearization of Democratic People's Republic of North Korea.
- Sec. 3124. Accounting practices of National Nuclear Security Administration facilities.
- Sec. 3125. Funding for inertial confinement fusion ignition and high yield program.
- Sec. 3126. Improvements to Energy Employees Occupational Illness Compensation Program Act of 2000.
- Sec. 3127. Civil penalties for violations of certain whistleblower protections.
- Sec. 3128. Limitation relating to reclassification of high-level waste.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

- Sec. 3201. Authorization.
- Sec. 3202. Improvements to Defense Nuclear Facilities Safety Board.

TITLE XXXIV—NAVAL PETROLEUM RESERVES

- Sec. 3401. Authorization of appropriations.

TITLE XXXV—MARITIME MATTERS

Subtitle A—Maritime Administration

- Sec. 3501. Authorization of the Maritime Administration.
- Sec. 3502. Reauthorization of Maritime Security Program.
- Sec. 3503. Maritime Occupational Safety and Health Advisory Committee.
- Sec. 3504. Military to mariner program.

Subtitle B—Tanker Security Fleet

- Sec. 3511. Tanker Security Fleet.

Subtitle C—Cable Security Fleet

- Sec. 3521. Establishment of Cable Security Fleet.

DIVISION D—FUNDING TABLES

Sec. 4001. Authorization of amounts in funding tables.

TITLE XLI—PROCUREMENT

Sec. 4101. Procurement.

Sec. 4102. Procurement for overseas contingency operations.

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND
EVALUATION

Sec. 4201. Research, development, test, and evaluation.

Sec. 4202. Research, development, test, and evaluation for overseas contingency operations.

TITLE XLIII—OPERATION AND MAINTENANCE

Sec. 4301. Operation and maintenance.

Sec. 4302. Operation and maintenance for overseas contingency operations.

TITLE XLIV—MILITARY PERSONNEL

Sec. 4401. Military personnel.

Sec. 4402. Military personnel for overseas contingency operations.

TITLE XLV—OTHER AUTHORIZATIONS

Sec. 4501. Other authorizations.

Sec. 4502. Other authorizations for overseas contingency operations.

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 commit-
3 tees” has the meaning given that term in section
4 101(a)(16) of title 10, United States Code.

1 **DIVISION A—DEPARTMENT OF**
2 **DEFENSE AUTHORIZATIONS**
3 **TITLE I—PROCUREMENT**
4 **Subtitle A—Authorization of**
5 **Appropriations**

6 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

7 Funds are hereby authorized to be appropriated for
8 fiscal year 2020 for procurement for the Army, the Navy
9 and the Marine Corps, the Air Force, and Defense-wide
10 activities, as specified in the funding table in section 4101.

11 **Subtitle B—Navy Programs**

12 **SEC. 111. MODIFICATION OF ANNUAL REPORT ON COST**
13 **TARGETS FOR CERTAIN AIRCRAFT CAR-**
14 **RIERS.**

15 Section 126(c) of the National Defense Authorization
16 Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat.
17 2035) is amended—

18 (1) in the subsection heading, by striking “AND
19 CVN–80” and inserting “, CVN–80, AND CVN–81”;

20 (2) in paragraph (1), by striking “costs de-
21 scribed in subsection (b) for the CVN–79 and CVN–
22 80” and inserting “cost targets for the CVN–79, the
23 CVN–80, and the CVN–81”; and

24 (3) in paragraph (2)—

1 (A) in the matter preceding subparagraph
 2 (A), by striking “ and the CVN–80” and insert-
 3 ing “, the CVN–80, and the CVN–81”

4 (B) in subparagraph (A), by striking
 5 “costs described in subsection (b)” and insert-
 6 ing “cost targets”;

7 (C) in subparagraph (F), by striking
 8 “costs specified in subsection (b)” and inserting
 9 “cost targets”; and

10 (D) in subparagraph (G), by striking
 11 “costs specified in subsection (b)” and inserting
 12 “cost targets”.

13 **SEC. 112. REPEAL OF REQUIREMENT TO ADHERE TO NAVY**
 14 **COST ESTIMATES FOR CERTAIN AIRCRAFT**
 15 **CARRIERS.**

16 Section 122 of the John Warner National Defense
 17 Authorization Act for Fiscal Year 2007 (Public Law 109–
 18 364; 120 Stat. 2104), as most recently amended by sec-
 19 tion 121(a) of the National Defense Authorization Act for
 20 Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1309),
 21 is repealed.

22 **SEC. 113. FORD CLASS AIRCRAFT CARRIER SUPPORT FOR**
 23 **F–35C AIRCRAFT.**

24 Before accepting delivery of the Ford class aircraft
 25 carrier designated CVN–79, the Secretary of the Navy

1 shall ensure that the aircraft carrier is capable of oper-
2 ating and deploying with the F-35C aircraft.

3 **SEC. 114. PROHIBITION ON USE OF FUNDS FOR REDUCTION**
4 **OF AIRCRAFT CARRIER FORCE STRUCTURE.**

5 None of the funds authorized to be appropriated by
6 this Act or otherwise made available for fiscal year 2020
7 for the Department of Defense may be obligated or ex-
8 pended to reduce the number of operational aircraft car-
9 riers of the Navy below the number specified in section
10 8062(b) of title 10, United States Code.

11 **SEC. 115. DESIGN AND CONSTRUCTION OF AMPHIBIOUS**
12 **TRANSPORT DOCK DESIGNATED LPD-31.**

13 (a) IN GENERAL.—Using funds authorized to be ap-
14 propriated for the Department of Defense for Shipbuilding
15 and Conversion, Navy, the Secretary of the Navy may
16 enter into a contract, beginning with the fiscal year 2020
17 program year, for the design and construction of the am-
18 phibious transport dock designated LPD-31.

19 (b) USE OF INCREMENTAL FUNDING.—With respect
20 to the contract entered into under subsection (a), the Sec-
21 retary may use incremental funding to make payments
22 under the contract.

23 (c) CONDITION FOR OUT-YEAR CONTRACT PAY-
24 MENTS.—The contract entered into under subsection (a)
25 shall provide that any obligation of the United States to

1 make a payment under such contract for any fiscal year
2 after fiscal year 2020 is subject to the availability of ap-
3 propriations for that purpose for such later fiscal year.

4 **SEC. 116. LIMITATION ON AVAILABILITY OF FUNDS PEND-**
5 **ING QUARTERLY UPDATES ON THE CH-53K**
6 **KING STALLION HELICOPTER PROGRAM.**

7 (a) LIMITATION.—Of the funds authorized to be ap-
8 propriated by this Act or otherwise made available for fis-
9 cal year 2020 for aircraft procurement, Navy, for the CH-
10 53K King Stallion helicopter program, not more than 50
11 percent may be obligated or expended until a period of
12 30 days has elapsed following the date on which the Sec-
13 retary of the Navy provides the first briefing required
14 under subsection (b).

15 (b) QUARTERLY BRIEFINGS REQUIRED.—

16 (1) IN GENERAL.—Beginning not later than
17 October 1, 2019, and on a quarterly basis thereafter
18 through October 1, 2022, the Secretary of the Navy
19 shall provide to the Committee on Armed Services of
20 the House of Representatives a briefing on the
21 progress of the CH-53K King Stallion helicopter
22 program.

23 (2) ELEMENTS.—Each briefing under para-
24 graph (1) shall include, with respect to the CH-53K
25 King Stallion helicopter program, the following:

1 (A) An overview of the program schedule.

2 (B) A statement of the total cost of the
3 program as of the date of the briefing, includ-
4 ing the costs of development, testing, and pro-
5 duction.

6 (C) A comparison of the total cost of the
7 program relative to the approved acquisition
8 program baseline.

9 (D) An assessment of flight testing under
10 the program, including identification of the
11 number of test events have been conducted on-
12 time in accordance with the joint integrated
13 program schedule.

14 (E) An update on the correction of tech-
15 nical deficiencies under the program, includ-
16 ing—

17 (i) identification of the technical defi-
18 ciencies that have been corrected as of the
19 date of the briefing;

20 (ii) identification of the technical defi-
21 ciencies that have been discovered, but not
22 corrected, as of such date;

23 (iii) an estimate of the total cost of
24 correcting technical deficiencies under the
25 program; and

1 (iv) an explanation of any significant
2 deviations from the testing and program
3 schedule that are anticipated due to the
4 discovery and correction of technical defi-
5 ciencies.

6 **SEC. 117. LIMITATION ON AVAILABILITY OF FUNDS FOR**
7 **VH-92A HELICOPTER.**

8 (a) LIMITATION.—Of the funds authorized to be ap-
9 propriated by this Act or otherwise made available for fis-
10 cal year 2020 for procurement for the VH-92A helicopter,
11 not more than 75 percent may be obligated or expended
12 until the date on which the Secretary of Navy submits to
13 the Committee on Armed Services of the House of Rep-
14 resentatives the report required under subsection (b).

15 (b) REPORT REQUIRED.—The Secretary of the Navy
16 shall submit to the Committee on Armed Services of the
17 House of Representatives a report assessing the status of
18 the VH-92A helicopter program industrial base and the
19 potential impact of proposed manufacturing base changes
20 on the acquisition program. The report shall include a de-
21 scription of—

22 (1) estimated effects on the manufacturing
23 readiness level of the VH-92 program due to
24 planned changes to the program manufacturing
25 base;

1 (2) the estimated costs and assessment of cost
2 risk to the program due to planned changes to the
3 program manufacturing base;

4 (3) any estimated schedule impacts, including
5 impacts on delivery dates for the remaining low-rate
6 initial production lots and full rate production, re-
7 sulting from changes to the manufacturing base;

8 (4) an assessment of the effect of changes to
9 the manufacturing base on VH-92A sustainment;
10 and

11 (5) the impact of such changes on production
12 and sustainment capacity for the MH-60 and CH-
13 53K helicopters of the Navy.

14 **SEC. 118. NATIONAL DEFENSE RESERVE FLEET VESSEL.**

15 (a) IN GENERAL.—Subject to the availability of ap-
16 propriations, the Secretary of the Navy, acting through
17 the executive agent described in subsection (e), shall seek
18 to enter into a contract for the construction of one sealift
19 vessel for the National Defense Reserve Fleet.

20 (b) DELIVERY DATE.—The contract entered into
21 under subsection (a) shall specify a delivery date for the
22 sealift vessel of not later than September 30, 2026.

23 (c) DESIGN AND CONSTRUCTION REQUIREMENTS.—

24 (1) USE OF EXISTING DESIGN.—The design of
25 the sealift vessel shall be based on a domestic or for-

1 eign design that exists as of the date of the enact-
2 ment of this Act.

3 (2) COMMERCIAL STANDARDS AND PRAC-
4 TICES.—Subject to paragraph (1), the sealift vessel
5 shall be constructed using commercial design stand-
6 ards and commercial construction practices that are
7 consistent with the best interests of the Federal
8 Government.

9 (3) DOMESTIC SHIPYARD.—The sealift vessel
10 shall be constructed in a shipyard that is located in
11 the United States.

12 (d) CERTIFICATE AND ENDORSEMENT.—The sealift
13 vessel shall meet the requirements necessary to receive a
14 certificate of documentation and a coastwise endorsement
15 under chapter 121 of title 46, United States Code, and the
16 Secretary of the Navy shall ensure that the completed ves-
17 sel receives such a certificate and endorsement.

18 (e) EXECUTIVE AGENT.—

19 (1) IN GENERAL.—The Secretary of the Navy
20 shall seek to enter into a contract or other agree-
21 ment with a private-sector entity under which the
22 entity shall act as executive agent for the Secretary
23 for purposes of the contract under subsection (a).

24 (2) RESPONSIBILITIES.—The executive agent
25 described in paragraph (1) shall be responsible for—

1 (A) selecting a shipyard for the construc-
2 tion of the sealift vessel;

3 (B) managing and overseeing the construc-
4 tion of the sealift vessel; and

5 (C) such other matters as the Secretary of
6 the Navy determines to be appropriate

7 (f) USE OF INCREMENTAL FUNDING.—With respect
8 to the contract entered into under subsection (a), the Sec-
9 retary of the Navy may use incremental funding to make
10 payments under the contract.

11 (g) SEALIFT VESSEL DEFINED.—In this section, the
12 term “sealift vessel” means the sealift vessel constructed
13 for the National Defense Reserve Fleet pursuant to the
14 contract entered into under subsection (a).

15 **SEC. 119. REPORT ON PLANS TO SUPPORT AND MAINTAIN**
16 **AIRCRAFT AT MARINE CORPS AIR STATIONS.**

17 (a) REPORT REQUIRED.—No later than 90 days after
18 the date of the enactment of this Act, the Secretary of
19 the Navy shall submit to the congressional defense com-
20 mittees a report on the plans of the Secretary to support
21 and maintain aircraft assigned to Marine Corps air sta-
22 tions that are transitioning from the F–18 Hornet aircraft
23 to the F–35 Lightning aircraft.

24 (b) ELEMENTS.—The report under subsection (a)
25 shall include—

1 (1) the number and composition of squadrons
2 assigned to each air station;

3 (2) the support and maintenance workforce, in-
4 cluding uniformed military, civilian, and contract
5 personnel; and

6 (3) the construction of aircraft and support fa-
7 cilities associated with the beddown of F-35 aircraft
8 at each air station.

9 **Subtitle C—Air Force Programs**

10 **SEC. 121. MODIFICATION OF REQUIREMENT TO PRESERVE** 11 **CERTAIN C-5 AIRCRAFT.**

12 Section 141(d) of the National Defense Authorization
13 Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat.
14 1661) is amended—

15 (1) in paragraph (1), by striking “until the date
16 that is 30 days after the date on which the briefing
17 under section 144(b) of the National Defense Au-
18 thorization Act for Fiscal Year 2018 is provided to
19 the congressional defense committees”; and

20 (2) in paragraph (2)(A), by striking “can be re-
21 turned to service” and inserting “is inducted into or
22 maintained in type 1000 recallable storage”.

1 **SEC. 122. MODIFICATION OF LIMITATION ON USE OF FUNDS**
2 **FOR KC-46A AIRCRAFT.**

3 Section 146(a)(1) of the John S. McCain National
4 Defense Authorization Act for Fiscal Year 2019 (Public
5 Law 115–232) is amended by striking “the military type
6 certification” and inserting “either the military type cer-
7 tification or a military flight release”.

8 **SEC. 123. F-15EX AIRCRAFT PROGRAM.**

9 (a) DESIGNATION OF MAJOR SUBPROGRAM.—In ac-
10 cordance with section 2430a of title 10, United States
11 Code, the Secretary of Defense shall designate the F-
12 15EX program as a major subprogram of the F-15 air-
13 craft program.

14 (b) LIMITATION.—Except as provided in subsection
15 (c), none of the funds authorized to be appropriated by
16 this Act or otherwise made available for fiscal year 2020
17 for the Air Force may be obligated or expended to procure
18 an F-15EX aircraft until a period of 30 days has elapsed
19 following the date on which the Secretary of the Air Force
20 submits to the congressional defense committees the fol-
21 lowing documentation relating to the F-15EX program:

- 22 (1) A program acquisition strategy.
- 23 (2) An acquisition program baseline.
- 24 (3) A test and evaluation master plan.
- 25 (4) A life-cycle sustainment plan.
- 26 (5) A post-production fielding strategy.

1 (c) EXCEPTION FOR PRODUCTION OF PROTO-
2 TYPES.—

3 (1) IN GENERAL.—Notwithstanding subsection
4 (b), the Secretary of the Air Force may use the
5 funds described in paragraph (2) to develop,
6 produce, and test not more than two prototypes of
7 the F-15EX aircraft.

8 (2) FUNDS DESCRIBED.—The funds described
9 in this paragraph are funds authorized to be appro-
10 priated by this Act or otherwise made available for
11 fiscal year 2020 for the Air Force for any of the fol-
12 lowing:

13 (A) Research and development, non-
14 recurring engineering.

15 (B) Aircraft procurement.

16 (d) F-15EX PROGRAM DEFINED.—In this section,
17 the term “F-15EX program” means the F-15EX aircraft
18 program of the Air Force as described in the materials
19 submitted to Congress by the Secretary of Defense in sup-
20 port of the budget of the President for fiscal year 2020
21 (as submitted to Congress under section 1105(a) of title
22 31, United States Code).

1 **SEC. 124. PROHIBITION ON AVAILABILITY OF FUNDS FOR**
2 **REDUCTION IN KC-10 PRIMARY MISSION AIR-**
3 **CRAFT INVENTORY.**

4 None of the funds authorized to be appropriated by
5 this Act or otherwise made available for fiscal year 2020
6 for the Air Force may be obligated or expended to reduce
7 the number of KC-10 aircraft in the primary mission air-
8 craft inventory of the Air Force.

9 **SEC. 125. LIMITATION ON AVAILABILITY OF FUNDS FOR VC-**
10 **25B AIRCRAFT.**

11 (a) LIMITATION.—None of the funds authorized to
12 be appropriated by this Act or otherwise made available
13 for fiscal year 2020 or any subsequent fiscal year for the
14 Air Force may be obligated or expended to carry out over-
15 and-above work on the VC-25B aircraft until the date on
16 which the Secretary of the Air Force certifies to the con-
17 gressional defense committees that—

18 (1) with respect to work relating to aircraft
19 paint scheme, interiors and livery, such work will not
20 result in changes to the VC-25B aircraft that cause
21 the aircraft to exceed—

22 (A) the specification requirements applica-
23 ble to the VC-25A aircraft; or

24 (B) the quality or grade of the VC-25A
25 aircraft;

1 (2) the livery for the VC–25B aircraft will com-
2 ply with the criteria set forth in the report of the
3 Boeing Company titled “Phase II Aircraft Livery
4 and Paint Study Final Report” as submitted to the
5 Federal Government in April 2017;

6 (3) such work is not a result of late design
7 changes made by the Federal Government to the in-
8 terior design of the VC–25B aircraft; and

9 (4) such work is not a result of rework that ex-
10 ceeds the criteria set forth in the report of the Boe-
11 ing Company titled “Presidential Quality Interior
12 Acceptance Standards Report” as submitted to the
13 Federal Government in September 2018.

14 (b) OVER-AND-ABOVE WORK DEFINED.—In this sec-
15 tion, the term “over-and-above work” means work discov-
16 ered during the course of performing overhaul, mainte-
17 nance, or repair efforts that—

18 (1) is within the general scope of the contract
19 pursuant to which such efforts are carried out;

20 (2) is not covered by a line item for the basic
21 work under the contract; and

22 (3) is necessary in order to satisfactorily com-
23 plete the contract.

1 **SEC. 126. LIMITATION ON AVAILABILITY OF FUNDS FOR RE-**
2 **TIREMENT OF RC-135 AIRCRAFT.**

3 (a) LIMITATION.—Except as provided in subsection
4 (b), none of the funds authorized to be appropriated by
5 this Act or otherwise made available for fiscal year 2020
6 for the Air Force may be obligated or expended to retire,
7 or prepare to retire, any RC-135 aircraft until a period
8 of 60 days has elapsed following the date on which the
9 Secretary of Defense certifies to the congressional defense
10 committees that—

11 (1) technologies other than the RC-135 aircraft
12 provide capacity and capabilities equivalent to the
13 capacity and capabilities of the RC-135 aircraft;
14 and

15 (2) the capacity and capabilities of such other
16 technologies meet the requirements of combatant
17 commanders with respect to indications and warn-
18 ing, intelligence preparation of the operational envi-
19 ronment, and direct support for kinetic and non-
20 kinetic operations.

21 (b) EXCEPTION.—The limitation in subsection (a)
22 shall not apply to individual RC-135 aircraft that the Sec-
23 retary of the Air Force determines, on a case-by-case
24 basis, to be no longer mission capable because of mishaps,
25 other damage, or being uneconomical to repair.

1 **SEC. 127. REPORT ON AIRCRAFT FLEET OF THE CIVIL AIR**
2 **PATROL.**

3 (a) REPORT.—Not later than 90 days after the date
4 of the enactment of this Act, the Secretary of the Air
5 Force shall submit to the congressional defense commit-
6 tees a report on the aircraft fleet of the Civil Air Patrol.

7 (b) ELEMENTS.—The report required by subsection
8 (a) shall include an assessment of each of the following:

9 (1) Whether the number of aircraft, types of
10 aircraft, and operating locations that comprise the
11 Civil Air Patrol fleet are suitable for the missions
12 and responsibilities assigned to the Civil Air Patrol,
13 including—

14 (A) flight proficiency and training;

15 (B) operational mission training; and

16 (C) support for cadet orientation and cadet
17 flight training programs in the Civil Air Patrol
18 wing of each State.

19 (2) The ideal overall size of the Civil Air Patrol
20 aircraft fleet, including a description of the factors
21 used to determine that ideal size.

22 (3) The process used by the Civil Air Patrol
23 and the Air Force to determine the number and lo-
24 cation of aircraft operating locations and whether
25 State Civil Air Patrol wing commanders are appro-
26 priately involved in that process.

1 (4) The process used by the Civil Air Patrol,
2 the Air Force, and other relevant entities to deter-
3 mine the type and number of aircraft that are need-
4 ed to support the emergency, operational, and train-
5 ing missions of the Civil Air Patrol.

6 **SEC. 128. INCREASE IN FUNDING FOR RC-135 AIRCRAFT.**

7 (a) INCREASE FOR RC-135.—Notwithstanding the
8 amounts set forth in the funding tables in division D, the
9 amount authorized to be appropriated in section 101 for
10 procurement, as specified in the corresponding funding
11 table in section 4101, for Aircraft Procurement, Air
12 Force, other aircraft, RC-135, line 055 is hereby in-
13 creased by \$171,000,000.

14 (b) INCREASE FOR DARP RC-135.—Notwith-
15 standing the amounts set forth in the funding tables in
16 division D, the amount authorized to be appropriated in
17 section 101 for procurement, as specified in the cor-
18 responding funding table in section 4101, for other pro-
19 curement, Air Force, special support projects, DARP
20 RC135, line 063 is hereby increased by \$29,000,000.

21 (c) OFFSETS.—

22 (1) Notwithstanding the amounts set forth in
23 the funding tables in division D, the amount author-
24 ized to be appropriated in section 301 for operation
25 and maintenance, as specified in the corresponding

1 funding table in section 4301, for operation and
2 maintenance, Defense-wide, admin & servicewide ac-
3 tivities, Defense Contract Management Agency, line
4 200 is hereby reduced by \$25,000,000.

5 (2) Notwithstanding the amounts set forth in
6 the funding tables in division D, the amount author-
7 ized to be appropriated in section 301 for operation
8 and maintenance, as specified in the corresponding
9 funding table in section 4301, for operation and
10 maintenance, Defense-wide, admin & servicewide ac-
11 tivities, Office of the Secretary of Defense, line 460
12 is hereby reduced by \$25,000,000.

13 (3) Notwithstanding the amounts set forth in
14 the funding tables in division D, the amount author-
15 ized to be appropriated in section 101 for procure-
16 ment, as specified in the corresponding funding table
17 in section 4101, for Aircraft Procurement, Air
18 Force, Initial Spares/Repair Parts, line 069 is here-
19 by reduced by \$40,000,000.

20 (4) Notwithstanding the amounts set forth in
21 the funding tables in division D, the amount author-
22 ized to be appropriated in section 101 for procure-
23 ment, as specified in the corresponding funding table
24 in section 4101, for Aircraft Procurement, Air

1 Force, Other Production Charges, line 088 is hereby
2 reduced by \$33,000,000.

3 (5) Notwithstanding the amounts set forth in
4 the funding tables in division D, the amount author-
5 ized to be appropriated in section 101 for procure-
6 ment, as specified in the corresponding funding table
7 in section 4101, for Aircraft Procurement, Air
8 Force, Flares, line 015 is hereby reduced by
9 \$14,000,000.

10 (6) Notwithstanding the amounts set forth in
11 the funding tables in division D, the amount author-
12 ized to be appropriated in section 201 for research,
13 development, test, and evaluation, as specified in the
14 corresponding funding table in section 4201, for Re-
15 search, Development, Test & Evaluation, Air Force,
16 Acq Workforce-Global Vigilance and Combat Sys-
17 tems, line 130 is hereby reduced by \$25,000,000.

18 (7) Notwithstanding the amounts set forth in
19 the funding tables in division D, the amount author-
20 ized to be appropriated in section 201 for research,
21 development, test, and evaluation, as specified in the
22 corresponding funding table in section 4201, for Re-
23 search, Development, Test & Evaluation, Air Force,
24 Acq Workforce-Global Battle Management, line 133
25 is hereby reduced by \$16,000,000.

1 (8) Notwithstanding the amounts set forth in
2 the funding tables in division D, the amount author-
3 ized to be appropriated in section 201 for research,
4 development, test, and evaluation, as specified in the
5 corresponding funding table in section 4201, for Re-
6 search, Development, Test & Evaluation, Air Force,
7 Acq Workforce-Capability Integration, line 134 is
8 hereby reduced by \$22,000,000.

9 **SEC. 129. PROVISIONS RELATING TO RC-26B MANNED IN-**
10 **TELLIGENCE, SURVEILLANCE, AND RECON-**
11 **NAISSANCE AIRCRAFT.**

12 (a) LIMITATION OF FUNDS.—None of the funds au-
13 thorized to be appropriated by this Act or otherwise made
14 available for fiscal year 2020 for the Air Force may be
15 obligated or expended to retire, divest, realign, or place
16 in storage or on backup aircraft inventory status, or pre-
17 pare to retire, divest, realign, or place in storage or on
18 backup aircraft inventory status, any RC-26B aircraft
19 until a period of 60 days has elapsed following the date
20 on which the Secretary of Defense certifies to the congres-
21 sional defense committees that—

22 (1) technologies or platforms other than the
23 RC-26B aircraft provide capacity and capabilities
24 equivalent to the capacity and capabilities of the
25 RC-26B aircraft; and

1 (2) the capacity and capabilities of such other
2 technologies or platforms meet the requirements of
3 combatant commanders with respect to indications
4 and warning, intelligence preparation of the oper-
5 ational environment, and direct support for kinetic
6 and non-kinetic operations.

7 (b) EXCEPTION.—The limitation in subsection (a)
8 shall not apply to individual RC–26 aircraft that the Sec-
9 retary of the Air Force determines, on a case-by-case
10 basis, to be no longer mission capable because of mishaps
11 or other damage.

12 (c) FUNDING FOR RC–26B MANNED INTELLIGENCE,
13 SURVEILLANCE, AND RECONNAISSANCE PLATFORM.—

14 (1) Of the amount authorized to be appro-
15 priated in section 301 for operation and mainte-
16 nance, as specified in the corresponding funding
17 table in 4301, for operation and maintenance, Air
18 National Guard, the Secretary of the Air Force may
19 transfer up to \$15,000,000 for the purposes of the
20 RC–26B manned intelligence, surveillance, and re-
21 connaissance platform.

22 (2) Of the amount authorized to be appro-
23 priated in section 421 for military personnel, as
24 specified in the corresponding funding table in 4401,
25 the Secretary of the Air Force may transfer up to

1 \$16,000,000 from military personnel, Air National
2 Guard for personnel who operate and maintain the
3 RC-26B manned intelligence, surveillance, and re-
4 connaissance platform.

5 (d) MEMORANDUM OF AGREEMENT.—Notwith-
6 standing any other provision of law, the Chief of the Na-
7 tional Guard Bureau may enter into one or more Memo-
8 randum of Agreement with other Federal entities for the
9 purposes of assisting with the missions and activities of
10 such entities.

11 (e) AIR FORCE REPORT.—Not later than 90 days
12 after enactment of this Act, the Secretary of the Air Force
13 shall submit to congressional defense committees a report
14 detailing the manner in which the Secretary would provide
15 manned and unmanned intelligence, surveillance, and re-
16 connaissance mission support or manned and unmanned
17 incident awareness and assessment mission support to
18 military and non-military entities in the event the RC-
19 26B is divested. The Secretary shall include a determina-
20 tion regarding whether or not this support would be com-
21 mensurate with that which the RC-26B is able to provide.
22 The Secretary, in consultation with the Chief of the Na-
23 tional Guard Bureau shall also contact and survey the
24 support requirements of other Federal agencies and pro-
25 vide an assessment for potential opportunities to enter

1 into one or more Memorandum of Agreements with such
2 agencies for the purposes of assisting with the missions
3 and activities of such entities, such as domestic or, subject
4 to legal authorities, foreign operations, including but not
5 limited to situational awareness, damage assessment,
6 evacuation monitoring, search and rescue, chemical, bio-
7 logical, radiological, and nuclear assessment, hydrographic
8 survey, dynamic ground coordination, and cyberspace inci-
9 dent response.

10 **SEC. 130. AIR FORCE AGGRESSOR SQUADRON MODERNIZA-**
11 **TION.**

12 (a) SENSE OF THE HOUSE OF REPRESENTATIVES.—

13 It is the sense of the House of Representatives that—

14 (1) it is critical that the Air Force has the ca-
15 pability to train against an advanced air adversary
16 in order to be prepared for conflicts against a mod-
17 ern enemy force;

18 (2) in order to have this capability, Air Force
19 must have access to an advanced adversary force
20 prior to United States adversaries fielding a 5th-
21 generation operational capability; and

22 (3) the Air Force's plan to use low-rate initial
23 production F-35As as aggressor aircraft reflects a
24 recognition of the need to field a modernized aggres-
25 sor fleet.

1 (b) REPORT.—

2 (1) IN GENERAL.—No later than 6 months
3 prior to the transfer of any low-rate initial produc-
4 tion F-35 aircraft for use as aggressor aircraft, the
5 Chief of Staff of the Air Force shall submit to the
6 congressional defense committees, and the Member
7 of Congress and the Senators who represent bases
8 from where aircraft may be transferred, a com-
9 prehensive plan and report on the strategy for mod-
10 ernizing the organic aggressor fleet.

11 (2) ELEMENTS.—The report required under
12 paragraph (1) shall include the following elements:

13 (A) Potential locations for F-35A aggres-
14 sor aircraft, including an analysis of installa-
15 tions that—

16 (i) have the size and availability of
17 airspace necessary to meet flying oper-
18 ations requirements;

19 (ii) have sufficient capacity and avail-
20 ability of range space;

21 (iii) are capable of hosting advanced-
22 threat training exercises; and

23 (iv) meet or require minimal addition
24 to the environmental requirements associ-
25 ated with the basing action.

1 (B) An analysis of the potential cost and
2 benefits of expanding aggressor squadrons cur-
3 rently operating 18 Primary Assigned Aircraft
4 (PAA) to a level of 24 PAA each.

5 (C) An analysis of the cost and timelines
6 associated with modernizing the current Air
7 Force aggressor squadrons to include upgrading
8 aircraft's radar, infrared search-and-track sys-
9 tems, radar warning receiver, tactical datalink,
10 threat-representative jamming pods, and other
11 upgrades necessary to provide a realistic ad-
12 vanced adversary threat.

13 (D) Any costs associated with moving the
14 aircraft.

15 (E) Any jobs on the relevant military in-
16 stallation that may be affected by said changes.

17 **SEC. 130A. OPEN SKIES TREATY AIRCRAFT RECAPITALIZA-**
18 **TION PROGRAM.**

19 (a) IN GENERAL.—The Secretary of the Air Force
20 shall ensure that any Request for Proposals for the pro-
21 curement of an OC-135B aircraft under the Open Skies
22 Treaty aircraft recapitalization program meets the re-
23 quirements for full and open competition as set forth in
24 section 2304 of title 10, United States Code, and incor-
25 porates a full competitive bidding process, to include both

1 new production aircraft and recently manufactured low-
2 hour, low-cycle aircraft

3 (b) OPEN SKIES TREATY DEFINED.—The term
4 “Open Skies Treaty” means the Treaty on Open Skies,
5 done at Helsinki March 24, 1992, and entered into force
6 January 1, 2002.

7 **Subtitle D—Defense-wide, Joint,**
8 **and Multiservice Matters**

9 **SEC. 131. ECONOMIC ORDER QUANTITY CONTRACTING AND**
10 **BUY-TO-BUDGET ACQUISITION FOR F-35 AIR-**
11 **CRAFT PROGRAM.**

12 (a) ECONOMIC ORDER QUANTITY CONTRACT AU-
13 THORITY.—

14 (1) IN GENERAL.—Subject to paragraphs (2)
15 through (5), from amounts made available for obli-
16 gation under the F-35 aircraft program for fiscal
17 year 2020, the Secretary of Defense may enter into
18 one or more contracts, beginning with the fiscal year
19 2020 program year, for the procurement of economic
20 order quantities of material and equipment that has
21 completed formal hardware qualification testing for
22 the F-35 aircraft program for use in procurement
23 contracts to be awarded for such program during
24 fiscal years 2021, 2022, and 2023.

1 (2) LIMITATION.—The total amount obligated
2 under all contracts entered into under paragraph (1)
3 shall not exceed \$574,000,000.

4 (3) PRELIMINARY FINDINGS.—Before entering
5 into a contract under paragraph (1), the Secretary
6 of Defense shall make each of the following findings
7 with respect to such contract:

8 (A) The use of such a contract will result
9 in significant savings of the total anticipated
10 costs of carrying out the program through an-
11 nual contracts.

12 (B) The minimum need for the property to
13 be procured is expected to remain substantially
14 unchanged during the contemplated contract
15 period in terms of production rate, procurement
16 rate, and total quantities.

17 (C) There is a reasonable expectation that,
18 throughout the contemplated contract period,
19 the Secretary will request funding for the con-
20 tract at the level required to avoid contract can-
21 cellation.

22 (D) That there is a stable, certified, and
23 qualified design for the property to be procured
24 and that the technical risks and redesign risks
25 associated with such property are low.

1 (E) The estimates of both the cost of the
2 contract and the anticipated cost avoidance
3 through the use of an economic order quantity
4 contract are realistic.

5 (F) Entering into the contract will pro-
6 mote the national security interests of the
7 United States.

8 (4) CERTIFICATION REQUIREMENT.—Except as
9 provided in paragraph (5), the Secretary of Defense
10 may not enter into a contract under paragraph (1)
11 until a period of 30 days has elapsed following the
12 date on which the Secretary certifies to the congres-
13 sional defense committees, in writing, that each of
14 the following conditions is satisfied:

15 (A) A sufficient number of end items of
16 the system being acquired under such contract
17 have been delivered at or within the most re-
18 cently available estimates of the program acqui-
19 sition unit cost or procurement unit cost for
20 such system to determine that the estimates of
21 the unit costs are realistic.

22 (B) During the fiscal year in which such
23 contract is to be awarded, sufficient funds will
24 be available to perform the contract in such fis-
25 cal year, and the future-years defense program

1 submitted to Congress under section 221 of
2 title 10, United States Code, for that fiscal year
3 will include the funding required to execute the
4 program without cancellation.

5 (C) The contract is a fixed-price type con-
6 tract.

7 (D) The proposed contract provides for
8 production at not less than minimum economic
9 rates given the existing tooling and facilities.

10 (E) The Secretary has determined that
11 each of the conditions described in subpara-
12 graphs (A) through (F) of paragraph (3) will be
13 met by such contract and has provided the
14 basis for such determination to the congres-
15 sional defense committees.

16 (F) The determination under subpara-
17 graph (E) was made after the completion of a
18 cost analysis performed by the Director of Cost
19 Assessment and Program Evaluation for the
20 purpose of section 2334 of title 10, United
21 States Code, and the analysis supports that de-
22 termination.

23 (5) EXCEPTION.—Notwithstanding paragraph
24 (4), the Secretary of Defense may enter into a con-

1 tract under paragraph (1) on or after March 1,
2 2020, if—

3 (A) the Director of Cost Assessment and
4 Program Evaluation has not completed a cost
5 analysis of the preliminary findings made by
6 the Secretary under paragraph (3) with respect
7 to the contract;

8 (B) the Secretary certifies to the congres-
9 sional defense committees, in writing, that each
10 of the conditions described in subparagraphs
11 (A) through (E) of paragraph (4) is satisfied;
12 and

13 (C) a period of 30 days has elapsed fol-
14 lowing the date on which the Secretary submits
15 the certification under subparagraph (B).

16 (b) BUY-TO-BUDGET ACQUISITION.—Subject to sec-
17 tion 2308 of title 10, United States Code, using funds au-
18 thorized to be appropriated by this Act for the procure-
19 ment of F–35 aircraft, the Secretary of Defense may pro-
20 cure a quantity of F–35 aircraft in excess of the quantity
21 authorized by this Act if such additional procurement does
22 not require additional funds to be authorized to be appro-
23 priated because of production efficiencies or other cost re-
24 ductions.

1 **SEC. 132. PROGRAM REQUIREMENTS FOR THE F-35 AIR-**
2 **CRAFT PROGRAM.**

3 (a) DESIGNATION OF MAJOR SUBPROGRAM.—In ac-
4 cordance with section 2430a of title 10, United States
5 Code, the Secretary of Defense shall designate F-35 Block
6 4 as a major subprogram of the F-35 aircraft program.

7 (b) COST ESTIMATES.—

8 (1) JOINT COST ESTIMATE.—The Secretary of
9 the Air Force and the Secretary of the Navy shall
10 jointly develop a joint service cost estimate for the
11 life-cycle costs of the F-35 aircraft program.

12 (2) INDEPENDENT COST ESTIMATE.—The Di-
13 rector of Cost Assessment and Program Evaluation
14 shall develop an independent cost estimate for the
15 life-cycle costs of the F-35 aircraft program.

16 (3) SUBMITTAL TO CONGRESS.—The cost esti-
17 mates required under paragraphs (1) and (2) shall
18 be submitted to the congressional defense commit-
19 tees not later than 180 days after the date of the
20 enactment of this Act.

21 (c) REVISION OF PROGRAM ELEMENTS.—

22 (1) REVISION REQUIRED.—The Secretary of
23 Defense shall revise the program elements applicable
24 to the F-35 aircraft program as follows:

25 (A) RESEARCH AND DEVELOPMENT.—The
26 program element for research and development

1 costs (as that element was specified in the ma-
2 terials submitted to Congress by the Secretary
3 of Defense in support of the budget of the
4 President for fiscal year 2020 (as submitted to
5 Congress under section 1105(a) of title 31,
6 United States Code)) shall be separated into
7 the following individual program elements:

8 (i) System development and dem-
9 onstration closeout.

10 (ii) F-35 Block 4.

11 (iii) Autonomic logistics information
12 system development and upgrades.

13 (iv) Dual-capable aircraft.

14 (v) Test infrastructure.

15 (vi) Additional program budget ele-
16 ments, as required, for each modernization
17 or upgrade effort initiated after F-35
18 Block 4.

19 (B) PROCUREMENT.—The program ele-
20 ment for procurement costs (as that element
21 was specified in the materials submitted to Con-
22 gress by the Secretary of Defense in support of
23 the budget of the President for fiscal year 2020
24 (as submitted to Congress under section
25 1105(a) of title 31, United States Code)) shall

1 be separated into the following individual pro-
2 gram elements:

3 (i) Recurring fly-away and ancillary
4 equipment.

5 (ii) Non-recurring fly-away and ancil-
6 lary equipment.

7 (iii) F-35 Block 4.

8 (iv) Autonomic logistics information
9 system.

10 (v) Dual-capable aircraft.

11 (vi) Engineering support.

12 (vii) Aircraft retrofit and modifica-
13 tion.

14 (viii) Depot activation.

15 (ix) Initial spares.

16 (x) Production support.

17 (2) INCLUSION IN BUDGET MATERIALS.—The
18 Secretary of Defense shall ensure that each revised
19 program element described in paragraph (1) is in-
20 cluded, with a specific dollar amount, in the mate-
21 rials relating to the F-35 aircraft program sub-
22 mitted to Congress by the Secretary of Defense in
23 support of the budget of the President (as submitted
24 to Congress under section 1105(a) of title 31,
25 United States Code) for fiscal year 2021 and each

1 fiscal year thereafter until the date on which the F–
2 35 aircraft program terminates.

3 (d) COMPTROLLER GENERAL REPORTS.—

4 (1) ANNUAL REPORT REQUIRED.—Not later
5 than 30 days after the date on which the budget of
6 the President is submitted to Congress under section
7 1105(a) of title 31, United States Code, for each of
8 fiscal years 2021 through 2025, the Comptroller
9 General of the United States shall submit to the
10 congressional defense committees a report on the F–
11 35 aircraft program.

12 (2) ELEMENTS.—Each report under paragraph
13 (1) shall include, with respect to the F–35 aircraft
14 program, the following:

15 (A) An assessment of the progress of man-
16 ufacturing processes improvement under the
17 program.

18 (B) The business case analysis of the De-
19 partment of Defense for F–35 Block 4 follow-
20 on modernization efforts.

21 (C) The progress and results of F–35
22 Block 4 and other follow-on modernization de-
23 velopment and testing efforts.

1 (D) The Department’s schedule for deliv-
2 ering software upgrades in six-month, scheduled
3 increments.

4 (E) The progress and results of any other
5 significant hardware development and fielding
6 efforts necessary for F-35 Block 4.

7 (F) Any other issues the Comptroller Gen-
8 eral determines to be appropriate.

9 (e) F-35 BLOCK 4 DEFINED.—In this section, the
10 term “F-35 Block 4” means Block 4 capability upgrades
11 for the F-35 aircraft program as described in the Selected
12 Acquisition Report for the program submitted to Congress
13 in March 2019, pursuant to section 2432 of title 10,
14 United States Code.

15 **SEC. 133. REPORTS ON F-35 AIRCRAFT PROGRAM.**

16 (a) REPORT ON F-35 RELIABILITY AND MAINTAIN-
17 ABILITY METRICS.—The Secretary of Defense shall sub-
18 mit to the congressional defense committees a report on
19 the reliability and maintainability metrics for the F-35
20 aircraft. The report shall include the following:

21 (1) The results of a review and assessment,
22 conducted by the program office for the F-35 air-
23 craft program, of the reliability and maintainability
24 metrics for the aircraft as set forth in the most re-

1 cent operational requirements document for the pro-
2 gram.

3 (2) A determination of whether the reliability
4 and maintainability metrics for the aircraft, as set
5 forth in the most recent operational requirements
6 document for the program, are feasible and attain-
7 able, and what changes, if any, will be made to up-
8 date the metrics.

9 (3) A certification that the program office for
10 the F-35 aircraft program has revised the reliability
11 and maintainability improvement plan for the air-
12 craft—

13 (A) to identify specific and measurable re-
14 liability and maintainability objectives in the
15 improvement plan guidance; and

16 (B) to identify and document which
17 projects included in the improvement plan will
18 achieve the objectives identified under subpara-
19 graph (A).

20 (b) REPORT ON F-35 BLOCK 4.—

21 (1) IN GENERAL.—The Secretary of Defense
22 shall submit to the congressional defense committees
23 a report on F-35 Block 4. The report shall include
24 the following:

1 (A) The results of an independent cost es-
2 timate for F-35 Block 4 conducted by the Di-
3 rector of Cost Assessment and Program Eval-
4 uation.

5 (B) A test and evaluation master plan, ap-
6 proved by the Director of Operational Test and
7 Evaluation, that addresses testing resources,
8 testing aircraft shortfalls, and testing funding.

9 (C) A technology readiness assessment of
10 all technologies and capabilities planned for F-
11 35 Block 4 conducted by the Under Secretary
12 of Defense for Research and Engineering.

13 (D) A review of the feasibility of the con-
14 tinuous capability development and delivery
15 strategy for fielding F-35 Block 4 technologies
16 conducted by the Under Secretary of Defense
17 for Research and Engineering.

18 (2) F-35 BLOCK 4 DEFINED.—In this sub-
19 section, the term “F-35 Block 4” has the meaning
20 given that term in section 132(e).

21 (c) REPORT ON F-35 AUTONOMIC LOGISTICS INFOR-
22 MATION SYSTEM.—The Secretary of Defense shall submit
23 to the congressional defense committees a report on the
24 autonomic logistics information system of the F-35 air-

1 craft. The report shall include a description of each of the
2 following:

3 (1) All shortfalls, capability gaps, and defi-
4 ciencies in the system that have been identified as
5 of the date of the enactment of this Act.

6 (2) The strategy and performance requirements
7 that will be implemented to improve the system.

8 (3) The strategy, implementation plan, sched-
9 ule, and estimated costs of developing and fielding—
10 (A) the next generation of the system; or
11 (B) future increments of the system.

12 (d) DEADLINE FOR SUBMITTAL.—The reports re-
13 quired under subsections (a) through (c) shall be sub-
14 mitted to the congressional defense committees not later
15 than 180 days after the date of the enactment of this Act.

16 **SEC. 134. REQUIREMENT TO SEEK COMPENSATION FOR**
17 **FAILURE TO DELIVER NON-READY-FOR-ISSUE**
18 **SPARE PARTS FOR THE F-35 AIRCRAFT PRO-**
19 **GRAM.**

20 The Secretary of Defense shall take such action as
21 necessary to seek compensation from the contractor for
22 costs related to the failure to deliver non-Ready-For-Issue
23 spare parts for the F-35 aircraft program as described
24 in described in the report titled “Audit of F-35 Ready-
25 For-Issue Spare Parts and Sustainment Performance In-

1 centive Fees” (DODIG–2019–094) issued by the Depart-
2 ment of Defense Inspector General on June 13, 2019.

3 **SEC. 135. PROCUREMENT AUTHORITY FOR LIGHT ATTACK**
4 **AIRCRAFT.**

5 (a) PROCUREMENT AUTHORITY FOR COMBAT AIR
6 ADVISOR SUPPORT.—Subject to subsection (b), the Com-
7 mander of the United States Special Operations Command
8 may procure light attack aircraft for Combat Air Advisor
9 mission support.

10 (b) CERTIFICATION REQUIRED.—The Commander of
11 the United States Special Operations Command may not
12 procure light attack aircraft under subsection (a) until a
13 period of 60 days has elapsed following the date on which
14 the Commander certifies to the congressional defense com-
15 mittees that a mission capability gap and special-oper-
16 ations-forces-peculiar acquisition requirement exists which
17 can be mitigated with procurement of a light attack air-
18 craft capability.

19 (c) AUTHORITY TO USE OR TRANSFER FUNDS MADE
20 AVAILABLE FOR LIGHT ATTACK AIRCRAFT EXPERI-
21 MENTS.—The Secretary of the Air Force shall use or
22 transfer amounts authorized to be appropriated by this
23 Act for Light Attack Aircraft experiments to procure the
24 required quantity of aircraft for—

1 (1) Air Combat Command's Air Ground Oper-
2 ations School; and

3 (2) Air Force Special Operations Command for
4 Combat Air Advisor mission support in accordance
5 with subsection (a).

6 **TITLE II—RESEARCH, DEVELOP-**
7 **MENT, TEST, AND EVALUA-**
8 **TION**

9 **Subtitle A—Authorization of**
10 **Appropriations**

11 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

12 Funds are hereby authorized to be appropriated for
13 fiscal year 2020 for the use of the Department of Defense
14 for research, development, test, and evaluation, as speci-
15 fied in the funding table in section 4201.

16 **Subtitle B—Program Require-**
17 **ments, Restrictions, and Limita-**
18 **tions**

19 **SEC. 211. PROGRAM ON ENHANCEMENT OF PREPARATION**
20 **OF DEPENDENTS OF MEMBERS OF ARMED**
21 **FORCES FOR CAREERS IN SCIENCE, TECH-**
22 **NOLOGY, ENGINEERING, AND MATHEMATICS.**

23 (a) PROGRAM REQUIRED.—Chapter 111 of title 10,
24 United States Code, is amended by inserting after section
25 2192a the following new section:

1 **“§ 2192b. Program on enhancement of preparation of**
2 **dependents of members of armed forces**
3 **for careers in science, technology, engi-**
4 **neering, and mathematics**

5 “(a) PROGRAM REQUIRED.—The Secretary of De-
6 fense shall carry out a program to—

7 “(1) enhance the preparation of students at
8 covered schools for careers in science, technology,
9 engineering, and mathematics; and

10 “(2) provide assistance to teachers at covered
11 schools to enhance preparation described in para-
12 graph (1).

13 “(b) COORDINATION.—In carrying out the program,
14 the Secretary shall coordinate with the following:

15 “(1) The Secretaries of the military depart-
16 ments.

17 “(2) The Secretary of Education.

18 “(3) The National Science Foundation.

19 “(4) Other organizations as the Secretary of
20 Defense considers appropriate.

21 “(c) ACTIVITIES.—Activities under the program may
22 include the following:

23 “(1) Establishment of targeted internships and
24 cooperative research opportunities at defense labora-
25 tories and other technical centers for students and
26 teachers at covered schools.

1 “(2) Establishment of scholarships and fellow-
2 ships for students at covered schools.

3 “(3) Efforts and activities that improve the
4 quality of science, technology, engineering, and
5 mathematics educational and training opportunities
6 for students and teachers at covered schools, includ-
7 ing with respect to improving the development of
8 curricula at covered schools.

9 “(4) Development of travel opportunities, dem-
10 onstrations, mentoring programs, and informal
11 science education for students and teachers at cov-
12 ered schools.

13 “(d) METRICS.—The Secretary shall establish out-
14 come-based metrics and internal and external assessments
15 to evaluate the merits and benefits of activities conducted
16 under the program with respect to the needs of the De-
17 partment of Defense.

18 “(e) COVERED SCHOOLS DEFINED.—In this section,
19 the term ‘covered schools’ means elementary or secondary
20 schools at which the Secretary determines a significant
21 number of dependents of members of the armed forces are
22 enrolled.”.

23 (b) CLERICAL AMENDMENT.—The table of sections
24 at the beginning of such chapter is amended by inserting

1 after the item relating to section 2192a the following new
 2 item:

“2192b. Program on enhancement of preparation of dependents of members of
 armed forces for careers in science, technology, engineering,
 and mathematics.”.

3 (c) CONFORMING REPEAL.—Section 233 of the Carl
 4 Levin and Howard P. “Buck” McKeon National Defense
 5 Authorization Act for Fiscal Year 2015 (Public Law 113–
 6 291; 10 U.S.C. 2193a note) is repealed.

7 **SEC. 212. TEMPORARY INCLUSION OF JOINT ARTIFICIAL IN-**
 8 **TELLIGENCE CENTER OF THE DEPARTMENT**
 9 **OF DEFENSE IN PERSONNEL MANAGEMENT**
 10 **AUTHORITY TO ATTRACT EXPERTS IN**
 11 **SCIENCE AND ENGINEERING.**

12 (a) IN GENERAL.—Subsection (a) of section 1599h
 13 of title 10, United States Code, is amended by adding at
 14 the end the following new paragraph:

15 “(6) JOINT ARTIFICIAL INTELLIGENCE CEN-
 16 TER.—The Director of the Joint Artificial Intel-
 17 ligence Center may carry out a program of personnel
 18 management authority provided in subsection (b) in
 19 order to facilitate recruitment of eminent experts in
 20 science or engineering for the Center. The authority
 21 to carry out the program under this paragraph shall
 22 terminate on December 31, 2024.”.

23 (b) SCOPE OF APPOINTMENT AUTHORITY.—Sub-
 24 section (b)(1) of such section is amended—

1 (1) in subparagraph (D), by striking “and” at
2 the end;

3 (2) in subparagraph (E), by adding “and” at
4 the end; and

5 (3) by adding at the end the following new sub-
6 paragraph:

7 “(F) in the case of the Joint Artificial In-
8 telligence Center, appoint scientists and engi-
9 neers to a total of not more than 5 scientific
10 and engineering positions in the Center;”.

11 (c) EXTENSION OF TERMS OF APPOINTMENT.—Sub-
12 section (c)(2) of such section is amended by striking “or
13 the Defense Innovation Unit Experimental” and inserting
14 “the Defense Innovation Unit Experimental, or the Joint
15 Artificial Intelligence Center”.

16 **SEC. 213. JOINT HYPERSONICS TRANSITION OFFICE.**

17 Section 218 of the John Warner National Defense
18 Authorization Act for Fiscal Year 2007 (Public Law 109–
19 364; 10 U.S.C. 2358 note) is amended—

20 (1) in subsection (a), by striking “the program
21 required under subsection (b), and shall” and insert-
22 ing “the program and activities described in sub-
23 sections (d) through (g), and shall”;

24 (2) by redesignating subsections (b) through (e)
25 as subsections (d) through (g), respectively;

1 (3) by inserting after subsection (a) the fol-
2 lowing new subsections:

3 “(b) DIRECTOR.—There is a Director of the Office
4 (referred to in this section as the ‘Director’). The Director
5 shall be appointed by the Secretary of Defense and shall
6 serve as the senior official in the Department of Defense
7 with principal responsibility for carrying out the program
8 and activities described in subsections (d) through (g).
9 The Director shall report to the Assistant Director for
10 Hypersonics within the Office of the Under Secretary of
11 Defense for Research and Engineering.

12 “(c) UNIVERSITY CONSORTIUM.—

13 “(1) DESIGNATION.—The Director shall des-
14 ignate a consortium of institutions of higher edu-
15 cation (as that term is defined in section 101 of the
16 Higher Education Act of 1965 (20 U.S.C. 1001)) to
17 lead foundational hypersonic research in research
18 areas that the Director determines to be appropriate
19 for the Department of Defense.

20 “(2) AVAILABILITY OF INFORMATION.—The Di-
21 rector shall ensure that the research results and re-
22 ports of the consortium are made available across
23 the Federal Government, the private sector, and aca-
24 demia, consistent with appropriate security classi-
25 fication guidance.”;

1 (4) in subsection (d), by striking “The Office”
2 and inserting “The Director”;

3 (5) in subsection (e), as so redesignated—

4 (A) in the matter preceding paragraph (1),
5 by striking “program required by subsection
6 (b), the Office” and inserting “program re-
7 quired by subsection (d), the Director”;

8 (B) in paragraph (3)(A), by striking “pri-
9 vate sector” and inserting “private-sector aca-
10 demic”; and

11 (C) in paragraph (5), by striking “certified
12 under subsection (e) as being consistent with
13 the roadmap under subsection (d)” and insert-
14 ing “certified under subsection (g) as being
15 consistent with the roadmap under subsection
16 (f)”;

17 (6) in subsection (f), as so redesignated—

18 (A) in paragraph (3)—

19 (i) in subparagraph (C)—

20 (I) in clause (i), by striking
21 “and” at the end;

22 (II) in clause (ii), by striking the
23 period at the end and inserting “;
24 and”; and

1 (III) by adding at the end the
2 following new clause:

3 “(iii) the activities and resources of
4 the consortium designated by the Director
5 under subsection (c) to be leveraged by the
6 Department to meet such goals.”; and

7 (ii) in subparagraph (D), by striking
8 “facilities” both places it appears and in-
9 serting “facilities and infrastructure”; and
10 (B) by adding at the end the following new
11 paragraph:

12 “(4) SUBMITTAL TO CONGRESS.—

13 “(A) INITIAL SUBMISSION.—Not later than
14 180 days after the date of the enactment of this
15 paragraph, the Secretary of Defense shall sub-
16 mit to the congressional defense committees the
17 roadmap developed under paragraph (1).

18 “(B) SUBSEQUENT SUBMISSIONS.—The
19 Secretary of Defense shall submit to the con-
20 gressional defense committees each roadmap re-
21 vised under paragraph (1) together with the
22 budget submitted to Congress under section
23 1105 of title 31, United States Code, for the
24 fiscal year concerned.”;

25 (7) in subsection (g), as so redesignated—

1 (A) by striking “subsection (d)” each place
2 it appears and inserting “subsection (f)”;

3 (B) in paragraph (1)—

4 (i) in the matter preceding subpara-
5 graph (A), by striking “The Office” and
6 insert “The Director”;

7 (ii) in subparagraph (A) by striking
8 “research, development, test, and evalua-
9 tion and demonstration programs within
10 the Department of Defense” and inserting
11 “defense-wide research, development, test,
12 and evaluation and demonstration pro-
13 grams”; and

14 (iii) in subparagraph (B), by striking
15 “the hypersonics” and inserting “all
16 hypersonics”;

17 (C) in paragraph (2), by striking “The Of-
18 fice” and inserting “The Director”; and

19 (D) in paragraph (3), by striking “2016”
20 and inserting “2026”; and

21 (8) by adding at the end the following new sub-
22 section:

23 “(h) FUNDING.—The Secretary may make available
24 such funds to the Office for basic research, applied re-
25 search, advanced technology development, prototyping,

1 studies and analyses, and organizational support as the
 2 Secretary considers appropriate to support the efficient
 3 and effective development of hypersonics technologies and
 4 transition of those systems and technologies into acquisi-
 5 tion programs or operational use.”.

6 **SEC. 214. MODIFICATION OF PROOF OF CONCEPT COMMER-**
 7 **CIALIZATION PROGRAM.**

8 (a) EXTENSION OF PROGRAM.—Section 1603(g) of
 9 the National Defense Authorization Act for Fiscal Year
 10 2014 (Public Law 113–66; 10 U.S.C. 2359 note) is
 11 amended by striking “2019” and inserting “2024”.

12 (b) ADDITIONAL IMPROVEMENTS.—Section 1603 of
 13 such Act, as amended by subsection (a), is further amend-
 14 ed—

15 (1) in the section heading, by inserting “**OF**
 16 **DUAL-USE TECHNOLOGY**” after “**COMMER-**
 17 **CIALIZATION**”;

18 (2) in subsection (a)—

19 (A) by inserting “of Dual-Use Technology”
 20 before “Program”; and

21 (B) by inserting “with a focus on priority
 22 defense technology areas that attract public and
 23 private sector funding, as well as private sector
 24 investment capital, including from venture cap-

1 ital firms in the United States,” before “in ac-
2 cordance”;

3 (3) in subsection (c)(4)(A)(iv), by inserting “,
4 which may include access to venture capital” after
5 “award”;

6 (4) by striking subsection (d);

7 (5) by redesignating subsection (e) as sub-
8 section (d);

9 (6) by striking subsection (f); and

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

12 “(e) AUTHORITIES.—In carrying out this section, the
13 Secretary may use the following authorities:

14 “(1) Section 1599g of title 10 of the United
15 States Code, relating to public-private talent ex-
16 changes.

17 “(2) Section 2368 of such title, relating to Cen-
18 ters for Science, Technology, and Engineering Part-
19 nerships.

20 “(3) Section 2374a of such title, relating to
21 prizes for advanced technology achievements.

22 “(4) Section 2474 of such title, relating to Cen-
23 ters of Industrial and Technical Excellence.

24 “(5) Section 2521 of such title, relating to the
25 Manufacturing Technology Program.

1 “(6) Section 225 of the National Defense Au-
 2 thorization Act for Fiscal Year 2018 (Public Law
 3 115–91; 10 U.S.C. 2359 note).

4 “(7) Section 1711 of such Act (Public Law
 5 115–91; 10 U.S.C. 2505 note), relating to a pilot
 6 program on strengthening manufacturing in the de-
 7 fense industrial base.

8 “(8) Section 12 of the Stevenson-Wydler Tech-
 9 nology Innovation Act of 1980 (15 U.S.C. 3710a)
 10 and section 6305 of title 31, United States Code, re-
 11 lating to cooperative research and development
 12 agreements.”.

13 **SEC. 215. CONTRACT FOR NATIONAL SECURITY RESEARCH**
 14 **STUDIES.**

15 (a) **CONTRACT AUTHORITY.**—The Secretary of De-
 16 fense, acting through the Under Secretary of Defense for
 17 Acquisition and Sustainment, shall seek to enter into a
 18 contract with a federally funded research and development
 19 center under which the private scientific advisory group
 20 known as “JASON” will provide national security re-
 21 search studies to the Department of Defense.

22 (b) **TERMS OF CONTRACT.**—The contract entered
 23 into under subsection (a) shall be an indefinite delivery-
 24 indefinite quantity contract with terms substantially simi-
 25 lar to the terms of the contract in effect before March

1 28, 2019, under which JASON provided national security
2 research studies to the Department of Defense (solicita-
3 tion number HQ0034–19–R–0011 for JASON National
4 Security Research Studies).

5 (c) TERMINATION.—The Secretary of Defense may
6 not terminate the contract under subsection (a) until a
7 period of 180 days has elapsed following the date on which
8 the Secretary notifies the congressional defense commit-
9 tees of the intent of the Secretary to terminate the con-
10 tract and receives approval for such termination from the
11 committees.

12 **SEC. 216. JASON SCIENTIFIC ADVISORY GROUP.**

13 Pursuant to section 173 of title 10, United States
14 Code, the Secretary of Defense shall seek to engage the
15 members of the private scientific advisory group to mul-
16 tiple Federal agencies known as “JASON” as advisory
17 personnel to provide advice, on an ongoing basis, on mat-
18 ters involving science, technology, and national security,
19 including methods to defeat existential and techno-
20 logically-amplified threats to national security.

21 **SEC. 217. DIRECT AIR CAPTURE AND BLUE CARBON RE-**
22 **MOVAL TECHNOLOGY PROGRAM.**

23 (a) PROGRAM AUTHORIZED.—

24 (1) IN GENERAL.—The Secretary of Defense, in
25 coordination with the Secretary of Homeland Secu-

1 rity, the Secretary of Energy, and the heads of such
2 other Federal agencies as the Secretary of Defense
3 considers appropriate, may carry out a program on
4 research, development, testing, evaluation, study,
5 and demonstration of technologies related to blue
6 carbon capture and direct air capture.

7 (2) PROGRAM GOALS.—The goals of the pro-
8 gram established under paragraph (1) are as follows:

9 (A) To develop technologies that capture
10 carbon dioxide from seawater and the air to
11 turn such carbon dioxide into clean fuels to en-
12 hance fuel and energy security.

13 (B) To develop and demonstrate tech-
14 nologies that capture carbon dioxide from sea-
15 water and the air to reuse such carbon dioxide
16 to create products for military uses.

17 (C) To develop direct air capture tech-
18 nologies for use—

19 (i) at military installations or facilities
20 of the Department of Defense; or

21 (ii) in modes of transportation by the
22 Navy or the Coast Guard.

23 (3) PHASES.—The program established under
24 paragraph (1) shall be carried out in two phases as
25 follows:

1 (A) The first phase may consist of re-
2 search and development and shall be carried out
3 as described in subsection (b).

4 (B) The second phase shall consist of test-
5 ing and evaluation and shall be carried out as
6 described in subsection (c), if the Secretary de-
7 termines that the results of the research and
8 development phase justify implementing the
9 testing and evaluation phase.

10 (4) DESIGNATION.—The program established
11 under paragraph (1) shall be known as the “Direct
12 Air Capture and Blue Carbon Removal Technology
13 Program” (in this section referred to as the “Pro-
14 gram”).

15 (b) RESEARCH AND DEVELOPMENT PHASE.—

16 (1) IN GENERAL.—During the research and de-
17 velopment phase of the Program, the Secretary of
18 Defense may conduct research and development in
19 pursuit of the goals set forth in subsection (a)(2).

20 (2) DIRECT AIR CAPTURE.—The research and
21 development phase of the Program may include, with
22 respect to direct air capture, a front end engineering
23 and design study that includes an evaluation of di-
24 rect air capture designs to produce fuel for use—

1 (A) at military installations or facilities of
2 the Department of Defense; or

3 (B) in modes of transportation by the
4 Navy or the Coast Guard.

5 (3) DURATION.—The Secretary may carry out
6 the research and development phase of the Program
7 commencing not later than 90 days after the date of
8 the enactment of this Act.

9 (4) GRANTS AUTHORIZED.—The Secretary may
10 carry out the research and development phase of the
11 Program through the award of grants to private per-
12 sons and eligible laboratories.

13 (5) REPORT REQUIRED.—Not later than 180
14 days after the date of the completion of the research
15 and development phase of the Program, the Sec-
16 retary shall submit to Congress a report on the re-
17 search and development carried out under the Pro-
18 gram.

19 (c) TESTING AND EVALUATION PHASE.—

20 (1) IN GENERAL.—During the testing and eval-
21 uation phase of the Program, the Secretary may, in
22 pursuit of the goals set forth in subsection (a)(2),
23 conduct tests and evaluations of the technologies re-
24 searched and developed during the research and de-
25 velopment phase of the Program.

1 (2) DIRECT AIR CAPTURE.—The testing and
2 evaluation phase of the Program may include dem-
3 onstration projects for direct air capture to produce
4 fuel for use—

5 (A) at military installations or facilities of
6 the Department of Defense; or

7 (B) in modes of transportation by the
8 Navy or the Coast Guard.

9 (3) DURATION.—Subject to subsection
10 (a)(3)(B), the Secretary may carry out the testing
11 and evaluation phase of the Program commencing
12 on the date of the completion of the research and
13 development phase described in subsection (b), ex-
14 cept that the testing and evaluation phase of the
15 Program with respect to direct air capture may com-
16 mence at such time after a front end engineering
17 and design study demonstrates to the Secretary that
18 commencement of such phase is appropriate.

19 (4) GRANTS AUTHORIZED.—The Secretary may
20 carry out the testing and evaluation phase of the
21 Program through the award of grants to private per-
22 sons and eligible laboratories.

23 (5) LOCATIONS.—The Secretary shall carry out
24 the testing and evaluation phase of the Program at

1 military installations or facilities of the Department
2 of Defense.

3 (6) REPORT REQUIRED.—Not later than Sep-
4 tember 30, 2026, the Secretary shall submit to Con-
5 gress a report on the findings of the Secretary with
6 respect to the effectiveness of the technologies tested
7 and evaluated under the Program.

8 (d) DEFINITIONS.—In this section:

9 (1) BLUE CARBON CAPTURE.—The term “blue
10 carbon capture” means the removal of dissolved car-
11 bon dioxide from seawater through engineered or in-
12 organic processes, including filters, membranes, or
13 phase change systems.

14 (2) DIRECT AIR CAPTURE.—

15 (A) IN GENERAL.—The term “direct air
16 capture”, with respect to a facility, technology,
17 or system, means that the facility, technology,
18 or system uses carbon capture equipment to
19 capture carbon dioxide directly from the air.

20 (B) EXCLUSION.—The term “direct air
21 capture” does not include any facility, tech-
22 nology, or system that captures carbon diox-
23 ide—

24 (i) that is deliberately released from a
25 naturally occurring subsurface spring; or

1 (ii) using natural photosynthesis.

2 (3) ELIGIBLE LABORATORY.—The term “eligi-
3 ble laboratory” means—

4 (A) a National Laboratory (as defined in
5 section 2 of the Energy Policy Act of 2005 (42
6 U.S.C. 15801)); or

7 (B) the science and technology reinvention
8 laboratories (as designated under section 1105
9 of the National Defense Authorization Act for
10 Fiscal Year 2010 (Public Law 111–84; 10
11 U.S.C. 2358 note));

12 (C) the Major Range and Test Facility
13 Base (as defined in section 2358a(f)(3) of title
14 10, United States Code); and

15 (D) other facilities that support the re-
16 search development, test, and evaluation activi-
17 ties of the Department of Defense or Depart-
18 ment of Energy.

19 **SEC. 218. FOREIGN MALIGN INFLUENCE OPERATIONS RE-**
20 **SEARCH PROGRAM.**

21 (a) PROGRAM REQUIRED.—The Secretary of De-
22 fense, acting through the Under Secretary of Defense for
23 Research and Engineering, shall carry out a research pro-
24 gram on foreign malign influence operations research as
25 part of the university and other basic research programs

1 of the Department of Defense (such as the Minerva Re-
2 search Initiative).

3 (b) PROGRAM OBJECTIVES.—The objectives of the
4 research program shall be the following:

5 (1) To enhance the understanding of foreign
6 malign influence operations, including activities con-
7 ducted on social media platforms.

8 (2) To facilitate the compilation, analysis, and
9 storage of publicly available or voluntarily provided
10 indicators of foreign malign influence operations, in-
11 cluding those appearing on social media platforms,
12 for the purposes of additional research.

13 (3) To promote the development of best prac-
14 tices relating to tactics, techniques, procedures, and
15 technology for the protection of the privacy of the
16 customers and users of the social media platforms
17 and the proprietary information of the social media
18 companies in conducting research and analysis or
19 compiling and storing indicators and key trends of
20 foreign malign influence operations on social media
21 platforms.

22 (4) To promote collaborative research and in-
23 formation exchange with other relevant entities with-
24 in the Department and with other agencies relating
25 to foreign malign influence operations.

1 (c) PROGRAM ACTIVITIES.—In order to achieve the
2 objectives specified in subsection (b), the Secretary is au-
3 thorized to carry out the following activities:

4 (1) The Secretary may award research grants
5 to eligible individuals and entities on a competitive
6 basis.

7 (2) The Secretary may award financial assist-
8 ance to graduate students on a competitive basis.

9 (d) REPORT.—Not later than March 1, 2020, the
10 Secretary of Defense shall submit to the congressional de-
11 fense committees a report on the progress of the Secretary
12 in carrying out the research program under this section,
13 including a description of the activities and research con-
14 ducted as part of the program.

15 **SEC. 219. SENSOR DATA INTEGRATION FOR FIFTH GENERA-**
16 **TION AIRCRAFT.**

17 (a) F-35 SENSOR DATA.—The Secretary of Defense
18 shall ensure that—

19 (1) information collected by the passive and ac-
20 tive on-board sensors of the F-35 Joint Strike
21 Fighter aircraft is capable of being shared, in real
22 time, with joint service users in cases in which the
23 Joint Force Commander determines that sharing
24 such information would be operationally advan-
25 tageous; and

1 (2) the Secretary has developed achievable, ef-
2 fective, and suitable concepts and supporting tech-
3 nical architectures to collect, store, manage, and dis-
4 seminate information collected by such sensors.

5 (b) GAO STUDY AND REPORT.—

6 (1) STUDY.—The Comptroller General of the
7 United States shall conduct a study of the sensor
8 data collection and dissemination capability of fifth
9 generation aircraft of the Department of Defense.

10 (2) ELEMENTS.—The study required by para-
11 graph (1) shall include an assessment of the fol-
12 lowing—

13 (A) the extent to which the Department
14 has established doctrinal, organizational, or
15 technological methods of managing the large
16 amount of sensor data that is currently col-
17 lected and which may be collected by existing
18 and planned advanced fifth generation aircraft;

19 (B) the status of the existing sensor data
20 collection, storage, dissemination, and manage-
21 ment capability and capacity of fifth generation
22 aircraft, including the F-35, the F-22, and the
23 B-21; and

24 (C) the ability of the F-35 aircraft and
25 other fifth generation aircraft to share informa-

tion collected by the aircraft in real-time with other joint service users as described in subsection (a)(1).

(3) STUDY RESULTS.—

(A) INTERIM BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall provide to the congressional defense committees a briefing on the preliminary findings of the study conducted under this subsection.

(B) FINAL RESULTS.—The Comptroller General shall provide the final results of the study conducted under this subsection to the congressional defense committees at such time and in such format as is mutually agreed upon by the committees and the Comptroller General at the time of the briefing under subparagraph (A).

SEC. 220. DOCUMENTATION RELATING TO ADVANCED BATTLE MANAGEMENT SYSTEM.

(a) DOCUMENTATION REQUIRED.—Not later than the date specified in subsection (b), the Secretary of the Air Force shall submit to the congressional defense committees the following documentation relating to the Advanced Battle Management System:

1 (1) A list that identifies each program, project,
2 and activity that comprises the System.

3 (2) The final analysis of alternatives for the
4 System.

5 (3) An acquisition strategy for the System, in-
6 cluding—

7 (A) an outline of each increment of the
8 System; and

9 (B) the date on which each increment will
10 reach initial operational capability and full
11 operational capability, respectively.

12 (4) A capability development document for the
13 System.

14 (5) An acquisition program baseline for the
15 System.

16 (6) A test and evaluation master plan for the
17 System.

18 (7) A life-cycle sustainment plan for the Sys-
19 tem.

20 (b) DATE SPECIFIED.—The date specified in this
21 subsection is the earlier of—

22 (1) the date that is 180 days after the date on
23 which the final analysis of alternatives for the Ad-
24 vanced Battle Management System is completed; or

25 (2) April 1, 2020.

1 (c) ADVANCED BATTLE MANAGEMENT SYSTEM DE-
2 FINED.—In this section, the term “Advanced Battle Man-
3 agement System” means the Advanced Battle Manage-
4 ment System of Systems capability of the Air Force, in-
5 cluding each program, project, and activity that comprises
6 such capability.

7 **SEC. 221. DOCUMENTATION RELATING TO B-52 COMMER-**
8 **CIAL ENGINE REPLACEMENT PROGRAM.**

9 (a) DOCUMENTATION REQUIRED.—The Secretary of
10 the Air Force shall submit to the congressional defense
11 committees the following documentation relating to the B-
12 52 commercial engine replacement program of the Air
13 Force:

14 (1) A capability development document for the
15 program, approved by the Secretary of the Air
16 Force.

17 (2) A test and evaluation master plan for the
18 program, approved by the Director of Operational
19 Test and Evaluation.

20 (b) LIMITATION.—Of the funds authorized to be ap-
21 propriated by this Act or otherwise made available for fis-
22 cal year 2020 for the Air Force, not more than 75 percent
23 may be obligated or expended until the date on which the
24 Secretary of the Air Force submits to the congressional

1 defense committees the documentation required under
2 subsection (a).

3 **SEC. 222. DIVERSIFICATION OF THE SCIENCE, TECH-**
4 **NOLOGY, RESEARCH, AND ENGINEERING**
5 **WORKFORCE OF THE DEPARTMENT OF DE-**
6 **FENSE.**

7 (a) ASSESSMENT REQUIRED.—

8 (1) IN GENERAL.—The Secretary of Defense,
9 acting through the Under Secretary of Defense for
10 Research and Engineering, shall conduct an assess-
11 ment of critical skillsets required across the science,
12 technology, research, and engineering workforce of
13 the Department of Defense to support emerging and
14 future warfighter technologies.

15 (2) ELEMENTS.—The assessment required by
16 paragraph (1) shall include analysis of the following:

17 (A) The percentage of women and minori-
18 ties employed in the workforce as of the date of
19 the assessment.

20 (B) The percentage of grants, fellowships,
21 and funding awarded to minorities and women.

22 (C) The effectiveness of existing hiring and
23 attraction incentives, other encouragements,
24 and required service agreement commitments in
25 attracting and retaining minorities and women

1 in the workforce of the Department after such
2 individuals complete work on Department-fund-
3 ed research projects, grant projects, fellowships,
4 and STEM programs.

5 (D) The geographical diversification of the
6 workforce and the operating costs of the work-
7 force across various geographic regions.

8 (b) PLAN REQUIRED.—

9 (1) IN GENERAL.—Based on the results of the
10 assessment conducted under subsection (a), the Sec-
11 retary of Defense, acting through the Under Sec-
12 retary of Defense for Research and Engineering,
13 shall develop and implement a plan to diversify and
14 strengthen the science, technology, research, and en-
15 gineering workforce of the Department of Defense.

16 (2) ELEMENTS.—The plan required by para-
17 graph (1) shall—

18 (A) align with science and technology
19 strategy priorities of the Department of De-
20 fense, including the emerging and future
21 warfighter technology requirements identified
22 by the Department;

23 (B) except as provided in subsection (c)(2),
24 set forth steps for the implementation of each
25 recommendation included in the 2013 report of

1 the RAND corporation titled “First Steps To-
2 ward Improving DoD STEM Workforce Diver-
3 sity”;

4 (C) harness the full range of the Depart-
5 ment’s STEM programs and other Department-
6 sponsored programs to develop and attract top
7 talent;

8 (D) use existing authorities to attract and
9 retain students, academics, and other talent;

10 (E) establish and use contracts, agree-
11 ments, or other arrangements with institutions
12 of higher education (as defined in section 101
13 of the Higher Education Act of 1965 (20
14 U.S.C. 1001)), including historically black col-
15 leges and universities and other minority-serv-
16 ing institutions (as described in section 371(a)
17 of such Act (20 U.S.C. 1067q(a)) to enable
18 easy and efficient access to research and re-
19 searchers for Government-sponsored basic and
20 applied research and studies at each institution,
21 including contracts, agreements, and other au-
22 thorized arrangements such as those authorized
23 under—

24 (i) section 217 of the National De-
25 fense Authorization Act for Fiscal Year

1 2018 (Public Law 115–91; 10 U.S.C. 2358
2 note); and

3 (ii) such other authorities as the Sec-
4 retary determines to be appropriate; and

5 (F) include recommendations for changes
6 in authorities, regulations, policies, or any other
7 relevant areas, that would support the achieve-
8 ment of the goals set forth in the plan.

9 (3) SUBMITTAL TO CONGRESS.—Not later than
10 one year after the date of the enactment of this Act,
11 the Secretary of Defense shall submit to the con-
12 gressional defense committees a report that in-
13 cludes—

14 (A) the plan developed under paragraph
15 (1); and

16 (B) with respect to each recommendation
17 described in paragraph (2)(B) that the Sec-
18 retary implemented or expects to implement—

19 (i) a summary of actions that have
20 been taken to implement the recommenda-
21 tion; and

22 (ii) a schedule, with specific mile-
23 stones, for completing the implementation
24 of the recommendation.

25 (c) DEADLINE FOR IMPLEMENTATION.—

1 (1) IN GENERAL.—Except as provided in para-
2 graph (2), not later than 18 months after the date
3 of the enactment of this Act the Secretary of De-
4 fense shall carry out activities to implement the plan
5 developed under subsection (b).

6 (2) EXCEPTION FOR IMPLEMENTATION OF CER-
7 TAIN RECOMMENDATIONS.—

8 (A) DELAYED IMPLEMENTATION.—The
9 Secretary of Defense may commence implemen-
10 tation of a recommendation described in sub-
11 section (b)(2)(B) after the date specified in
12 paragraph (1) if the Secretary provides the con-
13 gressional defense committees with a specific
14 justification for the delay in implementation of
15 such recommendation on or before such date.

16 (B) NONIMPLEMENTATION.—The Sec-
17 retary of Defense may opt not to implement a
18 recommendation described in subsection
19 (b)(2)(B) if the Secretary provides to the con-
20 gressional defense committees, on or before the
21 date specified in paragraph (1)—

22 (i) a specific justification for the deci-
23 sion not to implement the recommendation;
24 and

1 (ii) a summary of the alternative ac-
2 tions the Secretary plans to take to ad-
3 dress the issues underlying the rec-
4 ommendation.

5 (d) STEM DEFINED.—In this section, the term
6 “STEM” means science, technology, engineering, and
7 mathematics.

8 **SEC. 223. POLICY ON THE TALENT MANAGEMENT OF DIG-**
9 **ITAL EXPERTISE AND SOFTWARE PROFES-**
10 **SIONALS.**

11 (a) POLICY.—

12 (1) IN GENERAL.—It shall be a policy of the
13 Department of Defense to promote and maintain
14 digital expertise and software development as core
15 competencies of civilian and military workforces of
16 the Department, and as a capability to support the
17 National Defense Strategy, which policy shall be
18 achieved by—

19 (A) the recruitment, development, and
20 incentivization of retention in and to the civilian
21 and military workforce of the Department of in-
22 dividuals with aptitude, experience, proficient
23 expertise, or a combination thereof in digital ex-
24 pertise and software development;

1 (B) at the discretion of the Secretaries of
2 the military departments, the development and
3 maintenance of civilian and military career
4 tracks related to digital expertise, and related
5 digital competencies for members of the Armed
6 Forces, including the development and mainte-
7 nance of training, education, talent manage-
8 ment, incentives, and promotion policies in sup-
9 port of members at all levels of such career
10 tracks; and

11 (C) the development and application of ap-
12 propriate readiness standards and metrics to
13 measure and report on the overall capability,
14 capacity, utilization, and readiness of digital en-
15 gineering professionals to develop and deliver
16 operational capabilities and employ modern
17 business practices.

18 (2) DEFINITIONS.—For purposes of this sec-
19 tion, “digital engineering” is the discipline and set
20 of skills involved in the creation, processing, trans-
21 mission, integration, and storage of digital data, (in-
22 cluding but not limited to data science, machine
23 learning, software engineering, software product
24 management, and artificial intelligence product man-
25 agement).

1 (b) RESPONSIBILITY.—

2 (1) APPOINTMENT OF OFFICER.—Not later
3 than 270 days after the date of enactment of this
4 Act, the Secretary of Defense shall appoint a civilian
5 official responsible for the development and imple-
6 mentation of the policy set forth in subsection (a).
7 The official shall be known as the “Chief Digital En-
8 gineering Recruitment and Management Officer of
9 the Department of Defense” (in this section referred
10 to as the “Officer”).

11 (2) EXPIRATION OF APPOINTMENT.—The ap-
12 pointment of the Officer under paragraph (1) shall
13 expire on September 30, 2029.

14 (c) DUTIES.—In developing and providing for the dis-
15 charge of the policy set forth in subsection (a), the Officer
16 shall work with the Assistant Secretaries of the military
17 departments for Manpower and Reserve Affairs to carry
18 out the following:

19 (1) Develop for, and enhance within, the re-
20 cruitment programs of each Armed Force various
21 core initiatives, programs, activities, and mecha-
22 nisms, tailored to the unique needs of each Armed
23 Force, to identify and recruit civilian employees and
24 members of the Armed Forces with demonstrated
25 aptitude, interest, and proficiency in digital engi-

1 neering, and in science, technology, engineering, and
2 mathematics (STEM) generally, including initiatives,
3 programs, activities, and mechanisms to target pop-
4 ulations of individuals not typically aware of oppor-
5 tunities in the Department of Defense for a digital
6 engineering career.

7 (2) Identify and share with the military depart-
8 ments best practices around the development of
9 flexible career tracks and identifiers for digital engi-
10 neering and related digital competencies and mean-
11 ingful opportunities for career development, talent
12 management, and promotion within such career
13 tracks.

14 (3) Develop and maintain education, training,
15 doctrine, rotational opportunities, and professional
16 development activities to support the civilian and
17 military digital engineering workforce.

18 (4) Coordinate and synchronize digital force
19 management activities throughout the Department
20 of Defense, advise the Secretary of Defense on all
21 matters pertaining to the health and readiness of
22 digital forces, convene a Department-wide executive
23 steering group, and submit to Congress an annual
24 report on the readiness of digital forces and progress

1 toward achieving the policy set forth in subsection
2 (a).

3 (5) Create a Department-wide mechanism to
4 track digital expertise in the workforce, develop and
5 maintain organizational policies, strategies, and
6 plans sufficient to build, maintain, and refresh inter-
7 nal capacity at scale, and report to the Secretary
8 quarterly on the health and readiness the digital en-
9 gineering workforce.

10 (6) Assist the military departments in design-
11 ing, developing, and executing programs and incen-
12 tives to retain, track, and oversee digital expertise
13 among civilian employees of the Department and
14 members of the Armed Forces on active duty.

15 (7) At the request of the Chief of Staff of an
16 Armed Force, or the head of another component or
17 element of the Department, undertake an executive
18 search for key leadership positions in digital engi-
19 neering in such Armed Force, component, or ele-
20 ment, and develop and deploy agile hiring processes
21 to fill such positions.

22 (8) Identify necessary changes in authorities,
23 policies, resources, or a combination thereof to fur-
24 ther the policy set forth in subsection (a), and sub-
25 mit to Congress a report on such changes.

1 (d) IMPLEMENTATION PLAN.—Not later than May 1,
2 2020, the Secretary of Defense shall submit to the Com-
3 mittees on Armed Services of the House of Representa-
4 tives and the Senate a plan to carry out the requirements
5 of this section. The plan shall include the following:

6 (1) An assessment of progress of the Secretary
7 in recruiting an individual to serve as the Officer re-
8 quired to be appointed under subsection (b).

9 (2) A timeline for implementation of the re-
10 quirements of this section, including input from each
11 military department on its unique timeline.

12 (3) Recommendations for any legislative or ad-
13 ministrative action required to meet the require-
14 ments of this section.

15 **SEC. 224. DEVELOPMENT AND IMPLEMENTATION OF DIG-**
16 **ITAL ENGINEERING CAPABILITY AND AUTO-**
17 **MATED SOFTWARE TESTING AND EVALUA-**
18 **TION.**

19 (a) CAPABILITY REQUIRED.—

20 (1) IN GENERAL.—The Under Secretary of De-
21 fense for Research and Engineering and the Direc-
22 tor of Operational Test and Evaluation shall jointly
23 design, develop, and implement a digital engineering
24 capability and infrastructure—

1 (A) to provide technically accurate digital
2 models to the acquisition process; and

3 (B) to serve as the foundation for auto-
4 mated approaches to software testing and eval-
5 uation.

6 (2) ELEMENTS.—The capability developed
7 under subsection (a) shall consist of digital plat-
8 forms that may be accessed by individuals through-
9 out the Department who have responsibilities relat-
10 ing to the development, testing, evaluation, and op-
11 eration of software. The platforms shall enable such
12 individuals to—

13 (A) use systems-level digital representa-
14 tions and simulation environments;

15 (B) perform automated software testing
16 based on criteria developed, in part, in consulta-
17 tion with the Under Secretary's developmental
18 test organization and the Director to satisfy
19 program operational test requirements; and

20 (C) perform testing on a repeatable, fre-
21 quent, and iterative basis.

22 (b) PILOT PROGRAMS.—

23 (1) IN GENERAL.—The Under Secretary and
24 Director shall carry out pilot programs to dem-

1 onstrate whether it is possible for automated testing
2 to satisfy—

3 (A) developmental test requirements for
4 the software-intensive programs of the Depart-
5 ment of Defense; and

6 (B) the Director’s operational test require-
7 ments for such programs.

8 (2) NUMBER OF PILOT PROGRAMS.—The Under
9 Secretary and Director shall carry out not fewer
10 than four and not more than ten pilot programs
11 under this section.

12 (3) REQUIREMENTS.—For each pilot program
13 carried out under paragraph (1), the Under Sec-
14 retary and Director shall—

15 (A) conduct a cost-benefit analysis that
16 compares the costs and benefits of the digital
17 engineering and automated testing approach of
18 the pilot program to the nondigital engineering
19 based approach typically used by the Depart-
20 ment of Defense;

21 (B) ensure that the intellectual property
22 strategy for the pilot program supports the
23 data required to operate the models used under
24 the program; and

1 (C) develop a workforce and infrastructure
2 plan to support any new policies and guidance
3 implemented during the pilot program or after
4 the completion of the program.

5 (4) CONSIDERATIONS.—In carrying out para-
6 graph (1), the Under Secretary and Director may
7 consider using the authorities provided under sec-
8 tions 873 and 874 of the National Defense Author-
9 ization Act for Fiscal Year 2018 (Public Law 115–
10 91).

11 (5) REPORT.—Not later than 90 days after the
12 date of the enactment of this Act, the Under Sec-
13 retary and Director shall submit to the congressional
14 defense committees a report that includes a descrip-
15 tion of—

16 (A) each pilot program that will be carried
17 out under paragraph (1);

18 (B) software programs that may be used
19 as part of each pilot program;

20 (C) selection criteria and intellectual prop-
21 erty and licensing issues relating to such soft-
22 ware programs;

23 (D) any recommendations for changes to
24 existing law to facilitate the implementation of
25 the pilot programs; and

1 (E) such other matters as the Under Sec-
2 retary and Director determine to be relevant.

3 (6) TERMINATION.—Each pilot program carried
4 out under paragraph (1) shall terminate not later
5 than December 31, 2025.

6 (c) POLICIES AND GUIDANCE REQUIRED.—

7 (1) IN GENERAL.—The Under Secretary and
8 the Director shall issue policies and guidance to im-
9 plement—

10 (A) the digital engineering capability and
11 infrastructure developed under subsection (a);
12 and

13 (B) the pilot programs carried out under
14 subsection (b).

15 (2) ELEMENTS.—The policies and guidance
16 issued under paragraph (1) shall—

17 (A) specify procedures for developing and
18 maintaining digital engineering models and the
19 automated testing of software throughout the
20 program life cycle;

21 (B) include processes for automated test-
22 ing of developmental test requirements and
23 operational test requirements;

24 (C) include processes for automated secu-
25 rity testing, including—

1 (i) penetration testing; and

2 (ii) vulnerability scanning;

3 (D) include processes for security testing
4 performed by individuals, including red team
5 assessments with zero-trust assumptions;

6 (E) encourage the use of an automated
7 testing capability instead of acquisition-related
8 processes that require artifacts to be created for
9 acquisition oversight but are not used as part
10 of the engineering process;

11 (F) support the high-confidence distribu-
12 tion of software to the field on a time-bound,
13 repeatable, frequent, and iterative basis;

14 (G) provide technically accurate models, in-
15 cluding models of system design and perform-
16 ance, to the acquisition process; and

17 (H) ensure that models are continually up-
18 dated with the newest design, performance, and
19 testing data.

20 (d) CONSULTATION.—In carrying out subsections (a)
21 through (c), the Under Secretary and Director shall con-
22 sult with—

23 (1) the Under Secretary of Defense for Acquisi-
24 tion and Sustainment;

25 (2) the service acquisition executives;

1 (3) the service testing commands; and

2 (4) the Defense Digital Service.

3 (e) REPORT REQUIRED.—Not later one year after the
4 date of the enactment of this Act, the Under Secretary
5 and Director shall submit to the congressional defense
6 committees a report on the progress of the Under Sec-
7 retary and Director in carrying out subsections (a)
8 through (c). The report shall include—

9 (1) an independent assessment conducted by
10 the Defense Innovation Board of the progress made
11 as of the date of the report;

12 (2) an explanation of how the results of the
13 pilot programs carried out under subsection (b) will
14 inform subsequent policy and guidance, particularly
15 the policy and guidance of the Director of Oper-
16 ational Test and Evaluation; and

17 (3) any recommendations for changes to exist-
18 ing law to facilitate the implementation of sub-
19 sections (a) through (c).

20 (f) DEFINITIONS.—In this section:

21 (1) The term “Under Secretary and Director”
22 means the Under Secretary of Defense for Research
23 and Engineering and the Director of Operational
24 Test and Evaluation, acting jointly.

1 (2) The term “digital engineering” means an
2 integrated digital approach that uses authoritative
3 sources of system data and models as a continuum
4 across disciplines to support life-cycle activities from
5 concept through disposal.

6 (3) The term “zero-trust assumption” means a
7 security architecture philosophy designed to prevent
8 all threats, including insider threats and outsider
9 threats.

10 (4) The term “red team assessment” means
11 penetration tests and operations performed on a sys-
12 tem to emulate a capable adversary to expose secu-
13 rity vulnerabilities.

14 **SEC. 225. PROCESS TO ALIGN POLICY FORMULATION AND**
15 **EMERGING TECHNOLOGY DEVELOPMENT.**

16 (a) **ALIGNMENT OF POLICY AND TECHNOLOGICAL**
17 **DEVELOPMENT.**—Not later than 180 days after the date
18 of the enactment of this Act, the Secretary of Defense
19 shall establish a process to ensure that the policies of the
20 Department of Defense relating to emerging technology
21 are formulated and updated continuously as such tech-
22 nology is developed by the Department.

23 (b) **ELEMENTS.**—As part of the process established
24 under subsection (a), the Secretary shall—

1 (1) specify the role of each covered official in
2 ensuring that the formulation of policies relating to
3 emerging technology is carried out concurrently with
4 the development of such technology;

5 (2) establish mechanisms to ensure that the
6 Under Secretary of Defense for Policy has the infor-
7 mation and resources necessary to continuously for-
8 mulate and update policies relating to emerging
9 technology, including by directing the organizations
10 and entities of the Department of Defense respon-
11 sible for the development such technology—

12 (A) to share information with the Under
13 Secretary;

14 (B) to communicate plans for the fielding
15 and use of emerging technology to the Under
16 Secretary; and

17 (C) to coordinate activities relating to such
18 technology with the Under Secretary;

19 (3) incorporate procedures for the legal review
20 of—

21 (A) weapons that incorporate emerging
22 technology; and

23 (B) treaties that may be affected by such
24 technology; and

1 (4) ensure that emerging technologies procured
2 and used by the military will be tested, as applicable,
3 for algorithmic bias and discriminatory outcomes.

4 (c) REPORTS REQUIRED.—

5 (1) INTERIM REPORT.—Not later than 60 days
6 after the date of the enactment of this Act, the Sec-
7 retary of Defense shall submit to the congressional
8 defense committees a report on the progress of the
9 Secretary in carrying out subsection (a).

10 (2) FINAL REPORT.—Not later than 30 days
11 after date on which the Secretary of Defense estab-
12 lishes the process required under subsection (a), the
13 Secretary shall submit to the congressional defense
14 committees a report that describes such process.

15 (d) DEFINITIONS.—In this section:

16 (1) The term “covered official” means the
17 Chairman of the Joint Chiefs of Staff, the Under
18 Secretary of Defense for Research and Engineering,
19 the Under Secretary of Defense for Policy, the com-
20 manders of the combatant commands, and the Sec-
21 retaries of the military departments.

22 (2) The term “emerging technology” means
23 technology determined to be in an emerging phase of
24 development by the Secretary of Defense and in-
25 cludes quantum computing, technology for the anal-

5 SEC. 226. LIMITATION ON TRANSITION OF STRATEGIC CA-
6 PABILITIES OFFICE OF THE DEPARTMENT OF
7 DEFENSE.

8 (a) LIMITATION.—The Secretary of Defense may not
9 transition or transfer the functions of the Strategic Capa-
10 bilities Office of the Department of Defense to another
11 organization or element of the Department until—

(1) the plan required under subsection (b) has been submitted to the congressional defense committees; and

(2) a period of 30 days has elapsed following the date on which the Secretary notifies the congressional defense committees of the intent of the Secretary to transition or transfer the functions of the Office.

20 (b) PLAN REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall submit to the congressional defense committees a plan for the transition or transfer of the functions of the Strategic Capabilities Office to another organization or element of the Department of Defense.

1 (2) ELEMENTS.—The plan required under
2 paragraph (1) shall include the following:

3 (A) A timeline for the potential transition
4 or transfer of the activities, functions, pro-
5 grams, plans, and resources of the Strategic
6 Capabilities Office.

7 (B) The status of funding and execution of
8 current Strategic Capabilities Office projects,
9 including a strategy for mitigating risk to cur-
10 rent projects during the transition or transfer.

11 (C) The impact of the transition or trans-
12 fer on the ability of the Department to rapidly
13 address Combatant Command requirements.

14 (D) The impact of the transition or trans-
15 fer on the cultural attributes and core com-
16 petencies of the Strategic Capabilities Office
17 and any organization or element of the Depart-
18 ment of Defense affected by the realignment of
19 the Office.

20 (E) An assessment of the impact of the
21 transition or transfer on the relationships of the
22 Strategic Capabilities Office with the military
23 departments, Combatant Commands, Depart-
24 ment of Defense laboratories, the intelligence

1 community, and other research and develop-
2 ment activities.

3 (F) Budget and programming realignment
4 and prioritization of Research, Development,
5 Testing, and Evaluation budget activity that
6 will be carried out as a result of the transition
7 or transfer.

8 (G) The status of the essential authorities
9 of the Director of the Strategic Capabilities Of-
10 fice, including acquisition authorities, personnel
11 management authorities, the authority to enter
12 into support agreements and strategic partner-
13 ships, and original classification authority.

14 (3) FORM OF PLAN.—The plan required under
15 paragraph (1) shall be submitted in unclassified
16 form, but may include a classified annex.

17 **SEC. 227. SENSE OF CONGRESS ON THE IMPORTANCE OF**
18 **CONTINUED COORDINATION OF STUDIES**
19 **AND ANALYSIS RESEARCH OF THE DEPART-**
20 **MENT OF DEFENSE.**

21 It is the sense of Congress that the Secretary of De-
22 fense shall continue to work to create a Department of
23 Defense-wide process under which the heads of the mili-
24 tary departments and Defense Agencies responsible for
25 managing requests for studies and analysis research co-

1 ordinate annual research requests and ongoing research
2 efforts to optimize both the benefits to the Department
3 and the efficiency of the research.

4 **SEC. 228. GLOBAL POSITIONING SYSTEM MODERNIZATION.**

5 (a) DESIGNATION OF RESPONSIBLE ENTITY.—As
6 part of the efforts the Department of Defense with respect
7 to GPS military code (commonly known as “M-code”) re-
8 ceiver card acquisition planning, the Secretary of Defense
9 shall designate an entity within the Department to have
10 principal responsibility for—

11 (1) systematically collecting integration test
12 data, lessons learned, and design solutions relating
13 to M-code receiver cards;

14 (2) making such data, lessons learned, and de-
15 sign solutions available to all programs expected to
16 integrate M-code receiver cards.

17 (b) ADDITIONAL MEASURES.—In carrying out sub-
18 section (a), the Secretary of Defense shall—

19 (1) take such actions as are necessary to reduce
20 duplication and fragmentation in the implementation
21 of M-code receiver card modernization across the
22 Department;

23 (2) clarify the role of the Chief Information Of-
24 ficer in leading the M-code receiver card moderniza-
25 tion effort; and

1 (3) ensure that the Department's Positioning,
2 Navigation, and Timing Enterprise Oversight Coun-
3 cil will collect integration test data, designs solu-
4 tions, and lessons learned, and confirm that such ad-
5 ditional steps are taking place.

6 **SEC. 229. MUSCULOSKELETAL INJURY PREVENTION RE-**
7 **SEARCH.**

8 (a) PROGRAM REQUIRED.—The Secretary of Defense
9 shall carry out a program on musculoskeletal injury pre-
10 vention research to identify risk factors for musculo-
11 skeletal injuries among members of the Armed Forces and
12 to create a better understanding for adaptive bone forma-
13 tion during initial entry military training.

14 (b) FUNDING.—

15 (1) INCREASE.—Notwithstanding the amounts
16 set forth in the funding tables in division D, the
17 amount authorized to be appropriated in section 201
18 for research, development, test, and evaluation, as
19 specified in the corresponding funding table in sec-
20 tion 4201, for research, development, test, and eval-
21 uation, Army, applied research, medical technology,
22 line 040 (PE 0602787A) is hereby increased by
23 \$4,800,000 (with the amount of such increase to be
24 made available to carry out the program on mus-

1 culoskeletal injury prevention research under sub-
2 section (a)).

3 (2) OFFSET.—Notwithstanding the amounts set
4 forth in the funding tables in division D, the amount
5 authorized to be appropriated in section 101 for pro-
6 curement, as specified in the corresponding funding
7 table in section 4101, for shipbuilding and conver-
8 sion, Navy, ship to shore connector, line 024 is here-
9 by reduced by \$4,800,000.

10 **SEC. 230. STEM JOBS ACTION PLAN.**

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

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

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

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

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

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

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

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

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

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

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

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

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

1 (6) deliver to Congress, not later than Decem-
2 ber 31, 2020, a report specifying such plan of ac-
3 tion.

4 **SEC. 230A. SENSE OF CONGRESS ON FUTURE VERTICAL**
5 **LIFT TECHNOLOGIES.**

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

7 (1) As the United States enters an era of great
8 power competition, the Army must appropriately
9 modernize its aircraft fleet.

10 (2) Specifically, investments in maturation tech-
11 nologies to accelerate the deployment of future
12 vertical lift programs is paramount.

13 (3) Technology designs and prototypes must be
14 converted into production-ready articles for effective
15 fielding.

16 (4) Congress is concerned that the Army is not
17 adequately resourcing programs to improve pilot sit-
18 uational awareness, increase flight operations safety,
19 and diminish operation and maintenance costs.

20 (b) SENSE OF CONGRESS.—It is the sense of Con-
21 gress that the Army should to continue to invest in re-
22 search, development, test, and evaluation programs to ma-
23 ture future vertical lift technologies.

1 **SEC. 230B. MODIFICATION OF DEFENSE QUANTUM INFOR-**
2 **MATION SCIENCE AND TECHNOLOGY RE-**
3 **SEARCH AND DEVELOPMENT PROGRAM.**

4 Section 234 of the John S. McCain National Defense
5 Authorization Act for Fiscal Year 2019 (Public Law 115–
6 232; 10 U.S.C. 2358 note) is amended—

7 (1) in subsection (c)—

8 (A) in paragraph (2), by striking the semi-
9 colon at the end and inserting “, including
10 through coordination with—

11 “(A) the National Quantum Coordination
12 Office;

13 “(B) the subcommittee on Quantum Infor-
14 mation Science and the subcommittee on Eco-
15 nomic and Security Implications of Quantum
16 Science of the National Science and Technology
17 Council;

18 “(C) the Quantum Economic Development
19 Consortium;

20 “(D) the Under Secretary of Defense for
21 Acquisition and Sustainment;

22 “(E) the Industrial Policy office of the De-
23 partment of Defense;

24 “(F) industry;

25 “(G) academic institutions; and

26 “(H) national laboratories;”;

1 (B) by redesignating paragraphs (3) and
2 (4) as paragraphs (5) and (8), respectively;

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

5 “(3) develop, in coordination with the entities
6 listed in paragraph (2), plans for workforce develop-
7 ment, enhancing awareness and reducing risk of cy-
8 bersecurity threats, and the development of ethical
9 guidelines for the use of quantum technology;

10 “(4) develop, in coordination with the National
11 Institute of Standards and Technology, a quantum
12 science taxonomy and requirements for technology
13 and standards;”;

14 (D) in paragraph (5) (as so redesignated),
15 by striking “and” at the end;

16 (E) by inserting after paragraph (5) (as so
17 redesignated) the following new paragraphs:

18 “(6) support efforts to increase the technology
19 readiness level of quantum technologies under devel-
20 opment in the United States;

21 “(7) coordinate quantum technology initiatives
22 with allies of the United States, including by coordi-
23 nating with allies through The Technical Coopera-
24 tion Program; and”;

1 (F) in paragraph (8) (as so redesignated),
2 by striking “meeting the long-term challenges
3 and achieving the specific technical goals” and
4 inserting “carrying out the program required by
5 subsection (a)”;

6 (2) in subsection (d)—

7 (A) by redesignating subparagraphs (C)
8 through (E) as subparagraphs (E) through (G),
9 respectively; and

10 (B) by inserting after subparagraph (B)
11 the following new subparagraphs:

12 “(C) A quantum technology roadmap indi-
13 cating the likely timeframes for development
14 and military deployment of quantum tech-
15 nologies, and likely relative national security
16 impact of such technologies.

17 “(D) A description of efforts to update
18 classification and cybersecurity practices sur-
19 rounding quantum technology, including—

20 “(i) security processes and require-
21 ments for engagement with allied coun-
22 tries; and

23 “(ii) a plan for security-cleared work-
24 force development.”.

1 **SEC. 230C. TRUSTED SUPPLY CHAIN AND OPERATIONAL SE-**
2 **CURITY STANDARDS FOR MICROELEC-**
3 **TRONICS.**

4 (a) TRUSTED SUPPLY CHAIN AND OPERATIONAL SE-
5 CURITY STANDARDS.—

6 (1) STANDARDS REQUIRED.—Not later than
7 January 1, 2021, the Secretary shall establish trust-
8 ed supply chain and operational security standards
9 for the purchase of microelectronics products and
10 services by the Department.

11 (2) CONSULTATION REQUIRED.—In developing
12 standards under paragraph (1), the Secretary shall
13 consult with the following:

14 (A) The Secretary of Homeland Security,
15 the Secretary of State, the Secretary of Com-
16 merce, and the Director of the National Insti-
17 tute of Standards and Technology.

18 (B) Suppliers of microelectronics products
19 and services from the United States and allies
20 and partners of the United States.

21 (C) Representatives of major United States
22 industry sectors that rely on a trusted supply
23 chain and the operational security of microelec-
24 tronics products and services.

25 (D) Representatives of the United States
26 insurance industry.

1 (3) TIERS OF TRUST AND SECURITY AUTHOR-
2 IZED.—In carrying out paragraph (1), the Secretary
3 may establish tiers of trust and security within the
4 supply chain and operational security standards for
5 microelectronics products and services.

6 (4) GENERAL APPLICABILITY.—The standards
7 established pursuant to paragraph (1) shall be, to
8 the greatest extent practicable, generally applicable
9 to the trusted supply chain and operational security
10 needs and use cases of the United States Govern-
11 ment and commercial industry, such that the stand-
12 ards could be widely adopted by government and
13 commercial industry.

14 (5) ANNUAL REVIEW.—Not later than October
15 1 of each year, the Secretary shall review the stand-
16 ards established pursuant to paragraph (1) and
17 issue updates or modifications as the Secretary con-
18 siders necessary or appropriate.

19 (b) ENSURING ABILITY TO SELL COMMERCIALY.—

20 (1) IN GENERAL.—The Secretary shall, to the
21 greatest extent practicable, ensure that suppliers of
22 microelectronics products for the Federal Govern-
23 ment who meet the standards established under sub-
24 section (a) are able and incentivized to sell products
25 commercially that are produced on the same produc-

1 tion lines as the microelectronics products supplied
2 to the Federal Government.

3 (2) EFFECT OF REQUIREMENT AND ACQUISI-
4 TIONS.—The Secretary shall, to the greatest extent
5 practicable, ensure that the requirements of the De-
6 partment and the acquisition by the Department of
7 microelectronics enable the success of a dual-use
8 microelectronics industry.

9 (c) MAINTAINING COMPETITION AND INNOVATION.—
10 The Secretary shall take such actions as the Secretary
11 considers necessary and appropriate, within the Sec-
12 retary’s authorized activities to maintain the health of the
13 defense industrial base, to ensure that—

14 (1) providers of microelectronics products and
15 services that meet the standards established under
16 subsection (a) are exposed to competitive market
17 pressures to achieve competitive pricing and sus-
18 tained innovation; and

19 (2) the industrial base of microelectronics prod-
20 ucts and services that meet the standards estab-
21 lished under subsection (a) includes providers pro-
22 ducing in or belonging to countries that are allies or
23 partners of the United States.

Subtitle C—Reports and Other Matters

SEC. 231. MASTER PLAN FOR IMPLEMENTATION OF AU- THORITIES RELATING TO SCIENCE AND TECHNOLOGY REINVENTION LABORATORIES.

(a) PLAN REQUIRED.—The Secretary of Defense, acting through the Under Secretary of Defense for Research and Engineering, shall develop a master plan for using current authorities and responsibilities to strengthen and modernize the workforce and capabilities of the science and technology reinvention laboratories of the Department of Defense (referred to in this section as the “laboratories”) to enhance the ability of the laboratories to execute missions in the most efficient and effective manner.

(b) ELEMENTS.—The master plan required under subsection (a) shall include, with respect to the laboratories, the following:

(1) A summary of hiring and staffing deficiencies at laboratories, by location, and the effect of such deficiencies on the ability of the laboratories—

(A) to meet existing and future requirements of the Department of Defense; and

(B) to recruit and retain qualified personnel.

1 (2) A summary of existing and emerging mili-
2 tary research, development, test, and evaluation mis-
3 sion areas requiring the use of the laboratories.

4 (3) An explanation of the laboratory staffing
5 capabilities required for each mission area identified
6 under paragraph (2).

7 (4) Identification of specific projects, including
8 hiring efforts and management reforms, that will be
9 carried out—

10 (A) to address the deficiencies identified in
11 paragraph (1); and

12 (B) to support the existing and emerging
13 mission areas identified in paragraph (2).

14 (5) For each project identified under paragraph
15 (4)—

16 (A) a summary of the plan for the project;

17 (B) an explanation of the level of priority
18 that will be given to the project; and

19 (C) a schedule of required investments that
20 will be made as part of the project.

21 (6) A description of how the Department, in-
22 cluding each military department concerned, will
23 carry out the projects identified in paragraph (3)
24 using—

1 (A) current authorities and responsibilities;
2 and

3 (B) such other authorities as are deter-
4 mined to be relevant by the Secretary of De-
5 fense.

6 (7) Identification of any statutory barriers to
7 implementing the master plan and legislative pro-
8 posals to address such barriers.

9 (c) CONSULTATION.—In developing the master plan
10 required under subsection (a), the Secretary of Defense
11 and the Under Secretary of Defense for Research and En-
12 gineering shall consult with—

13 (1) the Secretary of each military department;

14 (2) the Service Acquisition Executives with re-
15 sponsibilities relevant to the laboratories;

16 (3) the commander of each military command
17 with responsibilities relating to research and engi-
18 neering that is affected by the master plan; and

19 (4) any other officials determined to be relevant
20 by the Secretary of Defense and the Under Sec-
21 retary of Defense for Research and Engineering.

22 (d) INITIAL REPORT.—Not later than 180 days after
23 the date of the enactment of this Act, the Under Secretary
24 of Defense for Research and Engineering shall submit to
25 the congressional defense committees a report that identi-

1 fies any barriers that prevent the full use and implementa-
2 tion of current authorities and responsibilities and such
3 other authorities as are determined to be relevant by the
4 Secretary of Defense, including any barriers presented by
5 the policies, authorities, and activities of—

6 (1) organizations and elements of the Depart-
7 ment of Defense; and

8 (2) organizations outside the Department.

9 (e) FINAL REPORT.—Not later than October 30,
10 2020, the Under Secretary of Defense for Research and
11 Engineering shall submit to the congressional defense
12 committees—

13 (1) the master plan developed under subsection
14 (a); and

15 (2) a report on the activities carried out under
16 this section.

17 **SEC. 232. MASTER PLAN FOR INFRASTRUCTURE REQUIRED**
18 **TO SUPPORT RESEARCH, DEVELOPMENT,**
19 **TEST, AND EVALUATION MISSIONS.**

20 (a) PLAN REQUIRED.—The Secretary of Defense, in
21 consultation with the Secretaries of the military depart-
22 ments, shall develop and implement a master plan that
23 addresses the research, development, test, and evaluation
24 infrastructure and modernization requirements of the De-
25 partment of Defense, including the science and technology

1 reinvention laboratories and the facilities of the Major
2 Range and Test Facility Base.

3 (b) EARTHQUAKE-DAMAGED INFRASTRUCTURE RES-
4 TORATION MASTER PLAN.—

5 (1) IN GENERAL.—In the case of any base dam-
6 aged by the July 2019 earthquakes within the R-
7 2508 Special Use Airspace Complex (including U.S.
8 Air Force Plant 42), the Secretary of Defense shall
9 complete and submit to the congressional defense
10 committees the master plan required by subsection
11 (a), by not later than October 1, 2019. If additional
12 funding is required to repair or improve the installa-
13 tions’ research, development, test, evaluation, train-
14 ing, and related infrastructure to a modern standard
15 as a result of damage caused by the earthquakes,
16 the request for funding shall be made in either a dis-
17 aster or supplemental appropriations request to Con-
18 gress or the Secretary of Defense shall include the
19 request for funding in the annual budget submission
20 of the President under section 1105(a) of title 31,
21 United States Code, whichever comes first. The re-
22 quest for additional funding may be included in both
23 requests if appropriate.

24 (2) POLICY OF THE UNITED STATES.—

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

3 (i) the military installations located
4 within the R-2508 Special Use Airspace
5 Complex, including Edwards Air Force
6 Base, Fort Irwin, and Naval Air Weapons
7 Station China Lake, are national assets of
8 critical importance to our country's defense
9 system;

10 (ii) the R-2508 Special Use Airspace
11 Complex is comprised of all airspace and
12 associated land used and managed by the
13 412 Test Wing at Edwards Air Force
14 Base, the National Training Center at
15 Fort Irwin, and the Naval Air Warfare
16 Center Weapons Division at China Lake,
17 California;

18 (iii) the essential research, develop-
19 ment, test, and evaluation missions con-
20 ducted at Edwards Air Force Base and
21 Naval Air Weapons Station China Lake,
22 along with the critical combat preparation
23 training conducted at Fort Irwin, make
24 these installations vital cornerstones within
25 our National Defense architecture inte-

1 grating all operational domains, air, land,
2 sea, space, and cyberspace;

3 (iv) any damage to these military in-
4 stallations caused by the earthquakes and
5 the negative impact on the installations'
6 missions as a result are a cause for con-
7 cern;

8 (v) the proud men and women, both
9 in uniform and their civilian counterparts,
10 who work at these military installations de-
11 velop, test, and evaluate the best tools and
12 impart the training needed for our
13 warfighters, so that our military remains
14 second to none;

15 (vi) in light of the earthquakes in July
16 2019, the Secretary of Defense should re-
17 program or marshal, to the fullest extent
18 the law allows, all available resources that
19 are necessary and appropriate to ensure—

20 (I) the safety and security of the
21 base employees, both civilian and
22 those in uniform, including those who
23 have been evacuated;

24 (II) the bases are mission capa-
25 ble; and

1 (III) that all the damage caused
2 by any earthquake is repaired and im-
3 proved as expeditiously as possible.

4 (B) POLICY.—It is the policy of the United
5 States, when planning or making repairs on
6 military installations damaged by natural disas-
7 ters, the current and future requirements of
8 these military installations, as identified in the
9 National Defense Strategy, shall, to the fullest
10 extent practical, be made.

11 (c) ELEMENTS.—The master plan required under
12 subsection (a) shall include, with respect to the research,
13 development, test, and evaluation infrastructure of the De-
14 partment of Defense, the following:

15 (1) A summary of deficiencies in the infrastruc-
16 ture, by location, and the effect of the deficiencies
17 on the ability of the Department—

18 (A) to meet current and future military re-
19 quirements identified in the National Defense
20 Strategy;

21 (B) to support science and technology de-
22 velopment and acquisition programs; and

23 (C) to recruit and train qualified per-
24 sonnel.

1 (2) A summary of existing and emerging mili-
2 tary research, development, test, and evaluation mis-
3 sion areas, by location, that require modernization
4 investments in the infrastructure—

5 (A) to improve operations in a manner
6 that may benefit all users;

7 (B) to enhance the overall capabilities of
8 the research, development, test, and evaluation
9 infrastructure, including facilities and re-
10 sources;

11 (C) to improve safety for personnel and fa-
12 cilities; and

13 (D) to reduce the long-term cost of oper-
14 ation and maintenance.

15 (3) Identification of specific infrastructure
16 projects that are required to address the infrastruc-
17 ture deficiencies identified under paragraph (1) or to
18 support the existing and emerging mission areas
19 identified under paragraph (2).

20 (4) For each project identified under paragraph
21 (3)—

22 (A) a description of the scope of work;

23 (B) a cost estimate;

24 (C) a summary of the plan for the project;

1 (D) an explanation of the level of priority
2 that will be given to the project; and

3 (E) a schedule of required infrastructure
4 investments.

5 (5) A description of how the Department, in-
6 cluding each military department concerned, will
7 carry out the infrastructure projects identified in
8 paragraph (3) using the range of authorities and
9 methods available to the Department, including—

10 (A) military construction authority under
11 section 2802 of title 10, United States Code;

12 (B) unspecified minor military construction
13 authority under section 2805(a) of such title;

14 (C) laboratory revitalization authority
15 under section 2805(d) of such title;

16 (D) the authority to carry out facility re-
17 pair projects, including the conversion of exist-
18 ing facilities, under section 2811 of such title;

19 (E) the authority provided under the De-
20 fense Laboratory Modernization Pilot Program
21 under section 2803 of the National Defense Au-
22 thorization Act for Fiscal Year 2016 (Public
23 Law 114–92; 10 U.S.C. 2358 note);

24 (F) methods that leverage funding from
25 entities outside the Department, including pub-

1 lic-private partnerships, enhanced use leases,
2 real property exchanges; and

3 (G) any other authorities and methods de-
4 termined to be appropriate by the Secretary of
5 Defense.

6 (6) An updated description of real property
7 asset military construction needs at MRTFBs com-
8 pared to those reported by the Department of De-
9 fense in response to House Report 114–102, to ac-
10 company H.R. 1735, the National Defense Author-
11 ization Act of Fiscal Year 2016.

12 (7) An assessment of the Department of De-
13 fense Test and Resource Management Center’s abil-
14 ity to support testing for future warfare needs at
15 MRTFBs, including those identified in the Depart-
16 ment of Defense 2018 National Defense Strategy.

17 (8) Identification of any statutory, regulatory,
18 or policy barriers to implementing the master plan
19 and regulatory, policy, or legislative proposals to ad-
20 dress such barriers.

21 (d) CONSULTATION AND USE OF CONTRACT AU-
22 THORITY.—In implementing the plan required under sub-
23 section (a), the Secretary of Defense shall—

24 (1) consult with existing and anticipated users
25 of the Major Range and Test Facility Base; and

1 (2) consider using the contract authority pro-
2 vided to the Secretary under section 2681 of title
3 10, United States Code.

4 (e) SUBMISSION TO CONGRESS.—Not later than Oc-
5 tober 30, 2020, the Secretary of Defense shall submit to
6 the congressional defense committees the master plan de-
7 veloped under subsection (a).

8 (f) RESEARCH AND DEVELOPMENT INFRASTRUC-
9 TURE DEFINED.—In this section, the term “research, de-
10 velopment, test, and evaluation infrastructure” means the
11 infrastructure of—

12 (1) the science and technology reinvention lab-
13 oratories (as designated under section 1105 of the
14 National Defense Authorization Act for Fiscal Year
15 2010 (Public Law 111–84; 10 U.S.C. 2358 note));

16 (2) the Major Range and Test Facility Base (as
17 defined in section 2358a(f)(3) of title 10, United
18 States Code);

19 (3) other facilities that support the research de-
20 velopment, test, and evaluation activities of the De-
21 partment; and

22 (4) the United States Naval Observatory (as
23 described in section 8715 of title 10, United States
24 Code).

1 **SEC. 233. STRATEGY AND IMPLEMENTATION PLAN FOR**
2 **FIFTH GENERATION INFORMATION AND COM-**
3 **MUNICATIONS TECHNOLOGIES.**

4 (a) IN GENERAL.—Not later than 270 days after the
5 date of the enactment of this Act, the Secretary of Defense
6 shall develop—

7 (1) a strategy for harnessing fifth generation
8 (commonly known as “5G”) information and com-
9 munications technologies to enhance military capa-
10 bilities, maintain a technological advantage on the
11 battlefield, and accelerate the deployment of new
12 commercial products and services enabled by 5G net-
13 works throughout the Department of Defense; and

14 (2) a plan for implementing the strategy devel-
15 oped under paragraph (1).

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

18 (1) Adoption and use of secure fourth genera-
19 tion (commonly known as “4G”) communications
20 technologies and the transition to advanced and se-
21 cure 5G communications technologies for military
22 applications.

23 (2) Science, technology, research, and develop-
24 ment efforts to facilitate the advancement and adop-
25 tion of 5G technology and new uses of 5G systems,
26 subsystems, and components, including—

1 (A) 5G testbeds for developing military ap-
2 plications; and

3 (B) spectrum-sharing technologies and
4 frameworks.

5 (3) Strengthening engagement and outreach
6 with industry, academia, international partners, and
7 other departments and agencies of the Federal Gov-
8 ernment on issues relating to 5G technology.

9 (4) Defense industrial base supply chain risk,
10 management, and opportunities.

11 (5) Preserving the ability of the Joint Force to
12 achieve objectives in a contested and congested spec-
13 trum environment.

14 (6) Strengthening the ability of the Joint Force
15 to conduct full spectrum operations that enhance the
16 military advantages of the United States.

17 (7) Securing the information technology and
18 weapon systems of the Department against malicious
19 activity.

20 (8) Such other matters as the Secretary of De-
21 fense determines to be relevant.

22 (c) CONSULTATION.—In developing the strategy and
23 implementation plan required under subsection (a), the
24 Secretary of Defense shall consult with the following:

1 (1) The Chief Information Officer of the De-
2 partment of Defense.

3 (2) The Under Secretary of Defense for Re-
4 search and Engineering.

5 (3) The Under Secretary of Defense for Acqui-
6 sition and Sustainment.

7 (4) The Under Secretary of Defense for Intel-
8 ligence.

9 (5) Service Acquisition Executives of each mili-
10 tary service.

11 (d) BRIEFING.—Not later than 180 days after the
12 date of the enactment of this Act, the Secretary of Defense
13 shall provide to the congressional defense committees a
14 briefing on the progress of the Secretary in developing the
15 strategy and implementation plan required under sub-
16 section (a).

17 **SEC. 234. DEPARTMENT-WIDE SOFTWARE SCIENCE AND**
18 **TECHNOLOGY STRATEGY.**

19 (a) DESIGNATION OF SENIOR OFFICIAL.—Not later
20 than 180 days after the date of the enactment of this Act,
21 the Secretary of Defense, acting through the Under Sec-
22 retary of Defense for Research and Engineering and in
23 consultation with the Under Secretary of Defense for Ac-
24 quisition and Sustainment, shall designate a single official
25 or existing entity within the Department of Defense as

1 the official or entity (as the case may be) with principal
2 responsibility for guiding the direction of research and de-
3 velopment of next generation software and software inten-
4 sive systems for the Department, including the research
5 and development of—

6 (1) new technologies for the creation of highly
7 secure, reliable, and mission-critical software; and

8 (2) new approaches to software development,
9 data-based analytics, and next generation manage-
10 ment tools.

11 (b) DEVELOPMENT OF STRATEGY.—The official or
12 entity designated under subsection (a) shall develop a De-
13 partment-wide strategy for the research and development
14 of next generation software and software intensive systems
15 for the Department of Defense, including strategies for—

16 (1) types of software innovation efforts within
17 the science and technology portfolio of the Depart-
18 ment;

19 (2) investment in new approaches to software
20 development, data-based analytics, and next genera-
21 tion management tools;

22 (3) ongoing research and other support of aca-
23 demic, commercial, and development community ef-
24 forts to innovate the software development, engineer-
25 ing, and testing process;

1 (4) to the extent practicable, implementing the
2 recommendations set forth in—

3 (A) the final report of the Defense Innova-
4 tion Board submitted to the congressional de-
5 fense committees under section 872 of the Na-
6 tional Defense Authorization Act for Fiscal
7 Year 2018 (Public Law 115–91; 131 Stat.
8 1497); and

9 (B) the final report of the Defense Science
10 Board Task Force on the Design and Acquisi-
11 tion of Software for Defense Systems described
12 in section 868 of the John S. McCain National
13 Defense Authorization Act for Fiscal Year 2019
14 (Public Law 115–232; 10 U.S.C. 2223 note);

15 (5) supporting the acquisition, technology devel-
16 opment, and test and operational needs of the De-
17 partment through the development of capabilities,
18 including personnel and infrastructure, and pro-
19 grams in—

20 (A) the science and technology reinvention
21 laboratories (as designated under section 1105
22 of the National Defense Authorization Act for
23 Fiscal Year 2010 (Public Law 111–84; 10
24 U.S.C. 2358 note));

1 (B) the facilities of the Major Range and
2 Test Facility Base (as defined in section
3 2358a(f)(3) of title 10, United States Code);
4 and

5 (C) the Defense Advanced Research
6 Projects Agency; and

7 (6) the transition of relevant capabilities and
8 technologies to information technology programs of
9 the Department, including software intensive tactical
10 systems, enterprise systems, and business systems.

11 (c) SUBMITTAL TO CONGRESS.—Not later than one
12 year after the date of the enactment of this Act, the offi-
13 cial or entity designated under subsection (a) shall submit
14 to the congressional defense committees the strategy de-
15 veloped under subsection (b).

16 **SEC. 235. ARTIFICIAL INTELLIGENCE EDUCATION STRAT-**
17 **EGY.**

18 (a) STRATEGY REQUIRED.—

19 (1) IN GENERAL.—The Secretary of Defense
20 shall develop a strategy for educating service mem-
21 bers in relevant occupational fields on matters relat-
22 ing to artificial intelligence.

23 (2) ELEMENTS.—The strategy developed under
24 subsection (a) shall include a curriculum designed to
25 give service members a basic knowledge of artificial

1 intelligence. The curriculum shall include instruction
2 in—

3 (A) artificial intelligence design;

4 (B) software coding;

5 (C) potential military applications for arti-
6 ficial intelligence;

7 (D) the impact of artificial intelligence on
8 military strategy and doctrine;

9 (E) artificial intelligence decisionmaking
10 via machine learning and neural networks;

11 (F) ethical issues relating to artificial in-
12 telligence;

13 (G) the potential biases of artificial intel-
14 ligence;

15 (H) potential weakness in artificial intel-
16 ligence technology;

17 (I) opportunities and risks; and

18 (J) any other matters the Secretary of De-
19 fense determines to be relevant.

20 (b) IMPLEMENTATION PLAN.—

21 (1) IN GENERAL.—The Secretary of Defense
22 shall develop a plan for implementing the strategy
23 developed under subsection (a).

1 (2) ELEMENTS.—The implementation plan re-
2 quired under paragraph (1) shall identify the fol-
3 lowing:

4 (A) The military occupational specialties
5 (applicable to enlisted members and officers)
6 that are most likely to involve interaction with
7 artificial intelligence technology.

8 (B) The specific occupational specialties
9 that will receive training in accordance with the
10 curriculum described in subsection (a)(2).

11 (C) The duration of the training.

12 (D) The context in which the training will
13 be provided, which may include basic training,
14 occupationally specific training, and profes-
15 sional military education.

16 (E) Metrics for evaluating the effectiveness
17 of the training and curriculum.

18 (F) Any other issues the Secretary of De-
19 fense determines to be relevant.

20 (c) SUBMITTAL TO CONGRESS.—Not later than 270
21 days after the date of the enactment of this Act, the Sec-
22 retary of Defense shall submit to the congressional defense
23 committees—

24 (1) the strategy developed under subsection (a);
25 and

1 (2) the implementation plan developed under
2 subsection (b).

3 **SEC. 236. BIENNIAL REPORT ON THE JOINT ARTIFICIAL IN-**
4 **TELLIGENCE CENTER.**

5 (a) REPORT.—Not later than 90 days after the date
6 of the enactment of this Act and biannually thereafter
7 through the end of 2023, the Secretary of Defense shall
8 submit to the congressional defense committees a report
9 on the Joint Artificial Intelligence Center (referred to in
10 this section as the “Center”).

11 (b) ELEMENTS.—Each report under subsection (a)
12 shall include the following:

13 (1) Information relating to the mission and ob-
14 jectives of the Center.

15 (2) A description of the National Mission Initia-
16 tives, Component Mission Initiatives, and any other
17 initiatives of the Center, including a description of—

18 (A) the activities carried out under the ini-
19 tiatives;

20 (B) any investments made or contracts en-
21 tered into under the initiatives; and

22 (C) the progress of the initiatives.

23 (3) A description of how the Center has sought
24 to leverage lessons learned, share best practices,
25 avoid duplication of efforts, and transition artificial

1 intelligence research efforts into operational capabili-
2 ties by—

3 (A) collaborating with other organizations
4 and elements of the Department of Defense, in-
5 cluding the Defense Agencies and the military
6 departments; and

7 (B) deconflicting the activities of the Cen-
8 ter with the activities of other organizations
9 and elements of the Department.

10 (4) A description any collaboration between—

11 (A) the Center and the private sector and
12 academia; and

13 (B) the Center and international allies and
14 partners.

15 (5) The total number of military, contractor,
16 and civilian personnel who are employed by the Cen-
17 ter, assigned to the Center, and performing func-
18 tions in support of the Center.

19 (6) A description of the organizational structure
20 and staffing of the Center.

21 (7) A detailed description of the frameworks,
22 metrics, and capabilities established to measure the
23 effectiveness of the Center and the Center's invest-
24 ments in the National Mission Initiatives and Com-
25 ponent Mission Initiatives.

1 (8) A description of any new policies, stand-
2 ards, or guidance relating to artificial intelligence
3 that have been issued by the Chief Information Offi-
4 cer of the Department.

5 (c) **JOINT ARTIFICIAL INTELLIGENCE CENTER DE-**
6 **FINED.**—In this section, the term “Joint Artificial Intel-
7 ligence Center” means the Joint Artificial Intelligence
8 Center of the Department of Defense established pursuant
9 to section 238 of the John S. McCain National Defense
10 Authorization Act for Fiscal Year 2019 (Public Law 115–
11 232).

12 **SEC. 237. QUARTERLY UPDATES ON THE OPTIONALLY**
13 **MANNED FIGHTING VEHICLE PROGRAM.**

14 (a) **IN GENERAL.**—Beginning not later than October
15 1, 2019, and on a quarterly basis thereafter through Octo-
16 ber 1, 2025, the Assistant Secretary of the Army for Ac-
17 quisition, Logistics, and Technology, in consultation with
18 the Commander of the Army Futures Command, shall
19 provide to the Committee on Armed Services of the House
20 of Representatives a briefing on the progress of the Op-
21 tionally Manned Fighting Vehicle program of the Army.

22 (b) **ELEMENTS.**—Each briefing under subsection (a)
23 shall include, with respect to the Optionally Manned
24 Fighting Vehicle program, the following elements:

1 (1) An overview of funding for the program, in-
2 cluding identification of—

3 (A) any obligations and expenditures that
4 have been made under the program; and

5 (B) any obligations and expenditures that
6 are planned for the program.

7 (2) An overview of the program schedule.

8 (3) A description of each contract awarded
9 under the program, including a description of the
10 type of contract and the status of the contract.

11 (4) An assessment of the status of the program
12 with respect to—

13 (A) the development and approval of tech-
14 nical requirements;

15 (B) technological maturity;

16 (C) testing;

17 (D) delivery; and

18 (E) program management.

19 **SEC. 238. GRANTS FOR CIVICS EDUCATION PROGRAMS.**

20 (a) IN GENERAL.—The Secretary of Defense shall
21 carry out a program under which the Secretary makes
22 grants to eligible entities, on a competitive basis, to sup-
23 port the development and evaluation of civics education
24 programs.

1 (b) APPLICATION.—To be eligible to receive a grant
2 under this section an eligible entity shall submit to the
3 Secretary of Defense an application at such time, in such
4 manner, and containing such information as the Secretary
5 may require. Applications submitted under this subsection
6 shall be evaluated on the basis of merit pursuant to com-
7 petitive procedures prescribed by the Secretary of Defense.

8 (c) SELECTION CRITERIA.—To be selected to receive
9 a grant under this section an eligible entity shall dem-
10 onstrate each of the following to the satisfaction of the
11 Secretary:

12 (1) The civics education program proposed by
13 the entity will include innovative approaches for im-
14 proving civics education.

15 (2) The entity will dedicate sufficient resources
16 to the program.

17 (3) As part of the program, the entity will con-
18 duct evaluations in accordance with subsection
19 (f)(1)(B).

20 (4) The entity will carry out activities to dis-
21 seminate the results of the evaluations described in
22 such subsection, including publication of the results
23 in peer-reviewed academic journals.

1 (d) GEOGRAPHIC DISTRIBUTION.—To the extent
2 practicable, the Secretary of Defense shall ensure an equi-
3 table geographic distribution of grants under this section.

4 (e) CONSULTATION.—In awarding grants under this
5 section, the Secretary of Defense shall consult with the
6 Secretary of Education.

7 (f) USES OF FUNDS.—

8 (1) REQUIRED USES OF FUNDS.—An eligible
9 entity that receives a grant under this section shall
10 use such grant—

11 (A) to establish a civics education program
12 or to improve an existing civics education pro-
13 gram; and

14 (B) to evaluate the effect of the program
15 on participants, including with respect to—

16 (i) critical thinking and media lit-
17 eracy;

18 (ii) voting and other forms of political
19 and civic engagement;

20 (iii) interest in employment, and ca-
21 reers, in public service;

22 (iv) understanding of United States
23 law, history, and Government; and

1 (v) the ability of participants to col-
2 laborate and compromise with others to
3 solve problems.

4 (2) ALLOWABLE USES OF FUNDS.—An eligible
5 entity that receives a grant under this section may
6 use such grant for—

7 (A) the development or modification of
8 curricula relating to civics education;

9 (B) classroom activities, thesis projects, in-
10 dividual or team projects, internships, or com-
11 munity service activities relating to civics;

12 (C) collaboration with government entities,
13 nonprofit organizations, or consortia of such en-
14 tities and organizations to provide participants
15 with civics-related experiences;

16 (D) civics-related faculty development pro-
17 grams;

18 (E) recruitment of educators who are high-
19 ly qualified in civics education to teach civics or
20 to assist with the development of curricula for
21 civics education;

22 (F) presentation of seminars, workshops,
23 and training for the development of skills asso-
24 ciated with civic engagement;

1 (G) activities that enable participants to
2 interact with government officials and entities;

3 (H) expansion of civics education programs
4 and outreach for members of the Armed
5 Forces, dependents and children of such mem-
6 bers and employees of the Department of De-
7 fense; and

8 (I) opportunities for participants to obtain
9 work experience in fields relating to civics.

10 (g) DEFINITIONS.—In this section:

11 (1) The term “civics education program” means
12 an educational program that provides participants
13 with—

14 (A) knowledge of law, government, and the
15 rights of citizens; and

16 (B) skills that enable participants to re-
17 sponsibly participate in democracy.

18 (2) The term “eligible entity” means a Depart-
19 ment of Defense domestic dependent elementary or
20 secondary school (as described in section 2164 of
21 title 10, United States Code).

22 **SEC. 239. TECHNOLOGY AND NATIONAL SECURITY FELLOW-**
23 **SHIP.**

24 (a) FELLOWSHIP PROGRAM.—

1 (1) IN GENERAL.—Not later than 180 days
2 after the date of the enactment of this Act, the Sec-
3 retary of Defense, acting through the Under Sec-
4 retary of Defense for Research and Engineering,
5 may establish a civilian fellowship program designed
6 to place eligible individuals within the Department of
7 Defense to increase the number of national security
8 professionals with science, technology, engineering,
9 and mathematics credentials employed by the De-
10 partment.

11 (2) DESIGNATION.—The fellowship program es-
12 tablished under paragraph (1) shall be known as the
13 “Technology and National Security Fellowship” (in
14 this section referred to as the “fellows program”).

15 (3) EMPLOYMENT.—Fellows will be assigned to
16 a one year tour of duty within the Department of
17 Defense.

18 (4) PAY AND BENEFITS.—An individual as-
19 signed to a position under the fellows program shall
20 be compensated at the rate of compensation for em-
21 ployees at level GS–10 of the General Schedule, and
22 shall be treated as an employee of the United States
23 during the term of assignment.

1 (b) ELIGIBLE INDIVIDUALS.—For purposes of this
2 section, and subject to subsection (f)(3), an eligible indi-
3 vidual is any individual who—

4 (1) is a citizen of the United States; and

5 (2) either—

6 (A) expects to be awarded an associate,
7 undergraduate, or graduate degree that, as de-
8 termined by the Secretary, focuses on science,
9 technology, engineering, or mathematics course
10 work not later than 180 days after the date on
11 which the individual submits an application for
12 participation in the fellows program; or

13 (B) possesses an associate, undergraduate,
14 or graduate degree that, as determined by the
15 Secretary, focuses on science, technology, engi-
16 neering, or mathematics course work that was
17 awarded not earlier than one year before the
18 date on which the individual submits an appli-
19 cation for participation in the fellows program.

20 (c) APPLICATION REQUIRED.—Each individual seek-
21 ing to participate in the fellows program shall submit to
22 the Secretary an application therefor at such time and in
23 such manner as the Secretary shall specify.

24 (d) COORDINATION.—

1 (1) IN GENERAL.—In carrying out this section,
2 the Secretary may consider coordinating or
3 partnering with the entities specified in paragraph
4 (2).

5 (2) ENTITIES SPECIFIED.—The entities speci-
6 fied in this paragraph are the following:

7 (A) The National Security Innovation Net-
8 work.

9 (B) Universities affiliated with Hacking for
10 Defense.

11 (f) MODIFICATIONS TO FELLOWS PROGRAM.—As the
12 Secretary considers necessary to modify the fellows pro-
13 gram, and in coordination with the entities specified in
14 subsection (d)(2), as the Secretary considers appropriate,
15 the Secretary may—

16 (1) determine the length of a fellowship term;

17 (2) establish the rate of compensation for an in-
18 dividual selected to participate in the fellows pro-
19 gram; and

20 (3) change the eligibility requirements for par-
21 ticipation in the fellows program, including who is
22 considered an eligible individual for purposes of the
23 fellows program.

24 (g) CONSULTATION.—The Secretary may consult
25 with the heads of the agencies, components, and other ele-

1 ments of the Department of Defense and such institutions
2 of higher education and private entities engaged in work
3 on national security and emerging technologies as the Sec-
4 retary considers appropriate for purposes of the fellows
5 program, including fellowship assignments.

6 **SEC. 240. NATIONAL SECURITY COMMISSION ON DEFENSE**
7 **RESEARCH AT HISTORICALLY BLACK COL-**
8 **LEGES AND UNIVERSITIES AND OTHER MI-**
9 **NORITY INSTITUTIONS.**

10 (a) ESTABLISHMENT.—

11 (1) IN GENERAL.—There is established in the
12 executive branch an independent Commission to re-
13 view the state of defense research at covered institu-
14 tions.

15 (2) TREATMENT.—The Commission shall be
16 considered an independent establishment of the Fed-
17 eral Government as defined by section 104 of title
18 5, United States Code, and a temporary organiza-
19 tion under section 3161 of such title.

20 (3) DESIGNATION.—The Commission estab-
21 lished under paragraph (1) shall be known as the
22 “National Security Commission on Defense Re-
23 search At Historically Black Colleges and Univer-
24 sities and Other Minority Institutions”.

25 (4) MEMBERSHIP.—

1 (A) COMPOSITION.—The Commission shall
2 be composed of 11 members appointed as fol-
3 lows:

4 (i) The Secretary of Defense shall ap-
5 point 2 members.

6 (ii) The Secretary of Education shall
7 appoint 1 member.

8 (iii) The Chairman of the Committee
9 on Armed Services of the Senate shall ap-
10 point 1 member.

11 (iv) The Ranking Member of the
12 Committee on Armed Services of the Sen-
13 ate shall appoint 1 member.

14 (v) The Chairman of the Committee
15 on Armed Services of the House of Rep-
16 resentatives shall appoint 1 member.

17 (vi) The Ranking Member of the
18 Committee on Armed Services of the
19 House of Representatives shall appoint 1
20 member.

21 (vii) The Chairman of the Committee
22 on Health, Education, Labor, and Pen-
23 sions of the Senate shall appoint 1 mem-
24 ber.

1 (viii) The Ranking Member of the
2 Committee on Health, Education, Labor,
3 and Pensions of the Senate shall appoint 1
4 member.

5 (ix) The Chairman of the Committee
6 on Education and Labor of the House of
7 Representatives shall appoint 1 member.

8 (x) The Ranking Member of the Com-
9 mittee on Education and Labor of the
10 House of Representatives shall appoint 1
11 member.

12 (B) DEADLINE FOR APPOINTMENT.—Mem-
13 bers shall be appointed to the Commission
14 under subparagraph (A) not later than 90 days
15 after the date on which the commission is es-
16 tablished.

17 (C) EFFECT OF LACK OF APPOINTMENT
18 BY APPOINTMENT DATE.—If one or more ap-
19 pointments under subparagraph (A) is not
20 made by the appointment date specified in sub-
21 paragraph (B), or if a position described in sub-
22 paragraph (A) is vacant for more than 90 days,
23 the authority to make such appointment shall
24 transfer to the Chair of the Commission.

1 (5) CHAIR AND VICE CHAIR.—The Commission
2 shall elect a Chair and Vice Chair from among its
3 members.

4 (6) TERMS.—Members shall be appointed for
5 the life of the Commission. A vacancy in the Com-
6 mission shall not affect its powers and shall be filled
7 in the same manner as the original appointment was
8 made.

9 (7) STATUS AS FEDERAL EMPLOYEES.—Not-
10 withstanding the requirements of section 2105 of
11 title 5, United States Code, including the required
12 supervision under subsection (a)(3) of such section,
13 the members of the Commission shall be deemed to
14 be Federal employees.

15 (b) DUTIES.—

16 (1) IN GENERAL.—The Commission shall carry
17 out the review described in paragraph (2). In car-
18 rying out such review, the Commission shall consider
19 the methods and means necessary to advance re-
20 search capacity at covered institutions to comprehen-
21 sively address the national security and defense
22 needs of the United States.

23 (2) SCOPE OF THE REVIEW.—In conducting the
24 review under paragraph (1), the Commission shall
25 consider the following:

1 (A) The competitiveness of covered institu-
2 tions in developing, pursuing, capturing, and
3 executing defense research with the Department
4 of Defense through contracts and grants.

5 (B) Means and methods for advancing the
6 capacity of covered institutions to conduct re-
7 search related to national security and defense.

8 (C) The advancements and investments
9 necessary to elevate covered institutions to R2
10 status on the Carnegie Classification of Institu-
11 tions of Higher Education, covered institutions
12 to R1 status on the Carnegie Classification of
13 Institutions of Higher Education, one covered
14 institution or a consortium of multiple covered
15 institutions to the capability of a University Af-
16 filiated Research Center, and identify the can-
17 didate institutions for each category.

18 (D) The facilities and infrastructure for
19 defense-related research at covered institutions
20 as compared to the facilities and infrastructure
21 at universities classified as R1 status on the
22 Carnegie Classification of Institutions of Higher
23 Education.

1 (E) Incentives to attract, recruit, and re-
2 tain leading research faculty to covered institu-
3 tions.

4 (F) The legal and organizational structure
5 of the contracting entity of covered institutions
6 as compared to the legal and organizational
7 structure of the contracting entity of covered
8 institutions at universities classified as R1 sta-
9 tus on the Carnegie Classification of Institu-
10 tions of Higher Education.

11 (G) The ability of covered institutions to
12 develop, protect, and commercialize intellectual
13 property created through defense-related re-
14 search.

15 (H) The amount of defense research fund-
16 ing awarded to all colleges and universities
17 through contracts and grants for the fiscal
18 years of 2010 through 2019, including—

19 (i) the legal mechanism under which
20 the organization was formed;

21 (ii) the total value of contracts and
22 grants awarded to the organization during
23 fiscal years 2010 to 2019;

24 (iii) the overhead rate of the organiza-
25 tion for fiscal year 2019;

1 (iv) the Carnegie Classification of In-
2 stitutions of Higher Education of the asso-
3 ciated university or college;

4 (v) if the associated university or col-
5 lege qualifies as a historically Black college
6 or university or a minority institution.

7 (I) Areas for improvement in the programs
8 executed under section 2362 of title 10, United
9 States Code, the existing authorization to en-
10 hance defense-related research and education at
11 covered institutions.

12 (J) Previous executive or legislative actions
13 by the Federal Government to address the im-
14 balance in federal research funding, such as the
15 Established Program to Stimulate Competitive
16 Research (commonly known as “EPSCoR”).

17 (K) The effectiveness of the Department of
18 Defense in attracting and retaining students
19 specializing in STEM from covered institutions
20 for the Department’s programs on emerging ca-
21 pabilities and technologies.

22 (L) Any other matters the Commission
23 deems relevant to the advancing the defense re-
24 search capacity of covered institutions.

25 (c) REPORTS.—

1 (1) INITIAL REPORT.—Not later than 180 days
2 after the date of the enactment of this Act, the
3 Commission shall submit to the President and Con-
4 gress an initial report on the findings of the Com-
5 mission and such recommendations that the Com-
6 mission may have for action by the executive branch
7 and Congress related to the covered institutions par-
8 ticipating in Department of Defense research and
9 actions necessary to expand their research capacity.

10 (2) FINAL REPORT.—Prior to the date on which
11 the commission terminates under subsection (d), the
12 Commission shall submit to the President and Con-
13 gress a comprehensive report on the results of the
14 review required under subsection (b).

15 (3) FORM OF REPORTS.—Reports submitted
16 under this subsection shall be made publically avail-
17 able.

18 (d) LIST OF COVERED INSTITUTIONS.—The Commis-
19 sion, in consultation with the Secretary of Education and
20 the Secretary of Defense, shall make available a list identi-
21 fying each covered institution. The list shall be made avail-
22 able on a publicly accessible website of the Department
23 of Defense and the Department of Education and shall
24 be updated not less frequently than once annually during
25 the life of the Commission.

1 (e) TERMINATION.—The Commission shall terminate
2 on December 31, 2021.

3 (f) COVERED INSTITUTION DEFINED.—In this sec-
4 tion, the term “covered institution” means—

5 (1) a part B institution (as that term is defined
6 in section 322(2) of the Higher Education Act of
7 1965 (20 U.S.C. 1061(2)); or

8 (2) any other institution of higher education (as
9 that term is defined in section 101 of such Act (20
10 U.S.C. 1001)) at which not less than 50 percent of
11 the total student enrollment consists of students
12 from ethnic groups that are underrepresented in the
13 fields of science and engineering.

14 **SEC. 241. INCREASE IN FUNDING FOR BASIC OPERATIONAL**
15 **MEDICAL RESEARCH SCIENCE.**

16 (a) INCREASE.—Notwithstanding the amounts set
17 forth in the funding tables in division D, the amount au-
18 thorized to be appropriated in section 201 for research,
19 development, test, and evaluation, as specified in the cor-
20 responding funding table in section 4201, for research, de-
21 velopment, test, and evaluation, Defense-wide, basic re-
22 search, basic operational medical research science, line
23 004 (PE 0601117E) is hereby increased by \$5,000,000
24 (with the amount of such increase to be made available
25 for partnering with universities to research brain injuries).

1 (b) OFFSET.—Notwithstanding the amounts set forth
2 in the funding tables in division D, the amount authorized
3 to be appropriated in section 301 for operation and main-
4 tenance, as specified in the corresponding funding table
5 in section 4301, for operation and maintenance, Defense-
6 wide, operating forces, Special Operations Command man-
7 agement/operational headquarters, line 080 is hereby re-
8 duced by \$5,000,000.

9 **SEC. 242. INCREASE IN FUNDING FOR UNIVERSITY RE-**
10 **SEARCH INITIATIVES.**

11 (a) INCREASE.—Notwithstanding the amounts set
12 forth in the funding tables in division D, the amount au-
13 thorized to be appropriated in section 201 for research,
14 development, test, and evaluation, as specified in the cor-
15 responding funding table in section 4201, for research, de-
16 velopment, test, and evaluation, Army, basic research, uni-
17 versity research initiatives, line 003 (PE 0601103A) is
18 hereby increased by \$5,000,000 (with the amount of such
19 increase to be made available for studying ways to increase
20 the longevity and resilience of infrastructure on military
21 bases).

22 (b) OFFSET.—Notwithstanding the amounts set forth
23 in the funding tables in division D, the amount authorized
24 to be appropriated in section 301 for operation and main-
25 tenance, as specified in the corresponding funding table

1 in section 4301, for operation and maintenance, Defense-
2 wide, operating forces, Special Operations Command man-
3 agement/operational headquarters, line 080 is hereby re-
4 duced by \$5,000,000.

5 **SEC. 243. QUANTUM INFORMATION SCIENCE INNOVATION**
6 **CENTER.**

7 (a) ESTABLISHMENT.—The Secretary of Defense, in
8 consultation with the Secretary of the Air Force, shall es-
9 tablish a Quantum Information Science Innovation Center
10 to accelerate the research and development of quantum
11 information sciences by the Air Force.

12 (b) PURPOSES.—The purposes of the Quantum Infor-
13 mation Science Innovation Center shall be to—

14 (1) provide an environment where researchers
15 from the Air Force, Government, industry, and aca-
16 demia can collaborate to solve difficult problems
17 using quantum information technology;

18 (2) accelerate the research and development of
19 new computing technologies, including quantum in-
20 formation sciences; and

21 (3) stimulate research and development of
22 quantum information sciences technologies by build-
23 ing upon the quantum information technology devel-
24 oped at the Air Force Research Laboratory Informa-

1 tion Directorate, including secure communication
2 networks and advanced computing technology.

3 (c) FUNDING.—

4 (1) INCREASE.—Notwithstanding the amounts
5 set forth in the funding tables in division D, the
6 amount authorized to be appropriated in section 201
7 for research, development, test, and evaluation, as
8 specified in the corresponding funding table in sec-
9 tion 4201, for research, development, test, and eval-
10 uation, Air Force, applied research, dominant infor-
11 mation sciences and methods, line 014 is hereby in-
12 creased by \$10,000,000 (to be made available for
13 the establishment of the Quantum Information
14 Science Innovation Center under subsection (a)).

15 (2) OFFSET.—Notwithstanding the amounts set
16 forth in the funding tables in division D, the amount
17 authorized to be appropriated in section 301 for op-
18 eration and maintenance, as specified in the cor-
19 responding funding table in section 4301, for oper-
20 ation and maintenance, Defense-wide, operating
21 forces, Special Operations Command Operational
22 Support, line 090 is hereby reduced by \$10,000,000.

1 **SEC. 244. INCREASE IN FUNDING FOR NAVAL UNIVERSITY**
2 **RESEARCH INITIATIVES.**

3 (a) INCREASE.—Notwithstanding the amounts set
4 forth in the funding tables in division D, the amount au-
5 thorized to be appropriated in section 201 for research,
6 development, test, and evaluation, as specified in the cor-
7 responding funding table in section 4201 for research, de-
8 velopment, test, and evaluation, Navy, basic research, Uni-
9 versity Research Initiatives, Line 001 (PE 0601103N) is
10 hereby increased by \$5,000,000.

11 (b) OFFSET.—Notwithstanding the amounts set forth
12 in the funding tables in division D, the amount authorized
13 to be appropriated in section 301 for operation and main-
14 tenance, as specified in the corresponding funding table
15 in section 4301, for operation and maintenance, Defense-
16 wide, operating forces, Special Operations Command The-
17 ater Forces, line 100 is hereby reduced by \$5,000,000.

18 **SEC. 245. INCREASE IN FUNDING FOR UNIVERSITY AND IN-**
19 **DUSTRY RESEARCH CENTERS.**

20 (a) INCREASE.—Notwithstanding the amounts set
21 forth in the funding tables in division D, the amount au-
22 thorized to be appropriated in section 201 for research,
23 development, test, and evaluation, as specified in the cor-
24 responding funding table in section 4201, for research, de-
25 velopment, test, and evaluation, Army, basic research for

1 university and industry research centers, line 004 (PE
2 0601104A) is hereby increased by \$5,000,000.

3 (b) OFFSET.—Notwithstanding the amounts set forth
4 in the funding tables in division D, the amount authorized
5 to be appropriated in section 301 for operation and main-
6 tenance, as specified in the corresponding funding table
7 in section 4301, for operation and maintenance, Air Force,
8 operational systems development, AF integrated personnel
9 and pay system (AF-IPPS), line 158 (PE 0605018F) is
10 hereby reduced by \$5,000,000.

11 **SEC. 246. INCREASE IN FUNDING FOR NATIONAL SECURITY**

12 **INNOVATION CAPITAL.**

13 (a) INCREASE.—Notwithstanding the amounts set
14 forth in the funding tables in division D, the amount au-
15 thorized to be appropriated in section 201 for research,
16 development, test, and evaluation, as specified in the cor-
17 responding funding table in section 4201, for research, de-
18 velopment, test, and evaluation, Defense-wide, for Defense
19 Innovation Unit (DIU) Prototyping is hereby increased by
20 \$75,000,000 (to be used in support of national security
21 innovation capital).

22 (b) OFFSET.—Not withstanding the amounts set
23 forth in the funding tables in division D, the amount au-
24 thorized to be appropriated in section 201 for research,
25 development, test, and evaluation, as specified in the cor-

1 responding funding table in section 4201, for research, de-
2 velopment, test, and evaluation, Defense-wide, advanced
3 component development and prototypes, advanced innova-
4 tive technologies, line 096 (PE 0604250D8Z) is hereby
5 reduced by \$75,000,000.

6 **SEC. 247. INCREASE IN FUNDING FOR AIR FORCE UNIVER-**
7 **SITY RESEARCH INITIATIVES.**

8 (a) INCREASE.—Notwithstanding the amounts set
9 forth in the funding tables in division D, the amount au-
10 thorized to be appropriated in section 201 for research,
11 development, test, and evaluation, as specified in the cor-
12 responding funding table in section 4201, for research, de-
13 velopment, test, and evaluation, Air Force, basic research,
14 University Research Initiatives, line 002 (PE 0601103F)
15 is hereby increased by \$5,000,000.

16 (b) OFFSET.—Notwithstanding the amounts set forth
17 in the funding tables in division D, the amount authorized
18 to be appropriated in section 301 for operation and main-
19 tenance, as specified in the corresponding funding table
20 in section 4301, for operation and maintenance, Defense-
21 wide, operating forces, Special Operations Command The-
22 ater Forces, line 100 is hereby reduced by \$5,000,000.

1 **SEC. 248. INCREASE IN FUNDING FOR NAVAL UNIVERSITY**
2 **RESEARCH INITIATIVES.**

3 (a) INCREASE.—Notwithstanding the amounts set
4 forth in the funding tables in division D, the amount au-
5 thorized to be appropriated in section 201 for research,
6 development, test, and evaluation, as specified in the cor-
7 responding funding table in section 4201 for Navy basic
8 research, University Research Initiatives, line 001 (PE
9 0601103N) is hereby increased by \$5,000,000.

10 (b) OFFSET.—Notwithstanding the amounts set forth
11 in the funding tables in division D, the amount authorized
12 to be appropriated in section 301 for operation and main-
13 tenance, as specified in the corresponding funding table
14 in section 4301, for operation and maintenance, Defense-
15 wide, operating forces, Special Operations Command The-
16 ater Forces, line 100 is hereby reduced by \$5,000,000.

17 **SEC. 249. STUDY AND REPORT ON LAB-EMBEDDED ENTRE-**
18 **PRENEURIAL FELLOWSHIP PROGRAM.**

19 (a) STUDY.—The Under Secretary of Defense for Re-
20 search and Engineering, in consultation with the Director
21 of the Advanced Manufacturing Office of the Department
22 of Energy, shall conduct a study on the feasibility and po-
23 tential benefits of establishing a lab-embedded entrepre-
24 neurial fellowship program.

1 (b) ELEMENTS.—The study under subsection (a)
2 shall include, with respect to a lab-embedded entrepre-
3 neurial fellowship program, the following:

4 (1) An estimate of administrative and pro-
5 grammatic costs and materials, including appro-
6 priate levels of living stipends and health insurance
7 to attract a competitive pool of applicants.

8 (2) An assessment of capacity for entrepre-
9 neurial fellows to use laboratory facilities and equip-
10 ment.

11 (3) An assessment of the benefits for partici-
12 pants in the program through access to mentorship,
13 education, and networking and exposure to leaders
14 from academia, industry, government, and finance.

15 (4) Assessment of the benefits for the Depart-
16 ment of Defense science and technology activities
17 through partnerships and exchanges with program
18 fellows.

19 (5) An estimate of the economic benefits cre-
20 ated by the implementation of this program, based
21 in part on similar entrepreneurial programs.

22 (c) CONSULTATION.—In conducting the study under
23 subsection (a), the Under Secretary of Defense for Re-
24 search and Engineering shall consult with the following,
25 as necessary:

1 (1) The Director of the Defense Advanced Re-
2 search Projects Agency.

3 (2) The Director of Research for each military
4 service.

5 (3) Relevant research facilities, including the
6 Department of Energy National Laboratories (as de-
7 fined in section 2 of the Energy Policy Act of 2005
8 (42 U.S.C. 15801)).

9 (d) REPORT.—

10 (1) IN GENERAL.—Not later than 180 days
11 after the date of the enactment of this Act, the
12 Under Secretary of Defense for Research and Engi-
13 neering shall submit to the designated recipients a
14 report on the results of the study conducted under
15 subsection (a). At minimum, the report shall include
16 an explanation of the results of the study with re-
17 spect to each element set forth in subsection (b).

18 (2) NONDUPLICATION OF EFFORTS.—The
19 Under Secretary of Defense for Research and Engi-
20 neering may use or add to any existing reports com-
21 pleted by the Department in order to meet the re-
22 porting requirement under paragraph (1).

23 (3) FORM OF REPORT.—The report under para-
24 graph (1) shall be submitted in unclassified form,
25 but may include a classified annex.

1 (e) DEFINITIONS.—In this section:

2 (1) The term “designated recipients” means the
3 following:

4 (A) The Committee on Armed Services, the
5 Committee on Science, Space, and Technology,
6 and the Committee on Appropriations of the
7 House of Representatives.

8 (B) The Committee on Armed Services,
9 the Committee on Energy and Natural Re-
10 sources, and the Committee on Appropriations
11 of the Senate.

12 (C) The Secretary of Defense.

13 (D) The Secretary of Energy.

14 (2) The term “lab-embedded entrepreneurial
15 fellowship program” means a competitive, two-year
16 program in which participants (to be known as “fel-
17 lows”) are selected from a pool of applicants to work
18 in a Federal research facility where the fellows will
19 conduct research, development, and demonstration
20 activities, commercialize technology, and train to be
21 entrepreneurs.

1 **SEC. 250. INDEPENDENT STUDY ON THREATS TO UNITED**
2 **STATES NATIONAL SECURITY FROM DEVEL-**
3 **OPMENT OF HYPERSONIC WEAPONS BY FOR-**
4 **EIGN NATIONS.**

5 (a) INDEPENDENT STUDY.—Not later than 30 days
6 after the date of the enactment of this Act, the Secretary
7 of Defense shall seek to enter into a contract with a feder-
8 ally funded research and development center under which
9 the center will conduct a study on the development of
10 hypersonic weapons capabilities by foreign nations and the
11 threat posed by such capabilities to United States terri-
12 tory, forces and overseas bases, and allies.

13 (b) ELEMENTS OF STUDY.—The study required
14 under subsection (a) shall—

15 (1) describe the hypersonic weapons capabilities
16 in development in the People’s Republic of China,
17 the Russian Federation, and other nations;

18 (2) assess the proliferation risk that nations
19 that develop hypersonic weapons capabilities might
20 transfer this technology to other nations;

21 (3) attempt to describe the rationale for why
22 each nation that is developing hypersonic weapons
23 capabilities is undertaking such development; and

24 (4) examine the unique threats created to
25 United States national security by hypersonic weap-
26 ons due to both their maneuverability and speed,

1 distinguishing between hypersonic glide vehicles de-
2 livered by rocket boosters (known as boost-glide sys-
3 tems) and hypersonic cruise missiles, and further
4 distinguishing between longer-range systems that
5 can reach United States territory and shorter or me-
6 dium range systems that might be used in a regional
7 conflict.

8 (c) SUBMISSION TO DEPARTMENT OF DEFENSE.—

9 Not later than 270 days after the date of the enactment
10 of this Act, the federally funded research and development
11 center that conducts the study under subsection (a) shall
12 submit to the Secretary of Defense a report on the results
13 of the study in both classified and unclassified form.

14 (d) SUBMISSION TO CONGRESS.—Not later than 30
15 days after the date on which the Secretary of Defense re-
16 ceives the report under subsection (c), the Secretary shall
17 submit to the congressional defense committees an
18 unaltered copy of the report in both classified and unclas-
19 sified form, and any comments of the Secretary with re-
20 spect to the report.

21 **SEC. 251. REPORT ON INNOVATION INVESTMENTS AND**
22 **MANAGEMENT.**

23 (a) REPORT REQUIRED.—Not later than December
24 31, 2019, the Under Secretary of Defense for Research
25 and Engineering shall submit to the congressional defense

1 committees a report on the efforts of the Department of
2 Defense to improve innovation investments and manage-
3 ment.

4 (b) ELEMENTS.—The report required under sub-
5 section (a) shall include an explanation of each of the fol-
6 lowing:

7 (1) How incremental and disruptive innovation
8 investments for each military department are de-
9 fined.

10 (2) How such investments are assessed.

11 (3) Whether the Under Secretary has defined a
12 science and technology management framework
13 that—

14 (A) emphasizes greater use of existing
15 flexible approaches to more quickly initiate and
16 discontinue projects to respond to the rapid
17 pace of innovation;

18 (B) incorporates acquisition stakeholders
19 into technology development programs to ensure
20 that they are relevant to customers; and

21 (C) promotes advanced prototyping of dis-
22 ruptive technologies within the labs so that the
23 science and technology community can prove
24 that these technologies work to generate de-
25 mand from future acquisition programs.

1 **SEC. 252. REQUIREMENT FOR ANNUAL REPORT SUMMA-**
2 **RIZING THE OPERATIONAL TEST AND EVAL-**
3 **UATION ACTIVITIES OF THE DEPARTMENT OF**
4 **DEFENSE.**

5 Section 139(h)(2) of title 10, United States Code, is
6 amended by striking “, through January 31, 2021”.

7 **SEC. 253. INCREASE IN FUNDING FOR ARMY UNIVERSITY**
8 **RESEARCH INITIATIVES.**

9 (a) INCREASE.—Notwithstanding the amounts set
10 forth in the funding tables in division D, the amount au-
11 thorized to be appropriated in section 201 for research,
12 development, test, and evaluation, as specified in the cor-
13 responding funding table in section 4201 for Army basic
14 research, University Research Initiatives, Line 003 (PE
15 0601103A) is hereby increased by \$5,000,000.

16 (b) OFFSET.—Notwithstanding the amounts set forth
17 in the funding tables in division D, the amount authorized
18 to be appropriated in section 201 for research, develop-
19 ment, test, and evaluation, as specified in the cor-
20 responding funding table in section 4201 for research, de-
21 velopment, test, and evaluation, Army, system develop-
22 ment and demonstration, integrated personnel and pay
23 system-Army (IPPS-A), Line 143 (PE 0605018A), is
24 hereby reduced by \$5,000,000.

1 **SEC. 254. FUNDING FOR ANTI-TAMPER HETEROGENOUS IN-**
2 **TEGRATED MICROELECTRONICS.**

3 (a) INCREASE.—Notwithstanding the amounts set
4 forth in the funding tables in division D, the amount au-
5 thorized to be appropriated in section 201 for research,
6 development, test, and evaluation, as specified in the cor-
7 responding funding table in section 4201, for research, de-
8 velopment, test, and evaluation, Defense-wide, advanced
9 technology development, defense-wide manufacturing
10 science and technology program, line 047 (PE
11 0603680D8Z) is hereby increased by \$5,000,000 (with the
12 amount of such increase to be made available for anti-
13 tamper heterogeneous integrated microelectronics).

14 (b) OFFSET.—Notwithstanding the amounts set forth
15 in the funding tables in division D, the amount authorized
16 to be appropriated in section 101 for procurement, as
17 specified in the corresponding funding table in section
18 4101, for other procurement, Army, elect equip-automa-
19 tion, general fund enterprise business systems fam, line
20 114 is hereby reduced by \$5,000,000.

21 **SEC. 255. BRIEFING ON USE OF BLOCKCHAIN TECHNOLOGY**
22 **FOR DEFENSE PURPOSES.**

23 (a) BRIEFING REQUIRED.—Not later than 180 days
24 after the date of the enactment of this Act, the Under
25 Secretary of Defense for Research and Engineering shall
26 provide to the congressional defense committees a briefing

1 on the potential use of distributed ledger technology for
2 defense purposes.

3 (b) ELEMENTS.—The briefing under subsection (a)
4 shall include the following:

5 (1) An explanation of how distributed ledger
6 technology may be used by the Department of De-
7 fense to—

8 (A) improve cybersecurity, beginning at the
9 hardware level, of vulnerable assets such as en-
10 ergy, water and transport grids, through dis-
11 tributed versus centralized computing;

12 (B) reduce single points of failure in emer-
13 gency and catastrophe decision-making by sub-
14 jecting the decision to consensus validation
15 through distributed ledger technologies;

16 (C) improve the efficiency of defense logis-
17 tics and supply chain operations;

18 (D) enhance the transparency of procure-
19 ment auditing; and

20 (E) allow innovations to be adapted by the
21 private sector for ancillary uses.

22 (2) Such other information as the Under Sec-
23 retary of Defense for Research and Engineering de-
24 termines to be appropriate.

1 **SEC. 256. EFFORTS TO COUNTER MANIPULATED MEDIA**
2 **CONTENT.**

3 (a) BRIEFING REQUIRED.—

4 (1) IN GENERAL.—Not later than 180 days
5 after the date of the enactment of this Act, the Sec-
6 retary of Defense shall provide to the congressional
7 defense committees a briefing on initiatives of the
8 Department of Defense to identify and address, as
9 appropriate and as authorized in support of Depart-
10 ment of Defense operations, manipulated media con-
11 tent, specifically “deepfakes”.

12 (2) ELEMENTS.—The briefing required by
13 paragraph (1) shall include the following:

14 (A) Status of efforts to develop technology
15 to identify manipulated content impacting the
16 national security of the United States.

17 (B) Challenges to detecting, labeling, and
18 preventing foreign actors’ manipulation of im-
19 ages and video impacting national security.

20 (C) Plans to make deepfake detection tech-
21 nology available to the public and other Federal
22 agencies for use in identifying manipulated
23 media.

24 (D) The efforts of the Department of De-
25 fense, as appropriate, to engage academia and
26 industry stakeholders to combat deliberately

1 manipulated or deceptive information from
2 state and non-state actors on social media plat-
3 forms impacting operations overseas.

4 (E) An assessment of the ability of adver-
5 saries to generate deepfakes.

6 (F) Recommendations for a long-term
7 transition partner organization.

8 (b) FUNDING.—

9 (1) INCREASE.—Notwithstanding the amounts
10 set forth in the funding tables in division D, the
11 amount authorized to be appropriated in section 201
12 for research, development, test, and evaluation, as
13 specified in the corresponding funding table in sec-
14 tion 4201, for research, development, test, and eval-
15 uation, Defense-wide, applied research, SOF tech-
16 nology development, line 022 (PE 1160401BB) is
17 hereby increased by \$5,000,000 (with the amount of
18 such increase to be made available for Media
19 Forensics).

20 (2) OFFSET.—Notwithstanding the amounts set
21 forth in the funding tables in division D, the amount
22 authorized to be appropriated in section 201 for re-
23 search, development, test, and evaluation, as speci-
24 fied in the corresponding funding table in section
25 4201 for research, development, test, and evaluation,

1 Air Force, operational systems development, AF in-
2 tegrated personnel and pay system (AF-IPPS), line
3 158 (PE 0605018F) is hereby reduced by
4 \$5,000,000.

5 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
6 tion shall be construed to authorize an activity that will
7 impact the privacy or civil liberties of United States per-
8 sons.

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

13 **SEC. 301. AUTHORIZATION OF APPROPRIATIONS.**

14 Funds are here by authorized to be appropriated for
15 fiscal year 2020 for the use of the Armed Forces and other
16 activities and agencies of the Department of Defense for
17 expenses, not otherwise provided for, for operation and
18 maintenance, as specified in the funding table in section
19 4301.

20 **SEC. 302. FUNDING FOR ARMY COMMUNITY SERVICES.**

21 (a) INCREASE.—Notwithstanding the amounts set
22 forth in the funding tables in division D, the amount au-
23 thorized to be appropriated in section 301 for operation
24 and maintenance for Army base operations support, line
25 100, as specified in the corresponding funding table in sec-

tion 4301, for Army Community Services is hereby increased by \$30,000,000.

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 301 for operation and maintenance, for Army Force Readiness Operations Support, line 070, as specified in the corresponding funding table in section 4301, is hereby reduced by \$15,000,000.

(c) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 301 for operation and maintenance, for Army Land Forces Operations Support, as specified in the corresponding funding table in section 4301, line 050, is hereby reduced by \$15,000,000.

SEC. 303. 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 \$50,000,000 (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

1 to be appropriated for operation and maintenance, De-
2 fense-wide, as specified in the corresponding funding table
3 in section 4301, for Operation and Maintenance, Defense-
4 wide is hereby reduced by \$50,000,000.

5 **Subtitle B—Energy and** 6 **Environment**

7 **SEC. 311. TIMELINE FOR CLEARINGHOUSE REVIEW OF AP-** 8 **PLICATIONS FOR ENERGY PROJECTS THAT** 9 **MAY HAVE AN ADVERSE IMPACT ON MILI-** 10 **TARY OPERATIONS AND READINESS.**

11 Section 183a(c)(1) of title 10, United States Code,
12 is amended by striking “60 days” and inserting “90
13 days”.

14 **SEC. 312. AUTHORITY TO MAKE FINAL FINDING ON DES-** 15 **IGNATION OF GEOGRAPHIC AREAS OF CON-** 16 **CERN FOR PURPOSES OF ENERGY PROJECTS** 17 **WITH ADVERSE IMPACTS ON MILITARY OPER-** 18 **ATIONS AND READINESS.**

19 Section 183a(d)(2)(E) of title 10, United States
20 Code, is amended—

21 (1) by striking “or a Principal” and inserting
22 “a”; and

23 (2) by inserting “, an Assistant Secretary of
24 Defense, or a Deputy Assistant Secretary of De-
25 fense” after “Deputy Under Secretary of Defense”.

1 **SEC. 313. AUTHORITY TO ACCEPT CONTRIBUTIONS OF**
2 **FUNDS FROM APPLICANTS FOR ENERGY**
3 **PROJECTS FOR MITIGATION OF IMPACTS ON**
4 **MILITARY OPERATIONS AND READINESS.**

5 Section 183a(f) of title 10, United States Code, is
6 amended by striking “for a project filed with the Secretary
7 of Transportation pursuant to section 44718 of title 49”
8 and inserting “for an energy project”.

9 **SEC. 314. DEPARTMENT OF DEFENSE IMPROVEMENT OF**
10 **PREVIOUSLY CONVEYED UTILITY SYSTEMS**
11 **SERVING MILITARY INSTALLATIONS.**

12 Section 2688 of title 10, United States Code, is
13 amended—

14 (1) by redesignating subsection (k) as sub-
15 section (l); and

16 (2) by inserting after subsection (j) the fol-
17 lowing new subsection (k):

18 “(k) IMPROVEMENT OF CONVEYED UTILITY SYS-
19 TEMS.—In the case of a utility system that is conveyed
20 under this section and that only provides utility services
21 to a military installation, the Secretary concerned may use
22 amounts authorized to be appropriated for military con-
23 struction to improve the reliability, resilience, efficiency,
24 physical security, or cybersecurity of the utility system.”.

1 **SEC. 315. FIVE-YEAR AUTHORITY FOR NATIONAL GUARD**
2 **ENVIRONMENTAL RESTORATION PROJECTS**
3 **FOR ENVIRONMENTAL RESPONSES.**

4 (a) IN GENERAL.—Section 2707 of title 10, United
5 States Code, is amended by adding at the end the fol-
6 lowing new subsection:

7 “(e) TEMPORARY AUTHORITY FOR NATIONAL GUARD
8 PROJECTS.—Notwithstanding subsection (a) of this sec-
9 tion and section 2701(c)(1) of this title, during the five-
10 year period beginning on the date of the enactment of this
11 subsection, the Secretary concerned may carry out an en-
12 vironmental restoration project if the Secretary deter-
13 mines that the project is necessary to carry out a response
14 to perfluorooctanoic acid or perfluorooctane sulfonate con-
15 tamination under this chapter or CERCLA.”.

16 (b) SAVINGS CLAUSE.—Nothing in this section, or
17 the amendment made by this section, shall affect any re-
18 quirement or authority under the Comprehensive Environ-
19 mental Response, Compensation, and Liability Act of
20 1980 (42 U.S.C. 9601 et seq.).

21 **SEC. 316. SALE OF ELECTRICITY FROM ALTERNATE EN-**
22 **ERGY AND COGENERATION PRODUCTION FA-**
23 **CILITIES.**

24 Section 2916(b)(3) of title 10, United States Code,
25 is amended—

1 (1) in subparagraph (A), by striking “and” at
2 the end; and

3 (2) in subparagraph (B)—

4 (A) by striking “shall be available” and all
5 that follows and inserting “shall be provided di-
6 rectly to the commander of the military installa-
7 tion in which the geothermal energy resource is
8 located to be used for—”; and

9 (B) by adding at the end the following new
10 clauses:

11 “(i) military construction projects de-
12 scribed in paragraph (2) that benefit the mili-
13 tary installation where the geothermal energy
14 resource is located; or

15 “(ii) energy or water security projects
16 that—

17 “(I) benefit the military installation
18 where the geothermal energy resource is lo-
19 cated;

20 “(II) the commander of the military
21 installation determines are necessary; and

22 “(III) are directly coordinated with
23 local area energy or groundwater governing
24 authorities.”.

1 **SEC. 317. TRANSFER AUTHORITY FOR FUNDING OF STUDY**
2 **AND ASSESSMENT ON HEALTH IMPLICATIONS**
3 **OF PER- AND POLYFLUOROALKYL SUB-**
4 **STANCES CONTAMINATION IN DRINKING**
5 **WATER BY AGENCY FOR TOXIC SUBSTANCES**
6 **AND DISEASE REGISTRY.**

7 Section 316(a)(2)(B)(ii) of the National Defense Au-
8 thorization Act for Fiscal Year 2018 (Public Law 115–
9 91; 131 Stat. 1350), as amended by section 315(a) of the
10 John S. McCain National Defense Authorization Act for
11 Fiscal Year 2019 (Public Law 115–232), is amended by
12 striking “2019 and 2020” and inserting “2019, 2020, and
13 2021”.

14 **SEC. 318. REPLACEMENT OF FLUORINATED AQUEOUS**
15 **FILM-FORMING FOAM WITH FLUORINE-FREE**
16 **FIRE-FIGHTING AGENT.**

17 (a) USE OF FLUORINE-FREE FOAM AT MILITARY IN-
18 STALLATIONS.—Not later than January 31, 2023, the
19 Secretary of the Navy shall publish a military specification
20 for a fluorine-free fire-fighting agent for use at all military
21 installations to ensure such agent is available for use by
22 not later than December 31, 2024.

23 (b) PROHIBITION ON USE.—Fluorinated aqueous
24 film-forming foam may not be used at any military instal-
25 lation on or after September 30, 2025, or before such
26 date, if possible.

1 (c) WAIVER.—

2 (1) IN GENERAL.—Subject to paragraph (2),
3 the Secretary of Defense may grant a waiver to the
4 prohibition under subsection (b) with respect to the
5 use of fluorinated aqueous film-forming foam at a
6 specific military installation if the Secretary submits
7 to the congressional defense committees, by not later
8 than 30 days prior to issuing the waiver—

9 (A) notice of the waiver; and

10 (B) certification, in writing, that the waiv-
11 er is necessary for the protection of life and
12 safety.

13 (2) BASIS FOR WAIVER.—Any certification sub-
14 mitted under paragraph (1)(B) shall document the
15 basis for the waiver and, at a minimum, shall in-
16 clude the following:

17 (A) A detailed description of the threat
18 justifying the waiver and a description of the
19 imminence, urgency, and severity of such
20 threat.

21 (B) An analysis of potential populations
22 impacted by continued use of fluorinated aque-
23 ous film forming foam and why the waiver out-
24 weighs the impact to such populations.

1 (C) An analysis of potential economic ef-
2 fects, including with respect to agriculture, live-
3 stock, and water systems of continued use of
4 fluorinated aqueous film forming foam and why
5 the waiver outweighs such effects.

6 (3) LIMITATION.—A waiver under this sub-
7 section shall apply for a period that does not exceed
8 one year. The Secretary may extend any such waiver
9 once for an additional period that does not exceed
10 one year.

11 **SEC. 319. PROHIBITION OF UNCONTROLLED RELEASE OF**
12 **FLUORINATED AQUEOUS FILM-FORMING**
13 **FOAM AT MILITARY INSTALLATIONS.**

14 (a) PROHIBITION.—Except as provided by subsection
15 (b), the Secretary of Defense shall prohibit the uncon-
16 trolled release of fluorinated aqueous film-forming foam
17 (hereinafter in this section referred to as “AFFF”) at
18 military installations.

19 (b) EXCEPTIONS.—Notwithstanding subsection (a),
20 fluorinated AFFF may be released at military installa-
21 tions as follows:

22 (1) AFFF may be released for purposes of an
23 emergency response.

24 (2) A non-emergency release of AFFF may be
25 made for the purposes of testing of equipment or

1 training of personnel, if complete containment, cap-
2 ture, and proper disposal mechanisms are in place to
3 ensure no AFFF is released into the environment.

4 **SEC. 320. PROHIBITION ON USE OF FLUORINATED AQUE-**
5 **OUS FILM FORMING FOAM FOR TRAINING EX-**
6 **ERCISES.**

7 The Secretary of Defense shall prohibit the use of
8 fluorinated aqueous film forming foam for training exer-
9 cises at military installations.

10 **SEC. 321. REAL-TIME NOISE-MONITORING STUDY AT NAVY**
11 **AND AIR FORCE INSTALLATIONS WHERE TAC-**
12 **TICAL FIGHTER AIRCRAFT OPERATE.**

13 (a) REAL-TIME MONITORING.—The Secretary of the
14 Navy and the Secretary of the Air Force shall each con-
15 duct a real-time noise-monitoring study at no fewer than
16 three Navy installations and three Air Force installations.
17 In conducting such study, the Secretaries shall—

- 18 (1) select installations where tactical fighter air-
19 craft operate and noise contours have been developed
20 through noise modeling to validate the noise con-
21 tours developed through analysis and modeling at
22 those installations; and
23 (2) ensure that such monitoring is conducted
24 during times of high, medium, and low activity.

1 (b) REPORT REQUIRED.—Not later than December
2 1, 2020, the Secretary of the Navy and the Secretary of
3 the Air Force shall jointly submit to the Committees on
4 Armed Services of the Senate and House of Representa-
5 tives a report on the real-time noise monitoring required
6 under subsection (a). Such report shall include—

7 (1) the results of such monitoring;

8 (2) a comparison of such monitoring and the
9 noise contours previously developed with the analysis
10 and modeling methods previously used;

11 (3) an overview of any changes to the analysis
12 and modeling process that have been made or are
13 being considered as a result of the findings of such
14 monitoring; and

15 (4) any other matters that the Secretaries de-
16 termine appropriate.

17 **SEC. 322. DEVELOPMENT OF CLIMATE VULNERABILITY**
18 **AND RISK ASSESSMENT TOOL.**

19 (a) IN GENERAL.—Not later than 180 days after the
20 date of the enactment of this Act, the Secretary of Defense
21 shall develop a climate vulnerability and risk assessment
22 tool to assist the military departments in measuring how
23 the risks associated with climate change impact networks,
24 systems, installations, facilities, and other assets, as well

1 as the operational plans and capabilities of the Depart-
2 ment of Defense.

3 (b) CONSULTATION.—In developing the tool under
4 subsection (a), the Secretary shall consult with the Admin-
5 istrator of the Environmental Protection Agency, the Sec-
6 retary of Energy, the Secretary of the Interior, the Admin-
7 istrator of the National Oceanic and Atmospheric Admin-
8 istration, the Administrator of the Federal Emergency
9 Management Agency, the Commander of the Army Corps
10 of Engineers, the Administrator of the National Aero-
11 nautics and Space Administration, a federally funded re-
12 search and development center, and the heads of such
13 other relevant Federal agencies as the Secretary of De-
14 fense determines appropriate.

15 (c) PREVAILING SCIENTIFIC CONSENSUS.—Before
16 completing development of the tool under subsection (a),
17 the Secretary shall obtain from a federally funded research
18 and development center with which the Secretary has con-
19 sulted under subsection (b) a certification in writing that
20 the tool contains a methodology that adequately incor-
21 porates the prevailing scientific consensus on climate
22 change.

23 (d) REPORT.—

24 (1) IN GENERAL.—Not later than 180 days
25 after the date of the enactment of this Act, the Sec-

1 retary shall submit to the congressional defense com-
2 mittees a report describing the tool developed under
3 subsection (a).

4 (2) CLASSIFIED ANNEX.—The report under
5 paragraph (1) shall be submitted in unclassified
6 form but may contain a classified annex if necessary.

7 (3) PUBLICATION.—Upon submittal of the re-
8 port under paragraph (1), the Secretary shall pub-
9 lish the unclassified portion of the report on an
10 internet website of the Department that is available
11 to the public.

12 (e) UPDATES TO TOOL.—

13 (1) IN GENERAL.—After submittal of the report
14 under subsection (d), the Secretary of Defense shall
15 update the climate vulnerability and risk assessment
16 tool developed under subsection (a) on an annual
17 basis, in consultation with the individuals and enti-
18 ties described in subsection (b) and consistent with
19 the prevailing scientific consensus as required under
20 subsection (c).

21 (2) REPORT AND PUBLICATION.—Upon com-
22 pleting an update to the tool under paragraph (1),
23 the Secretary shall—

1 (A) submit to the congressional defense
2 committees a report describing such update;
3 and

4 (B) publish the unclassified version of such
5 report on an internet website of the Depart-
6 ment that is available to the public.

7 **SEC. 323. PROVISION OF UNCONTAMINATED WATER FOR**
8 **AGRICULTURAL USE ON LAND CONTAMI-**
9 **NATED BY PFOS AND PFOA USED ON MILI-**
10 **TARY INSTALLATIONS.**

11 (a) FINDINGS.—Congress makes the following find-
12 ings:

13 (1) Perfluorooctanesulfonic acid (in this section
14 referred to as “PFOS”) and perfluorooctanoic acid
15 (in this section referred to as “PFOA”) are part of
16 a class of man-made chemicals that have been used
17 in a variety of industrial and consumer products to
18 make the products resist heat, stains, water, and
19 grease. Because PFOS and PFOA extinguish petro-
20 leum fires quickly, the Department of Defense and
21 commercial airports began using aqueous film form-
22 ing foam containing PFOS and PFOA in the 1970s.

23 (2) PFOS and PFOA can accumulate and stay
24 in the body for long periods of time. Exposure to
25 PFOS and PFOA may cause health problems, in-

1 cluding issues with the reproductive system, liver
2 and kidney damage, developmental issues in chil-
3 dren, and negatively impacted immune system, and
4 cancer.

5 (3) A common method of human exposure to
6 PFOS and PFOA is by consuming contaminated
7 drinking water.

8 (4) The Environmental Protection Agency
9 issued lifetime health advisories under the Safe
10 Drinking Water Act for individual or combined
11 PFOS and PFOA concentrations at 70 parts per
12 trillion in 2016, but has not yet issued any guidance
13 or regulation for groundwater or agricultural water.

14 (5) The Department of Defense has provided
15 mitigations in many communities where drinking
16 water has tested at or above the lifetime health advi-
17 sory level, including bottled water and drinking
18 water filtration systems. Due to the lack of regu-
19 latory guidance, these mitigations have not been
20 mirrored in agricultural water systems.

21 (6) As a result, farmers located adjacent to
22 military installations with PFOS and PFOA con-
23 tamination that has migrated off-installation are po-
24 tentially impacted, and in at least one case, such

1 contamination has had a serious impact on the liveli-
2 hood of a dairy farmer.

3 (b) AUTHORITY TO PROVIDE UNCONTAMINATED
4 WATER FOR AGRICULTURAL PURPOSES.—

5 (1) IN GENERAL.—If an area has been identi-
6 fied under paragraph (2), and a military installation
7 has been determined to be the source of that con-
8 tamination, the Secretary of Defense or the Sec-
9 retary concerned may provide, for the purpose of
10 producing agricultural products destined for human
11 consumption—

12 (A) water sources uncontaminated with
13 perfluoroalkyl and polyfluoroalkyl substances,
14 including PFOA and PFOS, or

15 (B) treatment of contaminated waters.

16 (2) IDENTIFICATION OF AREAS.—An area iden-
17 tified under this paragraph is an area for which the
18 level of PFOA or PFOS contamination—

19 (A) is above the lifetime health advisory
20 for contamination for such compounds as issued
21 by the Environmental Protection Agency and
22 printed in the Federal Register on May 25,
23 2016;

24 (B) is at or above a regulatory standard
25 set by the Food and Drug Administration for

1 PFOA and PFOS in raw agricultural commod-
2 ities and milk; or

3 (C) is at or above a duly promulgated,
4 non-discriminatory standard promulgated by a
5 State regulatory entity for PFOA and PFOS in
6 raw agricultural commodities and milk.

7 (3) SOURCE OF FUNDS.—Amounts used to
8 carry out this section shall be derived—

9 (A) in the case of amounts made available
10 by the Secretary concerned, from amounts au-
11 thorized to be appropriated for Operation and
12 Maintenance for the military department con-
13 cerned; or

14 (B) in the case of amounts made available
15 by the Secretary of Defense, from amounts au-
16 thorized to be appropriated for Operation and
17 Maintenance, Defense-wide.

18 (c) SENSE OF CONGRESS REGARDING LAND ACQUI-
19 SITION.—It is the sense of Congress that the Secretary
20 concerned should explore authorities under which the Sec-
21 retary could acquire land the land adjacent to military in-
22 stallations where the owners of the land have experienced
23 impacts to their livelihood due to PFOS and PFOA con-
24 tamination that has been verified to have been caused by

1 that installation, including the authorities under sections
2 2663, 2864a, and 2869 of title 10, United States Code.

3 **SEC. 324. REMOVAL OF BARRIERS THAT DISCOURAGE IN-**
4 **VESTMENTS TO INCREASE RESILIENCY TO**
5 **CLIMATE CHANGE.**

6 The Secretary of Defense shall—

7 (1) identify and seek to remove barriers that
8 discourage investments to increase resiliency to cli-
9 mate change;

10 (2) reform policies and programs that uninten-
11 tionally increased the vulnerability of systems to re-
12 lated climate change risks; and

13 (3) develop, and update at least once every four
14 years, an adaptation plan that assessed how climate
15 impacts affected the ability of the department or
16 agency to accomplish its mission, and the short-and
17 long- term actions the department or agency can
18 take to manage climate risks.

19 **SEC. 325. OFFSHORE ENERGY DEVELOPMENT.**

20 (a) PROHIBITION.—The Secretary of Defense shall
21 not issue an offshore wind assessment that proposes wind
22 exclusion areas and may not object to an offshore energy
23 project filed for review by the Military Aviation and Instal-
24 lation Assurance Clearinghouse (in this section referred

1 to as the “Clearinghouse”) until 180 days after submitting
2 the report required under (b).

3 (b) REPORT REQUIRED.—The Secretary of Defense,
4 in coordination with the Secretaries of the military depart-
5 ments, shall submit a report to the congressional defense
6 committees on the process that will be used to by the
7 Clearinghouse to review proposed offshore lease blocks and
8 proposed offshore energy projects. At minimum, the report
9 should include the following elements:

10 (1) The process and metrics used in evaluating
11 proposed offshore lease blocks or specific offshore
12 energy projects for compatibility with, or unaccept-
13 able risk to, military operations and readiness.

14 (2) The process for coordinating with the De-
15 partment of Interior on assessing proposed offshore
16 lease blocks and military operations and readiness
17 activities that occur in those proposed lease blocks.

18 (3) The process for working with the proponent
19 of a proposed energy development to identify and
20 evaluate possible mitigations to enable energy devel-
21 opments that are compatible with military operations
22 and readiness.

23 (4) Any legislative changes to section 183a of
24 title 10, United States Code, to enable the Clearing-

1 house to perform its new role in reviewing proposed
2 offshore lease blocks and offshore energy projects.

3 **SEC. 326. USE OF PROCEEDS FROM SALE OF RECYCLABLE**
4 **MATERIALS.**

5 Section 2577(c) of title 10, United States Code, is
6 amended by striking “\$2,000,000” and inserting
7 “\$10,000,000”.

8 **SEC. 327. DISPOSAL OF RECYCLABLE MATERIALS.**

9 Section 2577(a) of title 10, United States Code, is
10 amended by adding at the end the following new para-
11 graph:

12 “(3) In this section, the term ‘recyclable materials’
13 includes any quality recyclable material provided to the
14 Department by a State or local government entity.”.

15 **SEC. 328. CLIMATE-CONSCIOUS BUDGETING OF DEPART-**
16 **MENT OF DEFENSE.**

17 (a) IN GENERAL.—The Secretary of Defense shall in-
18 clude in the annual budget submission of the President
19 under section 1105(a) of title 31, United States Code—

20 (1) a dedicated budget line item for adaptation
21 to, and mitigation of, climate-related risks to mili-
22 tary networks, systems, installations, facilities, and
23 other assets and capabilities of the Department of
24 Defense; and

1 (2) an estimate of the anticipated adverse im-
2 pacts to the readiness of the Department and the fi-
3 nancial costs to the Department during the year cov-
4 ered by the budget of the loss of, or damage to, mili-
5 tary networks, systems, installations, facilities, and
6 other assets and capabilities of the Department, in-
7 cluding loss of or obstructed access to training
8 ranges, as a result of climate change.

9 (b) DISAGGREGATION OF IMPACTS AND COSTS.—The
10 estimate under subsection (a)(2) shall set forth the ad-
11 verse readiness impacts and financial costs under that
12 subsection by military department, Defense Agency, and
13 other component or element of the Department.

14 **SEC. 329. FUNDING FOR DETONATION CHAMBERS IN**
15 **VIEQUES, PUERTO RICO.**

16 (a) INCREASE.—Notwithstanding the amounts set
17 forth in the funding tables in division D, the amount au-
18 thorized to be appropriated in section 4301 for environ-
19 mental restoration, Navy, line 060, as specified in the cor-
20 responding funding table in section 4301, for the pur-
21 chase, deployment, and operation of a closed detonation
22 chambers of the dimensions necessary to achieve a sub-
23 stantial reduction in open air burning and open air deto-
24 nation that will bring the practice of open air burning and

1 open air detonation to the lowest practicable level, is here-
2 by increased by \$10,000,000.

3 (b) OFFSET.—Notwithstanding the amounts set forth
4 in the funding tables in division D, the amount authorized
5 to be appropriated in section 4301 for Operations and
6 Maintenance, as specified in the corresponding funding
7 table in section 4301, line 460, Office of the Secretary
8 of Defense for Admin & SRVWIDE Activities is hereby
9 reduced by \$10,000,000.

10 **SEC. 330. COMPTROLLER GENERAL REPORT ON ENVIRON-**
11 **MENTAL CLEANUP OF VIEQUES AND**
12 **CULEBRA, PUERTO RICO.**

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

15 (1) the Secretary of Defense should explore all
16 avenues and alternatives to expedite the ongoing
17 cleanup and environmental restoration process in the
18 former military training sites located on the island-
19 municipalities of Vieques and Culebra, Puerto Rico;

20 (2) the Department of Defense should work
21 with the U.S. Environmental Protection Agency, the
22 Fish and Wildlife Service, and the Government of
23 Puerto Rico to ensure the decontamination process
24 is conducted in a manner that causes the least pos-

1 sible intrusion on the lives of island residents and
2 minimizes public health risks; and

3 (3) the Federal Government should collaborate
4 with local and private stakeholders to effectively ad-
5 dress economic challenges and opportunities in
6 Vieques, Culebra, and the adjacent communities of
7 the former United States Naval Station Roosevelt
8 Roads.

9 (b) GAO REPORT.—Not later than 180 days after
10 the date of enactment of this Act, the Comptroller General
11 of the United States shall complete a study and submit
12 a report to the congressional defense committees on the
13 status of the Federal cleanup and decontamination process
14 in the island-municipalities of Vieques and Culebra, Puer-
15 to Rico. The study shall include a comprehensive analysis
16 of the following:

17 (1) The pace of ongoing cleanup and environ-
18 mental restoration efforts in the former military
19 training sites in Vieques and Culebra.

20 (2) Potential challenges and alternatives to ac-
21 celerate the completion of such efforts, including
22 their associated costs and any impact they might
23 have on the public health and safety of island resi-
24 dents.

1 **SEC. 330A. PFAS DESIGNATION, EFFLUENT LIMITATIONS,**
2 **AND PRETREATMENT STANDARDS.**

3 (a) IN GENERAL.—Not later than 30 days after the
4 date of enactment of this Act, the Administrator of the
5 Environmental Protection Agency shall revise the list of
6 toxic pollutants described in paragraph (1) of section
7 307(a) of the Federal Water Pollution Control Act (33
8 U.S.C. 1317(a)) to add per- and polyfluoroalkyl sub-
9 stances to such list, and publish such revised list, without
10 taking into account the factors listed in such paragraph.

11 (b) EFFLUENT STANDARDS.—As soon as practicable
12 after the date on which the revised list is published under
13 subsection (a), but not later than January 1, 2022, the
14 Administrator shall publish in the Federal Register efflu-
15 ent standards under section 307(a)(2) of the Federal
16 Water Pollution Control Act (33 U.S.C. 1317(a)(2)) for
17 substances added to the list of toxic pollutants pursuant
18 to subsection (a) of this section, in accordance with sec-
19 tions 301(b)(2)(A) and 304(b)(2) of such Act.

20 (c) PRETREATMENT STANDARDS.—Not later than
21 January 1, 2022, the Administrator shall promulgate
22 pretreatment standards for per- and polyfluoroalkyl sub-
23 stances under section 307(b) of the Federal Water Pollu-
24 tion Control Act (33 U.S.C. 1317(b)).

1 **SEC. 330B. PROHIBITION ON PERFLUOROALKYL SUB-**
2 **STANCES AND POLYFLUOROALKYL SUB-**
3 **STANCES IN MEALS READY-TO-EAT FOOD**
4 **PACKAGING.**

5 (a) PROHIBITION.—Not later than October 1, 2020,
6 the Director of the Defense Logistics Agency shall ensure
7 that any food contact substances that are used to assemble
8 and package meals ready-to-eat (MREs) procured by the
9 Defense Logistics Agency do not contain any
10 perfluoroalkyl substances or polyfluoroalkyl substances.

11 (b) DEFINITIONS.—In this section:

12 (1) PERFLUOROALKYL SUBSTANCE.—The term
13 “perfluoroalkyl substance” means a man-made
14 chemical of which all of the carbon atoms are fully
15 fluorinated carbon atoms.

16 (2) POLYFLUOROALKYL SUBSTANCE.—The
17 term “polyfluoroalkyl substance” means a man-made
18 chemical containing a mix of fully fluorinated carbon
19 atoms, partially fluorinated carbon atoms, and
20 nonfluorinated carbon atoms.

21 **SEC. 330C. COMPTROLLER GENERAL STUDY ON PFAS CON-**
22 **TAMINATION.**

23 (a) STUDY REQUIRED.—The Comptroller General of
24 the United States shall conduct a review of the efforts of
25 the Department of Defense to clean up per- and
26 polyfluoroalkyl substances (in this section referred to as

1 “PFAS”) contamination in and around military bases as
2 well as the Department’s efforts to mitigate the public
3 health impact of the contamination.

4 (b) ELEMENTS.—The study required by subsection
5 (a), shall include the following:

6 (1) An assessment of—

7 (A) when the Department of Defense dis-
8 covered that drinking water sources used by
9 members of the Armed Forces and residents of
10 communities surrounding military bases were
11 contaminated with PFAS;

12 (B) after learning that the drinking water
13 was contaminated, when the Department of De-
14 fense notified members of the Armed Forces
15 and residents of communities surrounding mili-
16 tary bases that their drinking water is contami-
17 nated with PFAS;

18 (C) after providing such notification, how
19 much time lapsed before those affected were
20 given alternative sources of drinking water;

21 (D) the number of installations and sur-
22 rounding communities currently drinking water
23 that is contaminated with PFAS above the
24 EPA’s advisory limit;

1 (E) the amount of money the Department
2 of Defense has spent on cleaning up PFAS con-
3 tamination through the date of enactment of
4 this Act;

5 (F) the number of sites where the Depart-
6 ment of Defense has taken action to remediate
7 PFAS contamination or other materials as a re-
8 sult of the use of firefighting foam on military
9 bases;

10 (G) factors that might limit or prevent the
11 Department of Defense from remediating
12 PFAS contamination or other materials as a re-
13 sult of the use of firefighting foam on military
14 bases;

15 (H) the estimated total cost of clean-up of
16 PFAS;

17 (I) the cost to the Department of Defense
18 to discontinue the use of PFAS in firefighting
19 foam and to develop and procure viable replace-
20 ments that meet military specifications; and

21 (J) the number of members of the Armed
22 Forces who have been exposed to PFAS in their
23 drinking water above the EPA's Health Advi-
24 sory levels during their military service.

1 (2) An evaluation of what the Department of
2 Defense could have done better to mitigate the re-
3 lease of PFAS contamination into the environment
4 and expose service members.

5 (3) Any other elements the Comptroller General
6 may deem necessary.

7 (c) RESULTS.—

8 (1) INTERIM BRIEFING.—Not later than 1 year
9 after the date of the enactment of this Act, the
10 Comptroller General shall provide to the congres-
11 sional defense committees, the Committee on Energy
12 and Commerce of the House of Representatives and
13 the Committee on the Environment and Public
14 Works of the Senate a briefing on the preliminary
15 findings of the study required by this section.

16 (2) FINAL RESULTS.—The Comptroller General
17 shall provide the final results of the study required
18 by this section to the congressional defense commit-
19 tees, the Committee on Energy and Commerce of
20 the House of Representatives and the Committee on
21 the Environment and Public Works of the Senate at
22 such time and in such format as is mutually agreed
23 upon by the committees and the Comptroller Gen-
24 eral at the time of briefing under paragraph (1).

1 **SEC. 330D. DISPOSAL OF MATERIALS CONTAINING PER-**
2 **AND POLYFLUOROALKYL SUBSTANCES OR**
3 **AQUEOUS FILM-FORMING FOAM.**

4 The Secretary of Defense shall ensure that when ma-
5 terials containing per- and polyfluoroalkyl substances (re-
6 ferred to in this section as “PFAS”) or aqueous film form-
7 ing foam are disposed—

8 (1) all incineration is conducted in a manner
9 that eliminates PFAS while also ensuring that no
10 PFAS is emitted into the air;

11 (2) all incineration is conducted in accordance
12 with the requirements of the Clean Air Act (42 USC
13 7401 et seq.), including controlling hydrogen fluo-
14 ride;

15 (3) any materials containing PFAS that are
16 designated for disposal are stored in accordance with
17 the requirement under part 264 of title 40, Code of
18 Federal Regulations; and

19 (4) no incineration is conducted at any facility
20 that violated the requirements of the Clean Air Act
21 (42 U.S.C. 7401 et seq.) during the 12-month pe-
22 riod preceding the date of disposal.

1 **SEC. 330E. PROHIBITION ON USE OF PERFLUOROALKYL**
2 **SUBSTANCES AND POLYFLUOROALKYL SUB-**
3 **STANCES FOR LAND-BASED APPLICATIONS**
4 **OF FIREFIGHTING FOAM.**

5 (a) LIMITATION.—After October 1, 2022, no amount
6 authorized to be appropriated or otherwise made available
7 for the Department of Defense may be obligated or ex-
8 pended to procure firefighting foam that contains in excess
9 of one part per billion of perfluoroalkyl substances and
10 polyfluoroalkyl substances.

11 (b) PROHIBITION ON USE OF EXISTING STOCKS.—
12 Not later than October 1, 2023, the Secretary of Defense
13 shall cease the use of firefighting foam containing in ex-
14 cess of one part per billion of perfluoroalkyl substances
15 and polyfluoroalkyl substances;

16 (c) EXEMPTION FOR SHIPBOARD USE.—Subsections
17 (a) and (b) shall not apply to firefighting foam for use
18 solely onboard ocean-going vessels.

19 (d) DEFINITIONS.—In this section:

20 (1) The term “perfluoroalkyl substances”
21 means aliphatic substances for which all of the H
22 atoms attached to C atoms in the nonfluorinated
23 substance from which they are notionally derived
24 have been replaced by F atoms, except those H
25 atoms whose substitution would modify the nature of
26 any functional groups present.

1 (2) The term “polyfluoroalkyl substances”
2 means aliphatic substances for which all H atoms
3 attached to at least one (but not all) C atoms have
4 been replaced by F atoms, in such a manner that
5 they contain the perfluoroalkyl moiety C_nF_{2n+1} —
6 (for example, $C_8F_{17}CH_2CH_2OH$).

7 **SEC. 330F. AGREEMENTS TO SHARE MONITORING DATA RE-**
8 **LATING TO PERFLUOROALKYL AND**
9 **POLYFLUOROALKYL SUBSTANCES AND**
10 **OTHER CONTAMINANTS OF CONCERN.**

11 (a) IN GENERAL.—The Secretary of Defense shall
12 seek to enter into agreements with municipalities or mu-
13 nicipal drinking water utilities located adjacent to military
14 installations under which both the Secretary and the mu-
15 nicipalities and utilities would share monitoring data relat-
16 ing to perfluoroalkyl substances, polyfluoroalkyl sub-
17 stances, and other emerging contaminants of concern col-
18 lected at the military installation.

19 (b) PUBLIC COMMUNICATION.—An agreement under
20 subsection (a) does not negate the responsibility of the
21 Secretary to communicate with the public about drinking
22 water contamination from perfluoroalkyl substances,
23 polyfluoroalkyl substances, and other contaminants.

24 (c) MILITARY INSTALLATION DEFINED.—In this sec-
25 tion, the term “military installation” has the meaning

1 given that term in section 2801(c) of title 10, United
2 States Code.

3 **SEC. 330G. DETECTION OF PERFLUORINATED COMPOUNDS.**

4 (a) PERFORMANCE STANDARD FOR THE DETECTION
5 OF PERFLUORINATED COMPOUNDS.—

6 (1) IN GENERAL.—The Director of the United
7 States Geologic Survey shall establish a performance
8 standard for the detection of perfluorinated com-
9 pounds.

10 (2) EMPHASIS.—

11 (A) IN GENERAL.—In developing the per-
12 formance standard under subsection (a), the
13 Director shall emphasize the ability to detect as
14 many perfluorinated compounds present in the
15 environment as possible using analytical meth-
16 ods that are as sensitive as is feasible and prac-
17 ticable.

18 (B) REQUIREMENT.—In developing the
19 performance standard under subsection (a), the
20 Director may—

21 (i) develop quality assurance and
22 quality control measures to ensure accu-
23 rate sampling and testing;

24 (ii) develop a training program with
25 respect to the appropriate method of sam-

1 ple collection and analysis of perfluorinated
2 compounds; and
3 (iii) coordinate as necessary with the
4 Administrator to develop methods to detect
5 individual and different perfluorinated
6 compounds simultaneously.

7 (b) NATIONWIDE SAMPLING.—

8 (1) IN GENERAL.—The Director shall carry out
9 a nationwide sampling to determine the concentra-
10 tion of perfluorinated compounds in estuaries, lakes,
11 streams, springs, wells, wetlands, rivers, aquifers,
12 and soil using the performance standard developed
13 under subsection (a)(1).

14 (2) REQUIREMENTS.—In carrying out the sam-
15 pling under paragraph (1), the Director shall—

16 (A) first carry out the sampling at sources
17 of drinking water near locations with known or
18 suspected releases of perfluorinated compounds;

19 (B) when carrying out sampling of sources
20 of drinking water under paragraph (1), carry
21 out the sampling prior to any treatment of the
22 water;

23 (C) survey for ecological exposure to
24 perfluorinated compounds, with a priority in de-

1 termining direct human exposure through
2 drinking water; and

3 (D) consult with—

4 (i) States to determine areas that are
5 a priority for sampling; and

6 (ii) the Administrator—

7 (I) to enhance coverage of the
8 sampling; and

9 (II) to avoid unnecessary dupli-
10 cation.

11 (3) REPORT.—Not later than 150 days after
12 the completion of the sampling under paragraph (1),
13 the Director shall prepare a report describing the re-
14 sults of the sampling and submit the report to—

15 (A) the Committee on Environment and
16 Public Works and the Committee on Energy
17 and Natural Resources of the Senate;

18 (B) the Committee on Natural Resources
19 and the Committee on Energy and Commerce
20 of the House of Representatives;

21 (C) the Senators of each State in which
22 the Director carried out the sampling; and

23 (D) each Member of the House of Rep-
24 resentatives that represents a district in which
25 the Director carried out the sampling.

1 (c) DATA USAGE.—

2 (1) IN GENERAL.—The Director shall provide
3 the sampling data collected under subsection (b)
4 to—

5 (A) the Administrator of the Environ-
6 mental Protection Agency; and

7 (B) other Federal and State regulatory
8 agencies on request.

9 (2) USAGE.—The sampling data provided under
10 subsection (a) shall be used to inform and enhance
11 assessments of exposure, likely health and environ-
12 mental impacts, and remediation priorities.

13 (d) COLLABORATION.—In carrying out this section,
14 the Director shall collaborate with—

15 (1) appropriate Federal and State regulators;

16 (2) institutions of higher education;

17 (3) research institutions; and

18 (4) other expert stakeholders.

19 (e) AUTHORITY FOR TRANSFER OF FUNDS.—Of the
20 funds authorized to be appropriated by section 301, the
21 Secretary of Defense may, without regard to section 2215
22 of title 10, United States Code, transfer not more than
23 \$5,000,000 to the Secretary of the Interior to carry out
24 nationwide sampling under this section. Any funds trans-

1 ferred under this section may not be used for any other
2 purpose, except those specified under this section.

3 (f) FUNDING.—

4 (1) INCREASE.—Notwithstanding the amounts
5 set forth in the funding tables in division D, the
6 amount authorized to be appropriated in section
7 301, as specified in the corresponding funding table
8 in section 4301, Total Operation and Maintenance,
9 Defense-Wide, Line 080, for the Detection of
10 Perfluorinated Compounds is hereby increased by
11 \$5,000,000.

12 (2) OFFSET.—Notwithstanding the amounts set
13 forth in the funding tables in division D, the amount
14 authorized to be appropriated in section 101 for
15 Procurement of Wheeled and Tracked Combat Vehi-
16 cles, Army, as specified in the corresponding funding
17 table in section 4101, for Bradley Program (Mod) is
18 hereby reduced by \$5,000,000.

19 (g) DEFINITIONS.—In this section:

20 (1) The term “Administrator” means the Ad-
21 ministrator of the Environmental Protection Agency.

22 (2) The term “Director” means the Director of
23 the United States Geological Survey.

24 (3) The term “perfluorinated compound” means
25 a perfluoroalkyl substance or a polyfluoroalkyl sub-

1 stance that is manmade with at least 1 fully
2 fluorinated carbon atom.

3 (4) The term “fully fluorinated carbon atom”
4 means a carbon atom on which all the hydrogen
5 substituents have been replaced by fluorine.

6 (5) The term “nonfluorinated carbon atom”
7 means a carbon atom on which no hydrogen
8 substituents have been replaced by fluorine.

9 (6) The term “partially fluorinated carbon
10 atom” means a carbon atom on which some, but not
11 all, of the hydrogen substituents have been replaced
12 by fluorine.

13 (7) The term “perfluoroalkyl substance” means
14 a manmade chemical of which all of the carbon
15 atoms are fully fluorinated carbon atoms.

16 (8) The term “polyfluoroalkyl substance”
17 means a manmade chemical containing a mix of
18 fully fluorinated carbon atoms, partially fluorinated
19 carbon atoms, and nonfluorinated carbon atoms.

20 **SEC. 330H. COOPERATIVE AGREEMENTS WITH STATES TO**
21 **ADDRESS CONTAMINATION BY**
22 **PERFLUOROALKYL AND POLYFLUOROALKYL**
23 **SUBSTANCES.**

24 (a) COOPERATIVE AGREEMENTS.—

1 (1) IN GENERAL.—Upon request from the Gov-
2 ernor or chief executive of a State, the Secretary of
3 Defense shall work expeditiously, pursuant to section
4 2701(d) of title 10, United States Code, to finalize
5 a cooperative agreement, or amend an existing coop-
6 erative agreement to address testing, monitoring, re-
7 moval, and remedial actions relating to the contami-
8 nation or suspected contamination of drinking, sur-
9 face, or ground water from PFAS originating from
10 activities of the Department of Defense by providing
11 the mechanism and funding for the expedited review
12 and approval of documents of the Department re-
13 lated to PFAS investigations and remedial actions
14 from an active or decommissioned military installa-
15 tion, including a facility of the National Guard.

16 (2) MINIMUM STANDARDS.—A cooperative
17 agreement finalized or amended under paragraph
18 (1) shall meet or exceed the most stringent of the
19 following standards for PFAS in any environmental
20 media:

21 (A) An enforceable State standard, in ef-
22 fect in that State, for drinking, surface, or
23 ground water, as described in section
24 121(d)(2)(A)(ii) of the Comprehensive Environ-

1 mental Response, Compensation, and Liability
2 Act of 1980 (42 U.S.C. 9621(d)(2)(A)(ii)).

3 (B) An enforceable Federal standard for
4 drinking, surface, or ground water, as described
5 in section 121(d)(2)(A)(i) of the Comprehensive
6 Environmental Response, Compensation, and
7 Liability Act of 1980 (42 U.S.C.
8 9621(d)(2)(A)(i)).

9 (C) A health advisory under section
10 1412(b)(1)(F) of the Safe Drinking Water Act
11 (42 U.S.C. 300g–1(b)(1)(F)).

12 (3) OTHER AUTHORITY.—In addition to the re-
13 quirements for a cooperative agreement under para-
14 graph (1), when otherwise authorized to expend
15 funds for the purpose of addressing ground or sur-
16 face water contaminated by a perfluorinated com-
17 pound, the Secretary of Defense may, to expend
18 those funds, enter into a grant agreement, coopera-
19 tive agreement, or contract with—

20 (A) the local water authority with jurisdic-
21 tion over the contamination site, including—

22 (i) a public water system (as defined
23 in section 1401 of the Safe Drinking
24 Water Act (42 U.S.C. 300f)); and

- 1 (ii) a publicly owned treatment works
2 (as defined in section 212 of the Federal
3 Water Pollution Control Act (33 U.S.C.
4 1292)); or
5 (B) a State, local, or Tribal government.

6 (b) REPORT.—Beginning on February 1, 2020, if a
7 cooperative agreement is not finalized or amended under
8 subsection (a) within one year after the request from the
9 Governor or chief executive under that subsection, and an-
10 nually thereafter, the Secretary of Defense shall submit
11 to the appropriate committees and Members of Congress
12 a report—

13 (1) explaining why the agreement has not been
14 finalized or amended, as the case may be; and

15 (2) setting forth a projected timeline for final-
16 izing or amending the agreement.

17 (c) DEFINITIONS.—In this section:

18 (1) APPROPRIATE COMMITTEES AND MEMBERS
19 OF CONGRESS.—The term “appropriate committees
20 and Members of Congress” means—

21 (A) the congressional defense committees;

22 (B) the Senators who represent a State
23 impacted by PFAS contamination described in
24 subsection (a)(1); and

1 (C) the Members of the House of Rep-
2 resentatives who represent a district impacted
3 by such contamination.

4 (2) FULLY FLUORINATED CARBON ATOM.—The
5 term “fully fluorinated carbon atom” means a car-
6 bon atom on which all the hydrogen substituents
7 have been replaced by fluorine.

8 (3) PFAS.—The term “PFAS” means
9 perfluoroalkyl and polyfluoroalkyl substances that
10 are man-made chemicals with at least one fully
11 fluorinated carbon atom.

12 (4) STATE.—The term “State” has the mean-
13 ing given the term in section 101 of the Comprehen-
14 sive Environmental Response, Compensation, and
15 Liability Act of 1980 (42 U.S.C. 9601).

16 **SEC. 330I. FINDINGS, PURPOSE, AND APOLOGY.**

17 Section 2(a)(1) of the Radiation Exposure Com-
18 pensation Act (Public Law 101–426; 42 U.S.C. 2210
19 note) is amended by inserting “, including individuals in
20 New Mexico, Idaho, Colorado, Arizona, Utah, Texas, Wyo-
21 ming, Oregon, Washington, South Dakota, North Dakota,
22 Nevada, Guam, and the Northern Mariana Islands,” after
23 “tests exposed individuals”.

1 **SEC. 330J. STUDY ON ENERGY SAVINGS PERFORMANCE**

2 **CONTRACTS.**

3 (a) STUDY.—The Secretary of Defense shall conduct
4 a study on how the Secretary could enter into more energy
5 savings performance contracts (referred to in this section
6 as “ESPCs”). In conducting the study, the Secretary
7 shall—

8 (1) identify any legislative or regulatory bar-
9 riers to entering into more ESPCs; and

10 (2) include policy proposals for how the Depart-
11 ment of Defense could evaluate the cost savings
12 caused by increasing energy resiliency when evalu-
13 ating whether to enter into ESPCs.

14 (b) REPORT.—Not later than 180 days after the date
15 of the enactment of this Act, the Secretary shall submit
16 to the congressional defense committees a report on the
17 study required under subsection (a).

18 **SEC. 330K. REDUCTION OF DEPARTMENT OF DEFENSE FA-**
19 **CILITY WATER USE.**

20 (a) IN GENERAL.—Not later than 180 days after the
21 date of the enactment of this Act, the Secretary of Defense
22 shall submit to the congressional defense committees a re-
23 port containing plan to reduce facility water use intensity,
24 relative to the baseline of the water consumption of the
25 facility for fiscal year 2018. The report shall include each
26 of the following:

1 (1) Life-cycle cost-effective measures that will
2 reduce water consumption by 2 percent annually
3 through the end of fiscal year 2025.

4 (2) Baseline development methodology for cal-
5 culating a baseline of water use intensity for fiscal
6 year 2018, defined as gallons per gross square foot
7 per year, that will permit all future reduction goals
8 to be measured relative to such baseline.

9 (3) An identification of life-cycle cost effective
10 water savings measures that can be implemented to
11 achieve in Department of Defense facilities a min-
12 imum of 2 percent annual reduction in water use
13 through 2025.

14 (4) A description of any barriers to implemen-
15 tation of a water use reduction program.

16 (b) WATER USE.—In this section, the term “water
17 use” with respect to a facility includes—

18 (1) all water used at the facility that is ob-
19 tained from public water systems or from natural
20 freshwater sources such as lakes, streams, and
21 aquifers, where the water is classified or permitted
22 for human consumption; and

23 (2) potable water used for drinking, bathing,
24 toilet flushing, laundry, cleaning and food services,
25 watering of landscaping, irrigation, and process ap-

4 The Secretary of Defense shall submit to Congress
5 an implementation plan to phase out the use of the burn
6 pits identified in the Department of Defense Open Burn
7 Pit Report to Congress in April 2019.

10 The Secretary of Defense shall provide to the Sec-
11 retary of Veterans Affairs and Congress a list of all loca-
12 tions at which open-air burn pits have been used by Sec-
13 retary of Defense, for the purposes of augmenting the re-
14 search, healthcare delivery, disability compensation, and
15 other activities of the Secretary of Veterans Affairs.

(a) IN GENERAL.—The Secretary of the Navy shall provide for an independent third-party data quality review of all radium testing completed by contractors of the Department of the Navy at a covered location.

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1 funded through one of the following accounts of the De-
 2 partment of Defense:

3 (1) Operation and Maintenance, Environmental
 4 Restoration, Navy.

5 (2) Operation and Maintenance, Environmental
 6 Restoration, Formerly Used Defense Sites.

7 **SEC. 3300. DESIGNATION AS HAZARDOUS SUBSTANCES.**

8 Not later than 1 year after the date of enactment
 9 of this Act, the Administrator of the Environmental Pro-
 10 tection Agency shall designate all per- and polyfluoroalkyl
 11 substances as hazardous substances under section 102(a)
 12 of the Comprehensive Environmental Response, Com-
 13 pensation, and Liability Act of 1980 (42 U.S.C. 9602(a)).

14 **Subtitle C—Logistics and**
 15 **Sustainment**

16 **SEC. 331. MATERIAL READINESS METRICS AND OBJEC-**
 17 **TIVES.**

18 (a) MATERIAL READINESS METRICS AND OBJEC-
 19 TIVES.—

20 (1) IN GENERAL.—Chapter 2 of title 10, United
 21 States Code, is amended by inserting after section
 22 117 the following new section:

23 **“§ 118. Material readiness metrics and objectives**

24 “(a) GUIDANCE.—(1) The Secretary of Defense shall
 25 issue and maintain guidance requiring the implementation

1 and use of material readiness metrics to enable assessment
2 of the readiness of armed forces to carry out the national
3 defense strategy required by section 113 of this title.

4 “(2) Guidance issued pursuant to this section shall
5 ensure that such material readiness metrics—

6 “(A) are based on standardized and consistent
7 criteria; and

8 “(B) are applied, used, recorded, and reported
9 in same manner by all components of the Depart-
10 ment of Defense.

11 “(b) METRICS.—At a minimum, the material readi-
12 ness metrics required by subsection (a) shall address the
13 material availability, operational availability, and material
14 reliability of each major weapon system by designated mis-
15 sion design series, variant, or class.

16 “(c) MATERIAL READINESS OBJECTIVES.—(1) The
17 Secretary of Defense shall establish, and annually review
18 and revise, an objective value for each metric required by
19 subsection (b) as a necessary component to support the
20 review and revision of the national defense strategy re-
21 quired by section 113 of this title.

22 “(2) To the maximum extent practicable, the Sec-
23 retary shall ensure that objective values established under
24 this subsection are unclassified.

25 “(d) DEFINITIONS.—In this section:

1 “(1) The term ‘major weapons system’ has the
2 meaning given the term ‘major system’ under section
3 2302(5) of this title, except that such term does not
4 include an acquisition program for a defense busi-
5 ness system (as defined in section 2222(i)(1) of this
6 title).

7 “(2) The term ‘material availability’ means the
8 measure of the percentage of the total inventory of
9 a system that is operationally capable of performing
10 an assigned mission.

11 “(3) The term ‘material reliability’ means the
12 probability that a covered asset will perform without
13 failure over a specified interval.

14 “(4) The term ‘operational availability’ means
15 the measure of the percentage of time a covered
16 asset is operationally capable.”.

17 (2) CLERICAL AMENDMENT.—The table of sec-
18 tions at the beginning of such chapter is amended
19 by inserting after the item relating to section 117
20 the following new item:

“118. Material readiness metrics and objectives.”.

21 (b) CONFORMING AMENDMENT.—Section
22 2337(b)(2)(A) of title 10, United States Code, is amend-
23 ed—

24 (1) by inserting “to meet the material readiness
25 objectives” before “for the weapon system”; and

(2) by inserting “under section 118 of this title” after “weapon system”.

(c) DEADLINES.—

(1) DEADLINE FOR GUIDANCE.—The guidance required by section 118(a) of title 10, United States Code, as added by subsection (a), shall be issued by not later than 180 days after the date of the enactment of this Act.

(2) DEADLINE FOR ESTABLISHMENT OF MATERIAL READINESS OBJECTIVES.—The material readiness objectives required by section 118(c)(1) of title 10, United States Code, as added by subsection (a), shall be established by not later than one year after the date of the enactment of this Act.

**SEC. 332. CLARIFICATION OF AUTHORITY REGARDING USE
OF WORKING CAPITAL FUNDS FOR UNSPEC-
IFIED MINOR MILITARY CONSTRUCTION
PROJECTS RELATED TO REVITALIZATION
AND RECAPITALIZATION OF DEFENSE INDUS-
TRIAL BASE FACILITIES.**

Section 2208(u) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking “carry out” and inserting “fund”;

(2) in paragraph (2)—

1 (A) by striking “Section 2805” and insert-
2 ing “(A) Except as provided in subparagraph
3 (B), section 2805”;

4 (B) by striking “carried out with” and in-
5 serting “funded using”; and

6 (C) by adding at the end the following new
7 subparagraph:

8 “(B) For purposes of applying subparagraph (A), the
9 dollar limitation specified in subsection (a)(2) of section
10 2805 of this title, subject to adjustment as provided in
11 subsection (f) of such section, shall apply rather than the
12 dollar limitation specified in subsection (c) of such sec-
13 tion.”; and

14 (3) in paragraph (4), by striking “carry out”
15 and inserting “fund”.

16 **SEC. 333. F-35 JOINT STRIKE FIGHTER SUSTAINMENT.**

17 (a) LIMITATION ON USE OF FUNDS.—Of the
18 amounts authorized to be appropriated or otherwise made
19 available in this Act for the Office of the Under Secretary
20 of Defense for Acquisition and Sustainment for fiscal year
21 2020, not more than 75 percent may be obligated or ex-
22 pended until the date on which the Under Secretary sub-
23 mits the report required by subsection (b).

24 (b) REPORT REQUIRED.—The Under Secretary of
25 Defense for Acquisition and Sustainment shall submit to

1 the Committees on Armed Services of the Senate and
2 House of Representatives a report on steps being taken
3 to improve the availability and accountability of F-35
4 parts within the supply chain. At a minimum, the report
5 shall include a detailed plan for each of the following ele-
6 ments:

7 (1) How the accountable property system of
8 record will be updated with information from the
9 prime contractors supplying such parts on required
10 cost and related data with respect to the parts and
11 how the F-35 Program Office will ensure such con-
12 tractors are adhering to contractual requirements
13 for the management, reporting, visibility, and ac-
14 countability of all such parts supplied by the prime
15 contractors.

16 (2) How the accountability property system of
17 record will have interfaces that allow the F-35 Pro-
18 gram Office and other authorized entities to have
19 proper accountability of assets in accordance with
20 applicable Department of Defense Instructions, De-
21 partment of Defense Manuals, and other applicable
22 regulations.

23 (3) How the F-35 Program Office and the Sec-
24 retary of each of the military departments will en-
25 sure business rules for the prioritization of F-35

1 parts across all program participants is sufficient,
2 effective, and responsive.

3 (4) Steps being taken to ensure parts within
4 the base, afloat, and deployment spares packages are
5 compatible for deploying F-35 aircraft and account
6 for updated parts demand.

7 **SEC. 334. REPORT ON STRATEGIC POLICY FOR**
8 **PREPOSITIONED MATERIEL AND EQUIP-**
9 **MENT.**

10 (a) REPORT REQUIRED.—Not later than March 1,
11 2020, the Assistant Secretary of Defense for Sustainment,
12 in coordination with the Joint Staff, shall submit to the
13 Committees on Armed Services of the Senate and House
14 of Representatives a report on the implementation plan
15 for prepositioned materiel and equipment required by sec-
16 tion 321(b) of the National Defense Authorization Act for
17 Fiscal Year 2014 (Public Law 113–66; 127 Stat. 730; 10
18 U.S.C. 2229 note). Such report shall include each of the
19 following:

20 (1) A comprehensive list of the prepositioned
21 materiel and equipment programs of the Department
22 of Defense.

23 (2) A detailed description of how the plan will
24 be implemented.

1 (3) A description of the resources required to
2 implement the plan, including the amount of funds
3 and personnel.

4 (4) A description of how the plan will be re-
5 viewed and assessed to monitor progress.

6 (5) Guidance on applying a consistent definition
7 of prepositioning across the Department, including
8 the military departments, the combatant commands,
9 and the Defense Agencies.

10 (6) A detailed description of how the Secretary
11 will implement a joint oversight approach of the
12 prepositioning programs of the military departments.

13 (b) LIMITATION ON USE OF FUNDS.—Of the
14 amounts authorized to be appropriated or otherwise made
15 available in this Act for the Office of the Assistant Sec-
16 retary of Defense for Sustainment for fiscal year 2020,
17 not more than 75 percent may be obligated or expended
18 until the date on which the Assistant Secretary submits
19 the report required by subsection (a).

20 **SEC. 335. LIMITATION ON USE OF FUNDS FOR IMPLEMEN-**
21 **TATION OF ELEMENTS OF MASTER PLAN FOR**
22 **REDEVELOPMENT OF FORMER SHIP REPAIR**
23 **FACILITY IN GUAM.**

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

1 this Act or otherwise made available for the Navy for fiscal
2 year 2020 may be obligated or expended for any construc-
3 tion, alteration, repair, or development of the real property
4 consisting of the Former Ship Repair Facility in Guam.

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

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

16 **SEC. 336. REPORT ON EFFECTS OF INCREASED AUTOMA-**
17 **TION OF DEFENSE INDUSTRIAL BASE ON**
18 **MANUFACTURING WORKFORCE.**

19 Not later than 180 days after the date of the enact-
20 ment of this Act, the Secretary of Defense shall submit
21 to Congress a report on the effects of the increased auto-
22 mation of the defense industrial base over the ten-year pe-
23 riod beginning on the date that is 30 days after the date
24 of the enactment of this Act. Such report shall include,
25 for the period covered by the report—

1 (1) an estimate of the number of jobs in the
2 United States manufacturing workforce expected to
3 be eliminated due to automation in the defense sec-
4 tor;

5 (2) an analysis describing any new types of jobs
6 that are expected to be established as a result of an
7 increasingly automated process, including an esti-
8 mate of the number of these types of jobs that are
9 expected to be created;

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

13 (4) a strategy to assist in providing workforce
14 training and transition preparation for workers who
15 may lose manufacturing jobs in the defense industry
16 due to automation;

17 (5) a description of any training necessary for
18 workers affected by automation to more easily tran-
19 sition to new types of jobs within the defense manu-
20 facturing industry; and

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

1 **SEC. 337. EXTENSION OF TEMPORARY INSTALLATION RE-**
2 **UTILIZATION AUTHORITY FOR ARSENALS,**
3 **DEPOTS AND PLANTS.**

4 (a) ENSURING VIABILITY OF ARSENALS, DEPOTS
5 AND PLANTS.—Section 345(d) of the National Defense
6 Authorization Act for Fiscal Year 2018 (Public Law 115-
7 91; 10 U.S.C. 2667 note) is amended by striking “Sep-
8 tember 30, 2020” and inserting “September 30, 2025”.

9 (b) REPORT REQUIRED .— Not later than March 1,
10 2020, the Secretary of the Army shall submit to the con-
11 gressional defense committees a report that includes—

12 (1) the results of a needs assessment conducted
13 by the Secretary to determine the logistical, informa-
14 tion technology, and security requirements to create
15 an internal listing service of Army assets available
16 for lease at Arsenal’s, depots and plants; and

17 (2) information from any previous Army assess-
18 ments or inventory of real property.

19 **SEC. 338. PILOT PROGRAM TO TRAIN SKILLED TECHNI-**
20 **CIANS IN CRITICAL SHIPBUILDING SKILLS.**

21 (a) ESTABLISHMENT.—The Secretary of Defense
22 may carry out a pilot program to train individuals to be-
23 come skilled technicians in critical shipbuilding skills such
24 as welding, metrology, quality assurance, machining, and
25 additive manufacturing.

1 (b) PARTNERSHIPS.—In carrying out the pilot pro-
2 gram required under this section, the Secretary may part-
3 ner with existing Federal or State projects relating to in-
4 vestment and infrastructure in training and education or
5 workforce development, such as the National Network for
6 Manufacturing Innovation, the Industrial Base Analysis
7 and Sustainment program of the Department of Defense,
8 and the National Maritime Educational Council.

9 (c) TERMINATION.—The pilot program required
10 under this section shall terminate on September 30, 2025.

11 (d) BRIEFINGS.—

12 (1) PLAN BRIEFING.—Not later than February
13 28, 2020, the Secretary shall provide a briefing to
14 the Committees on Armed Services of the Senate
15 and the House of Representatives on the plan, cost
16 estimate, and schedule for the pilot program re-
17 quired under this section.

18 (2) PROGRESS BRIEFINGS.—Not less frequently
19 than annually during fiscal years 2020 and 2021,
20 the Secretary shall brief the congressional defense
21 committees on the progress of the Secretary in car-
22 rying out the pilot program.

Subtitle D—Reports

2 SEC. 341. READINESS REPORTING.

3 (a) READINESS REPORTING SYSTEM.—Section 117
4 of title 10, United State Code, is amended—

5 (1) by striking subsections (d) through (g); and

6 (2) by redesignating subsection (h) as sub-
7 section (d).

8 (b) QUARTERLY REPORTS.—Section 482 of title 10,
9 United States Code, is amended—

10 (1) in the section heading, by striking “**Quar-**
11 **terly reports: personnel and unit readi-**
12 **ness**” and inserting “**Readiness reports**”;

13 (2) in subsection (a)—

14 (A) In the subsection heading, by striking
15 “QUARTERLY REPORTS REQUIRED” and insert-
16 ing “REPORTS AND BRIEFINGS”;

17 (B) In the first sentence—

18 (i) by striking “Not later” and insert-
19 ing “(1) Not later”; and

20 (ii) by striking “each calendar-year
21 quarter” and inserting “the second and
22 fourth quarter of each calendar year”;

23 (C) by striking the second and third sen-
24 tences and inserting “The Secretary of Defense
25 shall submit each such report in writing and

1 shall also submit a copy of each such report to
2 the Chairman of the Joint Chiefs of Staff.”;
3 and

4 (D) by adding at the end the following new
5 paragraphs:

6 “(2) Not later than 30 days after the end of the first
7 and third quarter of each calendar year, the Secretary of
8 Defense shall provide to Congress a briefing regarding the
9 military readiness of the active and reserve components.

10 “(3) Each report under this subsection shall contain
11 the elements required by subsection (b) for the quarter
12 covered by the report, and each briefing shall address any
13 changes to the elements described in subsection (b) since
14 the submittal of the most recently submitted report.”;

15 (3) by striking subsection (b) and inserting the
16 following:

17 “(b) REQUIRED ELEMENTS.—The elements de-
18 scribed in this subsection are each of the following:

19 “(1) A description of each readiness problem or
20 deficiency that affects the ground, sea, air, space,
21 cyber, or special operations forces, and any other
22 area determined appropriate by the Secretary of De-
23 fense.

1 “(2) The key contributing factors, indicators,
2 and other relevant information related to each iden-
3 tified problem or deficiency.

4 “(3) The short-term mitigation strategy the De-
5 partment will employ to address each readiness
6 problem or deficiency until a resolution is in place,
7 as well as the timeline, cost, and any legislative rem-
8 edies required to support the resolution.

9 “(4) A summary of combat readiness ratings
10 for the key force elements assessed, including spe-
11 cific information on personnel, supply, equipment,
12 and training problems or deficiencies that affect the
13 combat readiness ratings for each force element.

14 “(5) A summary of each upgrade or downgrade
15 of the combat readiness of a unit that was issued by
16 the commander of the unit, together with the ration-
17 ale of the commander for the issuance of such up-
18 grade or downgrade.

19 “(6) A summary of the readiness of supporting
20 capabilities, including infrastructure, prepositioned
21 equipment and supplies, and mobility assets, and
22 other supporting logistics capabilities.

23 “(7) A summary of the readiness of the combat
24 support and related agencies, any readiness problem
25 or deficiency affecting any mission essential tasks of

1 any such agency, and actions recommended to ad-
2 dress any such problem or deficiency.

3 “(8) A list of all Class A, Class B, and Class
4 C mishaps that occurred in operations related to
5 combat support and training events involving avia-
6 tion, ground, or naval platforms, weapons, space, or
7 Government vehicles, as defined by Department of
8 Defense Instruction 6055.07, or a successor instruc-
9 tion.

10 “(9) Information on the extent to which units
11 of the armed forces have removed serviceable parts,
12 supplies, or equipment from one vehicle, vessel, or
13 aircraft in order to render a different vehicle, vessel,
14 or aircraft operational.

15 “(10) Such other information as determined
16 necessary or appropriate by the Secretary of De-
17 fense.”;

18 (4) by striking subsections (d) through (h) and
19 subsection (j);

20 (5) by redesignating subsection (i) as subsection
21 (e); and

22 (6) by inserting after subsection (c) the fol-
23 lowing new subsections (d):

24 “(d) SEMI-ANNUAL JOINT FORCE READINESS RE-
25 VIEW.—(1) Not later than 30 days after the last day of

1 the first and third quarter of each calendar year, the
2 Chairman of the Joint Chiefs of Staff shall submit to Con-
3 gress a written report on the capability of the armed
4 forces, the combat support and related agencies, oper-
5 ational contract support, and the geographic and func-
6 tional combatant commands to execute their wartime mis-
7 sions based upon their posture and readiness as of the
8 time the review is conducted.

9 “(2) The Chairman shall produce the report required
10 under this subsection using information derived from the
11 quarterly reports required by subsection (a).

12 “(3) Each report required by this subsection shall in-
13 clude an assessment by each commander of a geographic
14 or functional combatant command of the readiness of the
15 command to conduct operations in a multidomain battle
16 that integrates ground, sea, air, space, cyber, and special
17 operations forces.

18 “(4) The Chairman shall submit to the Secretary of
19 Defense a copy of each report under this subsection.”.

20 (c) CLERICAL AMENDMENT.—The table of sections
21 at the beginning of chapter 23 of such title is amended
22 by striking the item relating to section 482 and inserting
23 the following new item:

“482. Readiness reports.”.

1 **SEC. 342. EXTENSION OF DEADLINE FOR TRANSITION**
2 **FROM SERVICE-SPECIFIC DEFENSE READI-**
3 **NESS REPORTING SYSTEMS.**

4 Section 358(c) of the John S. McCain National De-
5 fense Authorization Act for Fiscal Year 2019 (Public Law
6 115–232) is amended by striking “October 1, 2019” and
7 inserting “October 1, 2020”.

8 **SEC. 343. REPORT ON NAVY SHIP DEPOT MAINTENANCE**
9 **BUDGET.**

10 (a) IN GENERAL.—Not later than March 1 of each
11 of 2020, 2021, and 2022, the Secretary of the Navy shall
12 submit to the Committees on Armed Services of the Sen-
13 ate and the House of Representatives a report on the Op-
14 eration and Maintenance Ship Depot Maintenance budget
15 sub-activity group.

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

18 (1) A breakdown of funding, categorized by
19 class of ship, requested for ship and submarine
20 maintenance.

21 (2) A description of how the requested funding,
22 categorized by class of ship, compares to the identi-
23 fied ship maintenance requirement.

24 (3) The amount of funds appropriated for each
25 class of ship for the preceding fiscal year.

1 (4) The amount of funds obligated and ex-
2 pended for each class of ship for each of the three
3 preceding fiscal years.

4 (5) The cost, categorized by class of ship, of
5 unplanned growth work for each of the three pre-
6 ceding fiscal years.

7 **SEC. 344. REPORT ON RUNIT DOME.**

8 (a) REPORT REQUIRED.—Not later than 180 days
9 after the date of the enactment of this Act, the Secretary
10 of Energy, in coordination with the Administrator of the
11 Environmental Protection Agency and Secretary of De-
12 fense, shall submit to the Committee on Energy and Com-
13 merce, the Committee on Natural Resources, and the
14 Committee on Armed Services of the House of Represent-
15 atives and the Committee on Armed Services and the
16 Committee on Energy and Natural Resources of the Sen-
17 ate a report on the status of the Runit Dome in the Mar-
18 shal Islands.

19 (b) MATTERS FOR INCLUSION.—The report required
20 by subsection (a) shall include each of the following:

21 (1) A detailed plan to remove the radioactive
22 materials in the dome to a safer and more stable lo-
23 cation, including a predicted timeline and associated
24 costs.

1 (2) A detailed plan to repair the dome to ensure
2 that it does not have any harmful effects to the local
3 population, environment, or wildlife, including the
4 projected costs of implementing such plan.

5 (3) The effects on the environment that the
6 dome has currently and is projected to have in 5
7 years, 10 years, and 20 years.

8 (4) An assessment on the safety of food gath-
9 ered from local food sources.

10 (5) An assessment of the current condition of
11 the outer constructs of the dome.

12 (6) An assessment of the current and long-term
13 safety to local humans posed by the site.

14 (7) How climate change and rising sea levels
15 are predicted to affect the dome, including a descrip-
16 tion of projected scenarios if the dome becomes par-
17 tially or fully submerged by ocean water.

18 (8) A summary of interactions between the
19 Government of the United States and the govern-
20 ment of the Marshall Islands about the dome.

21 (9) A detailed description of the physical health
22 effects on Pacific Islanders, including residents of
23 Hawaii, Fiji, and Samoa, of nuclear testing con-
24 ducted at Runit Dome.

1 (10) A detailed description of the pre- and post-
2 nuclear test communications between the United
3 States and the governments of the territories and
4 nations of the Pacific Islands, including Hawaii,
5 Fuji, and Samoa.

6 (c) FORM OF REPORT.—The report required by sub-
7 section (a) shall be submitted in unclassified form and
8 made publicly available.

9 **SEC. 345. COMPTROLLER GENERAL STUDY OF OUT-OF-**
10 **POCKET COSTS FOR SERVICE DRESS UNI-**
11 **FORMS.**

12 (a) REVIEW REQUIRED.—The Comptroller General
13 of the United States shall conduct a study of the out-of-
14 pocket costs to members of the Armed Forces for service
15 dress uniforms.

16 (b) ELEMENTS.—The review under subsection (a)
17 shall address each of the following:

18 (1) A description and comparison of the out-of-
19 pocket cost to members of the Armed Forces for the
20 purchase of service dress uniforms and service dress
21 uniform items, broken down by—

- 22 (A) gender;
23 (B) Armed Force;
24 (C) enlisted; and
25 (D) officer.

1 (2) Stipends, in-kind provision of items, or
2 other assistance provided by each service to per-
3 sonnel to offset cost of service dress uniforms.

4 (3) A comparison of the out-of-pocket cost for
5 purchase and maintenance of service and service
6 dress uniforms over one, five, 10, and 20-year peri-
7 ods.

8 (4) A description of service dress uniform
9 changes directed by any of the Armed Forces over
10 the past 10 years that have affected the out-of-pock-
11 et costs to members of the Armed Forces and the
12 costs associated with such change, by gender.

13 (5) Any other information that the Comptroller
14 General determines appropriate.

15 (c) BRIEFING AND REPORT.—

16 (1) BRIEFING.—Not later than April 15, 2020,
17 the Comptroller General shall provide to the con-
18 gressional defense committees a briefing on the pre-
19 liminary findings of the study required under this
20 section.

21 (2) REPORT.—Not later than September 30,
22 2020, the Comptroller General shall submit to the
23 congressional defense committees a final report on
24 the findings of such study.

1 **SEC. 346. INSPECTOR GENERAL AUDIT OF CERTAIN COM-**
2 **MERCIAL DEPOT MAINTENANCE CONTRACTS.**

3 The Inspector General of the Department of Defense
4 shall conduct an audit of each military department and
5 Defense Agency (as defined in section 101 of title 10,
6 United States Code), as applicable, to determine if there
7 has been any excess profit or cost escalation with respect
8 to any sole-source contracts relating to commercial depot
9 maintenance (including contracts for parts, supplies,
10 equipment, and maintenance services).

11 **SEC. 347. REPORT ON PLAN TO DECONTAMINATE SITES**
12 **FORMERLY USED BY THE DEPARTMENT OF**
13 **THE ARMY THAT HAVE SINCE BEEN TRANS-**
14 **FERRED TO UNITS OF LOCAL GOVERNMENT**
15 **AND ARE AFFECTED BY POLLUTANTS THAT**
16 **ARE, IN WHOLE OR IN PART, A RESULT OF AC-**
17 **TIVITY BY THE DEPARTMENT OF DEFENSE.**

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

19 (1) There are numerous properties that were
20 under the jurisdiction of the Department of the
21 Army, such as former Nike missile sites, but that
22 have been transferred to units of local government.

23 (2) Many of these properties may remain pol-
24 luted because of activity by the Department of De-
25 fense.

1 (3) This pollution may inhibit the use of these
2 properties for commercial or residential purposes.

3 (b) REPORT REQUIRED.—The Secretary of the Army
4 shall submit to the appropriate congressional committees
5 a report—

6 (1) specifying each covered property that may
7 remain polluted because of activity by the Depart-
8 ment of Defense; and

9 (2) containing the Secretary’s plan to decon-
10 tamine each covered property.

11 (c) DEFINITIONS.—In this section:

12 (1) The term “appropriate congressional com-
13 mittees” means—

14 (A) the Committee on Armed Services and
15 the Committee on Energy and Natural Re-
16 sources of the Senate; and

17 (B) the Committee on Armed Services, the
18 Committee on Energy and Commerce, and the
19 Committee on Natural Resources of the House
20 of Representatives.

21 (2) The term “covered property” means prop-
22 erty that was under the jurisdiction of the Depart-
23 ment of the Army and was transferred to a unit of
24 local government before the date of the enactment of
25 section 120(h) of the Comprehensive Environmental

1 Response, Compensation, and Liability Act of 1980,
2 but that would have triggered Federal Government
3 notice or action under that section had the transfer
4 occurred on or after that date.

5 **Subtitle E—Other Matters**

6 **SEC. 351. INCLUSION OF OVER-THE-HORIZON RADARS IN** 7 **EARLY OUTREACH PROCEDURES.**

8 Section 183a(c)(6) of title 10, United States Code,
9 is amended by striking “or airport surveillance radar” and
10 inserting “, airport surveillance radar, or wide area sur-
11veillance over-the-horizon radar”.

12 **SEC. 352. EXTENSION OF AUTHORITY FOR SECRETARY OF** 13 **DEFENSE TO USE DEPARTMENT OF DEFENSE** 14 **REIMBURSEMENT RATE FOR TRANSPOR-** 15 **TATION SERVICES PROVIDED TO CERTAIN** 16 **NON-DEPARTMENT OF DEFENSE ENTITIES.**

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

20 **SEC. 353. EXPANDED TRANSFER AND ADOPTION OF MILI-** 21 **TARY ANIMALS.**

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

24 (1) in subsection (a)—

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

3 (B) by striking “adoption” each place it
4 appears and inserting “transfer or adoption”;
5 (2) in subsection (b)—

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

8 (B) in the first sentence, by striking
9 “adoption” and inserting “transfer or adop-
10 tion”; and

11 (C) in the second sentence, by striking
12 “adoptability” and inserting “transferability or
13 adoptability”;

14 (3) in subsection (c)(1)—

15 (A) in the matter preceding subparagraph
16 (A), by inserting “transfer or” before “adop-
17 tion”;

18 (B) in subparagraphs (A) and (B), by in-
19 serting “adoption” before “by”;

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

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

24 (4) in subsection (e)—

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

3 (B) in paragraphs (1) and (2), by striking
4 “transferred” each place it appears and insert-
5 ing “transferred or adopted”; and

6 (C) in paragraph (2), by striking “trans-
7 fer” each place it appears and inserting “trans-
8 fer or adoption”;

9 (5) in subsection (f)—

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

13 (B) in paragraph (1), by striking “trans-
14 fer” and inserting “transport”;

15 (6) in subsection (g)(3), by striking “adoption
16 of military working dogs” and all that follows
17 through the period at the end and inserting “trans-
18 fer of military working dogs to law enforcement
19 agencies before the end of the dogs’ useful working
20 lives.”; and

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

1 **SEC. 354. EXTENSION OF AUTHORITY OF SECRETARY OF**
2 **TRANSPORTATION TO ISSUE NON-PREMIUM**
3 **AVIATION INSURANCE.**

4 Section 44310(b) of title 49, United States Code, is
5 amended by striking “December 31, 2019” and inserting
6 “September 30, 2022”.

7 **SEC. 355. DEFENSE PERSONAL PROPERTY PROGRAM.**

8 (a) ADVISORY GROUP.—

9 (1) ESTABLISHMENT.—There is established an
10 advisory group on the defense personal property pro-
11 gram, to be known as the “Global Household Relo-
12 cation Services Advisory Committee”.

13 (2) MEMBERSHIP.—The advisory group shall be
14 comprised of 15 members appointed from among in-
15 dividuals who represent appropriate entities as fol-
16 lows:

17 (A) One member representing United
18 States Transportation Command appointed by
19 the Commander of United States Transpor-
20 tation Command.

21 (B) A flag or general officer of the Armed
22 Forces representing each of the Army, Navy,
23 Air Force, Marine Corps, and Coast Guard ap-
24 pointed by the Vice Chief of Staff of the Army,
25 Vice Chief of Naval Operations, Vice Chief of
26 Staff of the Air Force, the Assistant Com-

1 mandant of the Marine Corps, and Vice Com-
2 mandant of the Coast Guard, respectively.

3 (C) Four members representing appro-
4 priate transportation service providers, includ-
5 ing two small business concerns, appointed by
6 the Assistant Secretary of Defense for
7 Sustainment.

8 (D) Five members representing consumer
9 representatives who are members of the Armed
10 Forces or spouses of members of the Armed
11 Forces, one of whom is appointed by the senior
12 non-commissioned officer of each of the Army,
13 Navy, Air Force, Marine Corps, and Coast
14 Guard.

15 (3) MEETINGS.—The advisory group shall con-
16 vene regularly to provide to the Secretary of Defense
17 feedback on the execution of, and any recommended
18 changes to, the global household goods contract.

19 (4) REPORTS.—

20 (A) QUARTERLY REPORTS.—Not later
21 than 30 days after the last day of a fiscal quar-
22 ter, the advisory group shall submit to the con-
23 gressional defense committees a report on the
24 activities and recommendations of the advisory
25 group during such fiscal quarter.

1 (B) TERMINATION OF REPORT REQUIRE-
2 MENT.—The requirement to submit a report
3 under subparagraph (A) shall terminate on the
4 termination date specified under paragraph
5 (5)(A).

6 (5) TERMINATION.—The advisory group shall
7 terminate on the date that is five years after the
8 date of the enactment of this Act.

9 (b) BUSINESS CASE ANALYSIS.—Not later than 60
10 days after the date of the enactment of this Act, the Com-
11 mander of United States Transportation Command shall
12 prepare a business case analysis for the proposed award
13 of a global household goods contract for the defense per-
14 sonal property program.

15 (c) LIMITATION.—

16 (1) IN GENERAL.—None of the funds author-
17 ized to be appropriated in this Act for fiscal year
18 2020 shall be available to enter into a global house-
19 hold goods contract until the date that is 30 days
20 after later of the following dates:

21 (A) The date on which the Commander of
22 United States Transportation Command pro-
23 vides to the congressional defense committees a
24 briefing on—

1 (i) the business case analysis required
2 by subsection (b); and

3 (ii) the proposed structure and meet-
4 ing schedule for the advisory group estab-
5 lished under subsection (a).

6 (B) The date on which the Comptroller
7 General of the United States submits to the
8 congressional defense committees the report re-
9 quired by paragraph (2).

10 (2) GAO REPORT.—Not later than February
11 15, 2020, the Comptroller General of the United
12 States shall submit to the congressional defense
13 committees a report on a comprehensive study con-
14 ducted by the Comptroller General that includes—

15 (A) an analysis of the effects that the out-
16 sourcing of the management and oversight of
17 the movement of household goods to a private
18 entity or entities would have on members of the
19 Armed Forces and their families;

20 (B) a comprehensive cost-benefit analysis;
21 and

22 (C) recommendations for changes to the
23 strategy of the Department of Defense for the
24 defense personal property program.

25 (d) DEFINITIONS.—In this section:

1 (1) The term “global household goods contract”
2 means the solicitation managed by United States
3 Transportation Command to engage a private entity
4 to manage the defense personal property program.

5 (2) The term “defense personal property pro-
6 gram” means the Department of Defense program
7 used to manage the shipment of the baggage and
8 household effects of members of the Armed Forces
9 under section 476 of title 37, United States Code.

10 **SEC. 356. PUBLIC EVENTS ABOUT RED HILL BULK FUEL**
11 **STORAGE FACILITY.**

12 (a) REQUIREMENT.—At least once every calendar
13 quarter, the Secretary of the Navy, or the designee of the
14 Secretary, shall hold an event that is open to the public
15 at which the Secretary shall provide up-to-date informa-
16 tion about the Red Hill Bulk Fuel Storage Facility.

17 (b) TERMINATION.—The requirement to hold events
18 under subsection (a) shall terminate on the earlier of the
19 following dates:

20 (1) September 30, 2025.

21 (2) The date on which the Red Hill Bulk Fuel
22 Storage Facility ceases operation.

23 **SEC. 357. SENSE OF CONGRESS REGARDING INNOVATIVE**
24 **READINESS TRAINING PROGRAM.**

25 It is the sense of Congress that—

1 (1) the Innovative Readiness Training program
2 is an effective training program for members of the
3 Armed Forces and is highly beneficial to civilian-
4 military relationships with local American commu-
5 nities;

6 (2) due to the geographic complexities and re-
7 alities of non-contiguous States and territories, In-
8 novative Readiness Training has lent greater benefit
9 to such States and territories while providing unique
10 and realistic training opportunities and deployment
11 readiness for members of the Armed Forces;

12 (3) the Department of Defense should pursue
13 continued Innovative Readiness Training opportuni-
14 ties, and, where applicable, strongly encourage the
15 use of Innovative Readiness Training in non-contig-
16 uous States and territories; and

17 (4) in considering whether to recommend a
18 project, the Secretary should consider the benefits of
19 the project to the economy of a region damaged by
20 natural disasters.

21 **SEC. 358. PILOT PROGRAM ON REDUCTION OF EFFECTS OF**
22 **MILITARY AVIATION NOISE ON PRIVATE**
23 **RESIDENCES.**

24 (a) IN GENERAL.—The Secretary of Defense shall
25 carry out a five-year pilot program under which the com-

1 mander of a military installation may provide funds for
2 the purpose of installing noise insulation on private resi-
3 dences impacted by military aviation noise from the instal-
4 lation.

5 (b) ELIGIBILITY.—To be eligible to receive funds
6 under the pilot program, a recipient shall enter into an
7 agreement with the commander to—

8 (1) provide at least 50 percent of the funds re-
9 quired to carry out the noise insulation; and

10 (2) ensure that the noise at any private resi-
11 dence where insulation is installed is reduced by at
12 least 5 dB.

13 (c) USE OF FUNDS.—Funds provided under the pilot
14 program shall be used for the installation of noise insula-
15 tion at a residence—

16 (1) located within a Department of Defense
17 noise contour between 65 dB day-night average
18 sound level and 75 dB day-night average sound level
19 as validated on a National Environmental Policy
20 Act-compliant assessment within the past three
21 years; and

22 (2) where interior noise has been measured at
23 45 dB day-night average sound level by the installa-
24 tion.

1 (d) GOALS AND BEST PRACTICES.—In carrying out
 2 the pilot program under this section, a commander shall
 3 use the following goals and best practices:

4 (1) Minimize cost in order to maximize number
 5 of homes served.

6 (2) Focus efforts on residences newly impacted
 7 by increased noise levels.

8 **SEC. 359. COMPLETION OF DEPARTMENT OF DEFENSE DI-**
 9 **RECTIVE 2310.07E REGARDING MISSING PER-**
 10 **SONS.**

11 (a) IN GENERAL.—The Secretary of Defense shall
 12 make the completion of Department of Defense Directive
 13 2310.07E a top priority in order to improve the efficiency
 14 of locating missing persons.

15 (b) DEFINITION.—In this section, the term “missing
 16 person” has the meaning given such term in section 1513
 17 of title 10, United States Code.

18 **TITLE IV—MILITARY**
 19 **PERSONNEL AUTHORIZATIONS**
 20 **Subtitle A—Active Forces**

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

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

24 (1) The Army, 480,000.

25 (2) The Navy, 340,500.

1 (3) The Marine Corps, 186,200.

2 (4) The Air Force, 332,800.

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

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

8 “(1) For the Army, 480,000.

9 “(2) For the Navy, 340,500.

10 “(3) For the Marine Corps, 186,200.

11 “(4) For the Air Force, 332,800.”.

12 **Subtitle B—Reserve Forces**

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

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

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

19 (2) The Army Reserve, 189,500.

20 (3) The Navy Reserve, 59,000.

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

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

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

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

1 (b) END STRENGTH REDUCTIONS.—The end
2 strengths prescribed by subsection (a) for the Selected Re-
3 serve of any reserve component shall be proportionately
4 reduced by—

5 (1) the total authorized strength of units orga-
6 nized to serve as units of the Selected Reserve of
7 such component which are on active duty (other
8 than for training) at the end of the fiscal year; and
9 (2) the total number of individual members not
10 in units organized to serve as units of the Selected
11 Reserve of such component who are on active duty
12 (other than for training or for unsatisfactory partici-
13 pation in training) without their consent at the end
14 of the fiscal year.

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

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

3 Within the end strengths prescribed in section
4 411(a), the reserve components of the Armed Forces are
5 authorized, as of September 30, 2020, the following num-
6 ber of Reserves to be serving on full-time active duty or
7 full-time duty, in the case of members of the National
8 Guard, for the purpose of organizing, administering, re-
9 cruiting, instructing, or training the reserve components:

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

12 (2) The Army Reserve, 16,511.

13 (3) The Navy Reserve, 10,155.

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

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

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

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

20 (a) IN GENERAL.—The minimum number of military
21 technicians (dual status) as of the last day of fiscal year
22 2020 for the reserve components of the Army and the Air
23 Force (notwithstanding section 129 of title 10, United
24 States Code) shall be the following:

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

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

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

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

5 (b) LIMITATION.—Under no circumstances may a
6 military technician (dual status) employed under the au-
7 thority of this section be coerced by a State into accepting
8 an offer of realignment or conversion to any other military
9 status, including as a member of the Active, Guard, and
10 Reserve program of a reserve component. If a military
11 technician (dual status) declines to participate in such re-
12 alignment or conversion, no further action will be taken
13 against the individual or the individual's position.

14 **SEC. 414. MAXIMUM NUMBER OF RESERVE PERSONNEL AU-**
15 **THORIZED TO BE ON ACTIVE DUTY FOR**
16 **OPERATIONAL SUPPORT.**

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

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

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

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

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

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

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

5 **Subtitle C—Authorization of**
6 **Appropriations**

7 **SEC. 421. MILITARY PERSONNEL.**

8 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
9 are hereby authorized to be appropriated for fiscal year
10 2020 for the use of the Armed Forces and other activities
11 and agencies of the Department of Defense for expenses,
12 not otherwise provided for, for military personnel, as spec-
13 ified in the funding table in section 4401.

14 (b) CONSTRUCTION OF AUTHORIZATION.—The au-
15 thorization of appropriations in the subsection (a) super-
16 sedes any other authorization of appropriations (definite
17 or indefinite) for such purpose for fiscal year 2020.

18 **TITLE V—MILITARY PERSONNEL**
19 **POLICY**

20 **Subtitle A—Officer Personnel**
21 **Policy**

22 **SEC. 501. MANAGEMENT POLICIES FOR JOINT QUALIFIED**
23 **OFFICERS.**

24 Section 661(d)(3)(B) of title 10, United States Code,
25 is amended in the third sentence by inserting “or a des-

1 ignee of the Chairman who is an officer of the armed
2 forces in grade O–8 or higher” before the period.

3 **SEC. 502. GRADE OF CHIEF OF THE VETERINARY CORPS OF**
4 **THE ARMY.**

5 Section 7084 of title 10, United States Code, is
6 amended by adding at the end the following: “An officer
7 appointed to that position who holds a lower grade shall
8 be appointed in the grade of brigadier general.”.

9 **SEC. 503. AUTHORITY OF PROMOTION BOARDS TO REC-**
10 **OMMEND THAT OFFICERS OF PARTICULAR**
11 **MERIT BE PLACED HIGHER ON PROMOTION**
12 **LIST.**

13 (a) IN GENERAL.—Section 14108 of title 10, United
14 States Code, is amended by adding at the end the fol-
15 lowing new subsection:

16 “(f) HIGHER PLACEMENT OF OFFICERS OF PAR-
17 TICULAR MERIT ON PROMOTION LIST.—(1) In selecting
18 officers to be recommended for promotion, a promotion
19 board may, when authorized by the Secretary concerned,
20 recommend that officers of particular merit, from among
21 those officers selected for promotion, be placed higher on
22 the promotion list established by the Secretary under sec-
23 tion 14308(a) of this title.

1 “(2) A promotion board may make a recommendation
2 under paragraph (1) only if an officer receives the rec-
3 ommendation of—

4 “(A) a majority of the members of the pro-
5 motion board; or

6 “(B) an alternative requirement established by
7 the Secretary concerned and furnished to the pro-
8 motion board as part of the guidelines under section
9 14107 of this title.

10 “(3) For officers who receive recommendations under
11 paragraph (1), the board shall recommend the order in
12 which those officers should be placed on the promotion
13 list.”.

14 (b) REPORTS REGARDING RECOMMENDATIONS THAT
15 OFFICERS OF PARTICULAR MERIT BE PLACED HIGHER
16 ON PROMOTION LIST.—Section 14109 of such title is
17 amended by adding at the end the following new sub-
18 section:

19 “(d) REPORT OF OFFICERS RECOMMENDED FOR
20 HIGHER PLACEMENT ON PROMOTION LIST.—A pro-
21 motion board convened under section 14101(a) of this title
22 shall, when authorized under section 14108(f) of this title,
23 include in its report to the Secretary concerned—

1 “(1) the names of those officers the promotion
2 board recommends be placed higher on the pro-
3 motion list; and

4 “(2) the order in which the promotion board
5 recommends those officers should be placed on the
6 promotion list.”.

7 (c) OFFICERS OF PARTICULAR MERIT APPEARING
8 HIGHER ON PROMOTION LIST.—Section 14308(a) of such
9 title is amended in the first sentence by inserting “or
10 based on particular merit, as determined by the promotion
11 board” before the period.

12 **SEC. 504. AVAILABILITY ON THE INTERNET OF CERTAIN IN-**
13 **FORMATION ABOUT OFFICERS SERVING IN**
14 **GENERAL OR FLAG OFFICER GRADES.**

15 (a) AVAILABILITY REQUIRED.—

16 (1) IN GENERAL.—The Secretary of each mili-
17 tary department shall make available on an internet
18 website of such department available to the public
19 information specified in paragraph (2) on each offi-
20 cer in a general or flag officer grade under the juris-
21 diction of such Secretary, including any such officer
22 on the reserve active-status list.

23 (2) INFORMATION.—The information on an of-
24 ficer specified by this paragraph to be made avail-

1 able pursuant to paragraph (1) is the information as
2 follows:

3 (A) The officer's name.

4 (B) The officer's current grade, duty posi-
5 tion, command or organization, and location of
6 assignment.

7 (C) A summary list of the officer's past
8 duty assignments while serving in a general or
9 flag officer grade.

10 (b) ADDITIONAL PUBLIC NOTICE ON CERTAIN OFFI-
11 CERS.—Whenever an officer in a grade of O-7 or above
12 is assigned to a new billet or reassigned from a current
13 billet, the Secretary of the military department having ju-
14 risdiction of such officer shall make available on an inter-
15 net website of such department available to the public a
16 notice of such assignment or reassignment.

17 (c) LIMITATION ON WITHHOLDING OF CERTAIN IN-
18 FORMATION OR NOTICE.—

19 (1) LIMITATION.—The Secretary of a military
20 department may not withhold the information or no-
21 tice specified in subsections (a) and (b) from public
22 availability pursuant to subsection (a), unless and
23 until the Secretary notifies the Committees on
24 Armed Services of the Senate and House of Rep-
25 resentatives in writing of the information or notice

1 that will be so withheld, together with justification
2 for withholding the information or notice from public
3 availability.

4 (2) LIMITED DURATION OF WITHHOLDING.—

5 The Secretary concerned may withhold from the
6 public under paragraph (1) information or notice on
7 an officer only on the basis of individual risk or na-
8 tional security, and may continue to withhold such
9 information or notice only for so long as the basis
10 for withholding remains in force.

11 **SEC. 505. REPORT ON RATE OF MATERNAL MORTALITY**
12 **AMONG MEMBERS OF THE ARMED FORCES.**

13 Not later than 180 days after the date of the enact-
14 ment of this Act, the Secretary of Defense, and with re-
15 spect to members of the Coast Guard, the Secretary of
16 the Department in which the Coast Guard is operating
17 when it is not operating as a service in the Navy, shall
18 submit to Congress a report on the rate of maternal mor-
19 tality among members of the Armed Forces and the de-
20 pendents of such members.

21 **SEC. 506. FUNCTIONAL BADGE OR INSIGNIA UPON COMMIS-**
22 **SION FOR CHAPLAINS.**

23 A military chaplain shall receive a functional badge
24 or insignia upon commission.

Subtitle B—Reserve Component Management

SEC. 511. GRADE OF CERTAIN CHIEFS OF RESERVE COMPONENTS.

(a) IN GENERAL.—

(1) CHIEF OF ARMY RESERVE.—Section 7038(b)(1) of title 10, United States Code, is amended by striking “general officers of the Army Reserve” and inserting “officers of the Army Reserve in the grade of lieutenant general and”.

(2) CHIEF OF NAVY RESERVE.—Section 8083(b)(1) of such title is amended by striking “flag officers of the Navy (as defined in section 8001(1))” and inserting “officers of the Navy Reserve in the grade of vice admiral and”.

(3) COMMANDER, MARINE FORCES RESERVE.—Section 8084(b)(1) of such title is amended by striking “general officers of the Marine Corps (as defined in section 8001(2))” and inserting “officers of the Marine Corps Reserve in the grade of lieutenant general and”.

(4) CHIEF OF AIR FORCE RESERVE.—Section 9038(b)(1) of such title is amended by striking “general officers of the Air Force Reserve” and in-

1 serting “officers of the Air Force Reserve in the
2 grade of lieutenant general and”.

3 (b) EFFECTIVE DATE.—The amendments made
4 under subsection (a) shall take effect on the date that is
5 one year after the date of the enactment of this Act and
6 shall apply to appointments made after such date.

7 **SEC. 512. AUTHORITY TO DEFER MANDATORY SEPARATION**
8 **AT AGE 68 OF OFFICERS IN MEDICAL SPE-**
9 **CIALTIES IN THE RESERVE COMPONENTS.**

10 Section 14703(b) of title 10, United States Code, is
11 amended—

12 (1) by striking “An” and inserting “(1) Subject
13 to paragraph (2), an”; and

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

16 “(2) The Secretary concerned may, with the consent
17 of the officer, retain in an active status an officer in a
18 medical specialty described in subsection (a) beyond the
19 date described in paragraph (1) of this subsection if the
20 Secretary concerned determines that such retention is nec-
21 essary to the military department concerned. Each such
22 retention shall be made on a case-by-case basis and for
23 such period as the Secretary concerned determines appro-
24 priate.”.

1 **SEC. 513. REPEAL OF REQUIREMENT FOR REVIEW OF CER-**
2 **TAIN ARMY RESERVE OFFICER UNIT VA-**
3 **CANCY PROMOTIONS BY COMMANDERS OF**
4 **ASSOCIATED ACTIVE DUTY UNITS.**

5 Section 1113 of the Army National Guard Combat
6 Readiness Reform Act of 1992 (Public Law 102–484; 10
7 U.S.C. 10105 note) is repealed.

8 **SEC. 514. GUIDANCE FOR USE OF UNMANNED AIRCRAFT**
9 **SYSTEMS BY THE NATIONAL GUARD.**

10 (a) NEW GUIDANCE.—Not later than 90 days after
11 the date of the enactment of this Act, the Secretary of
12 Defense shall issue new guidance that treats the use of
13 unmanned aircraft systems by the National Guard for cov-
14 ered activities in a manner no more restrictive than the
15 use of other aircraft for covered activities.

16 (b) COVERED ACTIVITIES DEFINED.—In this section,
17 “covered activities” means the following:

- 18 (1) Emergency operations.
19 (2) Search and rescue operations.
20 (3) Defense support to civil authorities.
21 (4) Support under section 502(f) of title 32,
22 United States Code.

23 **SEC. 515. JUNIOR RESERVE OFFICERS’ TRAINING CORPS.**

24 (a) IN GENERAL.—Section 2031(b)(3) of title 10,
25 United States Code, is amended by inserting “and which
26 may include instruction or activities in the fields of

1 science, technology, engineering, and mathematics” after
2 “duration”.

3 (b) EFFECTIVE DATE.—The amendment made by
4 subsection (a) shall take effect 180 days after the date
5 of the enactment of this Act.

6 **SEC. 516. JROTC COMPUTER SCIENCE AND CYBERSECU-**
7 **RITY PROGRAM.**

8 Chapter 102 of title 10, United States Code, is
9 amended by adding at the end the following new section:
10 **“§ 2036. Computer science and cybersecurity pro-**
11 **gram**

12 “(a) PROGRAM AUTHORIZED.—The Secretary of De-
13 fense may carry out a program to enhance the preparation
14 of students in the Junior Reserve Officers’ Training Corps
15 for careers in computer science and cybersecurity.

16 “(b) COORDINATION.—In carrying out the program,
17 the Secretary shall coordinate with the following:

18 “(1) The Secretaries of the military depart-
19 ments.

20 “(2) The Secretary of Education.

21 “(3) The National Science Foundation.

22 “(4) The heads of such other Federal, State,
23 and local government entities the Secretary of De-
24 fense determines appropriate.

1 “(5) Private sector organizations, including
2 workforce development organizations, the Secretary
3 of Defense determines appropriate.

4 “(c) ACTIVITIES.—Activities under the program may
5 include the following:

6 “(1) Establishment of targeted internships and
7 cooperative research opportunities in computer
8 science and cybersecurity at defense laboratories and
9 other technical centers for students in and instruc-
10 tors of the Junior Reserve Officers’ Training Corps.

11 “(2) Funding for training and other supports
12 for instructors to teach evidence-based courses in
13 computer science and cybersecurity to students.

14 “(3) Efforts and activities that improve the
15 quality of cybersecurity and computer science edu-
16 cational, training opportunities, and curricula for
17 students and instructors.

18 “(4) Development of travel opportunities, dem-
19 onstrations, mentoring programs, and informal com-
20 puter science and cybersecurity education for stu-
21 dents and instructors.

22 “(d) METRICS.—The Secretary shall establish out-
23 come-based metrics and internal and external assessments
24 to evaluate the merits and benefits of activities conducted

1 under the program with respect to the needs of the De-
 2 partment of Defense.

3 “(e) AUTHORITIES.—In carrying out the program,
 4 the Secretary shall, to the maximum extent practicable,
 5 make use of the authorities under section 2193b, chapter
 6 111, and sections 2601, 2605, and 2374a of this title, sec-
 7 tion 219 of the Duncan Hunter National Defense Author-
 8 ization Act for Fiscal Year 2009 (Public Law 110–417;
 9 10 U.S.C. 2358 note), and other authorities the Secretary
 10 determines appropriate.

11 “(f) REPORT.—Not later than two years after the
 12 date of the enactment of the National Defense Authoriza-
 13 tion Act for Fiscal Year 2020, the Secretary shall submit
 14 to the Committees on Armed Services of the Senate and
 15 the House of Representatives a report on activities carried
 16 out under the program.”.

17 **SEC. 517. PROGRAMS OF SCHOLARSHIPS FOR MEMBERS OF**
 18 **JUNIOR RESERVE OFFICERS’ TRAINING**
 19 **CORPS UNITS TOWARD OBTAINING PRIVATE**
 20 **PILOT’S CERTIFICATES.**

21 (a) PROGRAMS AUTHORIZED.—Each Secretary of a
 22 military department may carry out a program to award
 23 scholarships to qualified members of units of the Junior
 24 Reserve Officers’ Training Corps under the jurisdiction of
 25 such Secretary to assist such members in obtaining a pri-

1 vate pilot's certificate through an institution of higher
2 education with an accredited aviation program that is ap-
3 proved by such Secretary pursuant to subsection (c).

4 (b) MEMBER QUALIFICATIONS.—

5 (1) IN GENERAL.—In carrying out a program
6 under subsection (a), the Secretary of a military de-
7 partment shall prescribe the standards to be met by
8 members of units of the Junior Reserve Officers'
9 Training Corps under the jurisdiction of such Sec-
10 retary to be eligible for the award of a scholarship
11 under the program.

12 (2) UNIFORMITY ACROSS MILITARY DEPART-
13 MENTS.—To the extent practicable, the standards
14 prescribed under this subsection shall be uniform
15 across the military departments.

16 (c) APPROVED INSTITUTIONS OF HIGHER EDU-
17 CATION.—

18 (1) IN GENERAL.—In carrying out a program
19 under subsection (a), the Secretary of a military de-
20 partment shall maintain a list of institutions of high-
21 er education (as that term is defined in section 101
22 of the Higher Education Act of 1965 (20 U.S.C.
23 1001)) at which a scholarship awarded under the
24 program may be used toward obtaining a private pi-
25 lot's certificate.

1 (2) QUALIFICATIONS AND STANDARDS.—Any
2 institution of higher education included on a list
3 under this subsection, and any course of instruction
4 toward obtaining a private pilot's certificate offered
5 by such institution, shall meet such qualifications
6 and standards as the Secretary shall prescribe for
7 purposes of the program. Such qualifications and
8 standards shall include a requirement that any insti-
9 tution included on the list award academic credit at
10 such institution to any member awarded a scholar-
11 ship under the program for work (whether or not
12 fully completed) on the ground school course of in-
13 struction of such institution in connection with ob-
14 taining a private pilot's certificate.

15 (d) SCHOLARSHIP.—

16 (1) AMOUNT.—The amount of the scholarship
17 awarded a member of a Junior Reserve Officers'
18 Training Corps under a program under subsection
19 (a) shall be such amount as the Secretary of the
20 military department concerned considers appropriate
21 to defray, whether in whole or in part, the charges
22 and fees of a course of instruction toward obtaining
23 a private pilot's certificate offered by the institution
24 of higher education to be attended by the member
25 in obtaining the certificate.

1 (2) USE.—A scholarship awarded a member
2 under a program may be used by the member only
3 to defray the charges and fees of an institution of
4 higher education for a course of instruction toward
5 obtaining a private pilot's certificate.

6 (3) MAINTENANCE OF MEMBERSHIP.—A schol-
7 arship awarded an individual under a program may
8 be used by the individual only while the individual
9 maintains membership in a unit of a Junior Reserve
10 Officers' Training Corps.

11 (e) ANNUAL REPORTS ON PROGRAMS.—

12 (1) IN GENERAL.—Not later than February 28,
13 2021, and each year thereafter, each Secretary of a
14 military department shall submit to Congress a re-
15 port on the program, if any, carried out by such
16 Secretary during the preceding calendar year.

17 (2) ELEMENTS.—Each report under paragraph
18 (1) shall include, for the program and year covered
19 by such report, the following:

20 (A) The number of scholarships awarded.

21 (B) The total amount of scholarships
22 awarded.

23 (C) The work undertaken through such
24 scholarships, including the number of recipients
25 who fully completed a ground school course of

1 instruction in connection with obtaining a pri-
2 vate pilot's certificate.

3 (f) ASSESSMENT OF RELATED PILOT PROGRAM.—

4 (1) IN GENERAL.—Not later than 180 days
5 after the date of the enactment of this Act, the Sec-
6 retary of Defense shall submit to Congress a report
7 setting forth the results of an assessment, conducted
8 by the study group described in paragraph (2) for
9 purposes of the report, of the pilot program con-
10 ducted by the Air Force in 2018 and 2019 known
11 as the “Air Force JROTC Flight Academy, Chief of
12 Staff Private Pilot Scholarship Program”.

13 (2) STUDY GROUP.—The study group described
14 in this paragraph shall include the following:

15 (A) A representative of the Department of
16 Defense, selected by the Secretary of Defense.

17 (B) A representative of the headquarters
18 of the Air Force Junior Reserve Officers'
19 Training Corps with experience with the pilot
20 program, selected by the Secretary of the Air
21 Force.

22 (C) In addition to the representative under
23 subparagraph (B), a representative of each
24 military department, selected by the Secretary
25 of such military department.

1 (D) A representative of the Department of
2 Transportation, selected by the Secretary of
3 Transportation.

4 (E) A representative of the Department of
5 Education, selected by the Secretary of Edu-
6 cation.

7 (F) Representatives of such private organi-
8 zations and entities as the Secretary of Defense
9 considers appropriate.

10 (3) ELEMENTS.—The assessment required by
11 paragraph (1) shall identify best practices in assist-
12 ing members of the Junior Reserve Officers' Train-
13 ing Corps in obtaining a private pilot's certificate
14 through institutions of higher education, including
15 the most appropriate funding mechanisms for such
16 practices.

17 **SEC. 518. SENSE OF CONGRESS REGARDING JUNIOR RE-**
18 **SERVE OFFICERS' TRAINING CORPS.**

19 It is the sense of Congress that—

20 (1) the Junior Reserve Officers' Training Corps
21 (referred to in this section as “JROTC”) contributes
22 to an enhanced sense of pride in our Nation and in
23 the members of the Armed Forces who serve;

1 (2) JROTC develops a culture dedicated to
2 service of our great land and reinforces duty, honor
3 and courage;

4 (3) the Nation has been steadily depending on
5 a smaller and smaller minority of the population to
6 fight its wars and protect its borders;

7 (4) this dwindling population risks the long-
8 term security of our Nation and the freedoms it pro-
9 vides;

10 (5) JROTC operates in all 50 States and con-
11 tributes to better grades and graduation rates; and

12 (6) JROTC was supported in the John S.
13 McCain National Defense Authorization Act for Fis-
14 cal Year 2019 (Public Law 115–232) and should be
15 increased in fiscal year 2020, including at least
16 3,700 JROTC units nationwide.

17 **SEC. 519. SENSE OF CONGRESS REGARDING THE NATIONAL**
18 **GUARD YOUTH CHALLENGE PROGRAM.**

19 It is the sense of Congress that—

20 (1) the National Guard Youth Challenge Pro-
21 gram provides a vital service to at-risk youth by pro-
22 viding life-changing mentorship, developing self-dis-
23 cipline, and providing education in valuable skills;
24 and

1 (2) the Secretary of Defense should use the au-
2 thority provided under section 509(h)(2) of title 32,
3 United States Code, to allow Department of Defense
4 equipment and facilities to be used by the National
5 Guard to maximize the support of the Department
6 for the Youth Challenge Program.

7 **SEC. 520. PILOT PROGRAM ON THE JUNIOR RESERVE OFFI-**
8 **CERS' TRAINING CORPS PROGRAM AT LUCY**
9 **GARRETT BECKHAM HIGH SCHOOL,**
10 **CHARLESTON COUNTY, SOUTH CAROLINA.**

11 (a) IN GENERAL.—The Secretary of the department
12 in which the Coast Guard is operating may carry out a
13 pilot program to establish and maintain a Junior Reserve
14 Officers' Training Corps (JROTC) program unit in co-
15 operation with Lucy Garrett Beckham High School,
16 Charleston County, South Carolina.

17 (b) PROGRAM REQUIREMENTS.—The pilot program
18 carried out by the Secretary under this section shall pro-
19 vide to students at Lucy Garrett Beckham High School—

20 (1) instruction in subject areas relating to oper-
21 ations of the Coast Guard; and

22 (2) training in skills which are useful and ap-
23 propriate for a career in the Coast Guard.

24 (c) PROVISION OF ADDITIONAL SUPPORT.—In car-
25 rying out the pilot program under this section, the Sec-

1 retary may provide to Lucy Garrett Beckham High
2 School—

3 (1) assistance in course development, instruc-
4 tion, and other support activities; and

5 (2) necessary and appropriate course materials,
6 equipment, and uniforms.

7 (d) EMPLOYMENT OF RETIRED COAST GUARD PER-
8 SONNEL.—

9 (1) IN GENERAL.—Subject to paragraph (2),
10 the Secretary may authorize the Lucy Garrett
11 Beckham High School to employ, as administrators
12 and instructors for the pilot program, retired Coast
13 Guard and Coast Guard Reserve commissioned, war-
14 rant, and petty officers not on active duty who re-
15 quest that employment and who are approved by the
16 Secretary and Lucy Garrett Beckham High School.

17 (2) AUTHORIZED PAY.—

18 (A) IN GENERAL.—Retired members em-
19 ployed under paragraph (1) are entitled to re-
20 ceive their retired or retainer pay and an addi-
21 tional amount of not more than the difference
22 between—

23 (i) the amount the individual would be
24 paid as pay and allowance if the individual
25 was considered to have been ordered to ac-

1 tive duty during the period of employment;
2 and

3 (ii) the amount of retired pay the in-
4 dividual is entitled to receive during that
5 period.

6 (B) PAYMENT TO SCHOOL.—The Secretary
7 shall pay to Lucy Garrett Beckham High
8 School an amount equal to one-half of the
9 amount described in subparagraph (A), from
10 funds appropriated for such purpose.

11 (3) EMPLOYMENT NOT ACTIVE-DUTY OR INAC-
12 TIVE-DUTY TRAINING.—Notwithstanding any other
13 provision of law, while employed under this sub-
14 section, an individual is not considered to be on ac-
15 tive-duty or inactive-duty training.

16 **SEC. 520A. JUNIOR RESERVE OFFICERS' TRAINING CORPS**
17 **THRESHOLD.**

18 Section 2031(b)(1) of title 10, United States Code,
19 is amended by striking “8th grade” each place it appears
20 and inserting “7th grade”.

1 **SEC. 520B. INCLUSION OF HOMESCHOOLED STUDENTS IN**
2 **JUNIOR RESERVE OFFICER'S TRAINING**
3 **CORPS UNITS.**

4 Section 2031 of title 10, United States Code, is
5 amended by adding at the end the following new sub-
6 section:

7 “(g)(1) Each public secondary educational institution
8 that maintains a unit under this section shall permit mem-
9 bership in the unit to homeschooled students residing in
10 the area served by the institution who are qualified for
11 membership in the unit (but for lack of enrollment in the
12 institution).

13 “(2) A student who is a member of a unit pursuant
14 to this subsection shall count toward the satisfaction by
15 the institution concerned of the requirement in subsection
16 (b)(1) relating to the minimum number of student mem-
17 bers in the unit necessary for the continuing maintenance
18 of the unit.”.

19 **SEC. 520C. REPORT ON NATIONAL GUARD AND UNITED**
20 **STATES NORTHERN COMMAND CAPACITY TO**
21 **MEET HOMELAND DEFENSE AND SECURITY**
22 **INCIDENTS.**

23 Not later than September 30, 2020, the Chief of the
24 National Guard Bureau shall, in consultation with the
25 Commander of United States Northern Command, submit

1 to the congressional defense committees a report setting
2 forth the following:

3 (1) A clarification of the roles and missions,
4 structure, capabilities, and training of the National
5 Guard and the United States Northern Command,
6 and an identification of emerging gaps and shortfalls
7 in light of current homeland security threats to our
8 country.

9 (2) A list of the resources that each State and
10 Territory National Guard has at its disposal that
11 are available to respond to a homeland defense or
12 security incident, with particular focus on a multi-
13 State electromagnetic pulse event.

14 (3) The readiness and resourcing status of
15 forces listed pursuant to paragraph (2).

16 (4) The current strengths and areas of improve-
17 ment in working with State and Federal interagency
18 partners.

19 (5) The current assessments that address Na-
20 tional Guard readiness and resourcing of regular
21 United States Northern Command forces postured
22 to respond to homeland defense and security inci-
23 dents.

1 (6) A roadmap to 2040 that addresses readi-
2 ness across the spectrum of long-range emerging
3 threats facing the United States.

4 **SEC. 520D. NATIONAL GUARD SUPPORT TO MAJOR DISAS-**
5 **TERS.**

6 Section 502(f) of title 32, United States Code, is
7 amended—

8 (1) in paragraph (2), by adding at the end the
9 following:

10 “(C) Operations or missions authorized by the
11 President or the Secretary of Defense to support
12 large scale, complex, catastrophic disasters, as de-
13 fined by section 311(3) of title 6, United States
14 Code, at the request of a State governor.”; and

15 (2) by adding at the end the following:

16 “(4) With respect to operations or missions de-
17 scribed under paragraph (2)(C), there is authorized
18 to be appropriated to the Secretary of Defense such
19 sums as may be necessary to carry out such oper-
20 ations and missions, but only if—

21 “(A) an emergency has been declared by
22 the governor of the applicable State; and

23 “(B) the President has declared the emer-
24 gency to be a major disaster for the purposes

1 of the Robert T. Stafford Disaster Relief and
2 Emergency Assistance Act.”.

3 **SEC. 520E. REPORT ON METHODS TO ENHANCE DOMESTIC**
4 **RESPONSE TO LARGE SCALE, COMPLEX AND**
5 **CATASTROPHIC DISASTERS.**

6 (a) IN GENERAL.—Not later than 180 days after the
7 date of the enactment of this Act, the Secretary of De-
8 fense, in consultation and coordination with the Federal
9 Emergency Management Agency, the National Security
10 Council, the Council of Governors, and the National Gov-
11 ernors Association, shall submit to the congressional de-
12 fense, the Committee on Homeland Security of the House
13 of Representatives, and the Committee on Homeland Se-
14 curity and Governmental Affairs of the Senate a report
15 on their plan to establish policy and processes to imple-
16 ment the authority provided by the amendments made by
17 section 520. The report shall include a detailed examina-
18 tion of the policy framework consistent with existing au-
19 thorities, identify major statutory or policy impediments
20 to implementation, and make recommendations for legisla-
21 tion as appropriate.

22 (b) CONTENTS.—The report submitted under para-
23 graph (1) shall include a description of—

24 (1) the current policy and processes whereby
25 governors can request activation of the National

1 Guard under title 32, United States Code, as part
2 of the response to large scale, complex, catastrophic
3 disasters that are supported by the Federal Govern-
4 ment and, if no formal process exists in policy, the
5 Secretary of Defense shall provide a timeline and
6 plan to establish such a policy, including consulta-
7 tion with the Council of Governors and the National
8 Governors Association;

9 (2) the Secretary of Defense's assessment, in-
10 formed by consultation with the Federal Emergency
11 Management Agency, the National Security Council,
12 the Council of Governors, and the National Gov-
13 ernors Association, regarding the sufficiency of cur-
14 rent authorities for the reimbursement of National
15 Guard and Reserve manpower during large scale,
16 complex, catastrophic disasters under title 10 and
17 title 32, United States Code, and specifically wheth-
18 er reimbursement authorities are sufficient to ensure
19 that military training and readiness are not de-
20 graded to fund disaster response, or invoking them
21 degrades the effectiveness of the Disaster Relief
22 Fund;

23 (3) the Department of Defense's plan to ensure
24 there is parallel and consistent policy in the applica-
25 tion of the authorities granted under section 12304a

1 of title 10, United States Code, and section 502(f)
2 of title 32, United States Code, including—

3 (A) a description of the disparities between
4 benefits and protections under Federal law
5 versus State active duty;

6 (B) recommended solutions to achieve par-
7 ity at the Federal level; and

8 (C) recommended changes at the State
9 level, if appropriate;

10 (4) the Department of Defense’s plan to ensure
11 there is parity of benefits and protections for mili-
12 tary members employed as part of the response to
13 large scale, complex, catastrophic disasters under
14 title 32 or title 10, United States Code, and rec-
15 ommendations for addressing shortfalls; and

16 (5) a review, by the Federal Emergency Man-
17 agement Agency, of the current policy for, and an
18 assessment of the sufficiency of, reimbursement au-
19 thority for the use of all National Guard and Re-
20 serve, both to the Department of Defense and to the
21 States, during large scale, complex, catastrophic dis-
22 asters, including any policy and legal limitations,
23 and cost assessment impact on Federal funding.

1 **SEC. 520F. REPORT REGARDING NATIONAL GUARD YOUTH**
2 **CHALLENGE PROGRAM.**

3 Not later than December 31, 2020, the Secretary of
4 Defense shall submit a report to the congressional defense
5 committees regarding the resources and authorities the
6 Secretary determines necessary to identify the effects of
7 the National Guard Youth Challenge Program on grad-
8 uates of that program during the five years immediately
9 preceding the date of the report. Such resources shall in-
10 clude the costs of identifying such effects beyond the 12-
11 month, post-residential mentoring period of that program.

12 **SEC. 520G. PERMANENT EXTENSION OF SUICIDE PREVEN-**
13 **TION AND RESILIENCE PROGRAM FOR THE**
14 **RESERVE COMPONENTS.**

15 Strike subsection (g) of section 10219 of title 10,
16 United States Code.

17 **SEC. 520H. TEMPORARY AUTHORITY TO USE AIR FORCE RE-**
18 **SERVE COMPONENT PERSONNEL TO PRO-**
19 **VIDE TRAINING AND INSTRUCTION REGARD-**
20 **ING PILOT TRAINING.**

21 (a) AUTHORITY.—

22 (1) IN GENERAL.—During fiscal year 2020, the
23 Secretary of the Air Force may authorize personnel
24 described in paragraph (2) to provide training and
25 instruction regarding pilot training to the following:

1 (A) Members of the Armed Forces on ac-
2 tive duty.

3 (B) Members of foreign military forces who
4 are in the United States.

5 (2) PERSONNEL.—The personnel described in
6 this paragraph are the following:

7 (A) Members of the reserve components of
8 the Air Force on active Guard and Reserve
9 duty (as that term is defined in section 101(d)
10 of title 10, United States Code) who are not
11 otherwise authorized to conduct the training de-
12 scribed in paragraph (1) due to the limitations
13 in section 12310 of title 10, United States
14 Code.

15 (B) Members of the Air Force who are
16 military technicians (dual status) who are not
17 otherwise authorized to conduct the training de-
18 scribed in paragraph (1) due to the limitations
19 in section 10216 of title 10, United States
20 Code, and section 709(a) of title 32, United
21 States Code.

22 (3) LIMITATION.—Not more than 50 members
23 described in paragraph (2) may provide training and
24 instruction under the authority in paragraph (1) at
25 any one time.

1 (4) FEDERAL TORT CLAIMS ACT.—Members of
2 the uniformed services described in paragraph (2)
3 who provide training and instruction pursuant to the
4 authority in paragraph (1) shall be covered by the
5 Federal Tort Claims Act for purposes of any claim
6 arising from the employment of such individuals
7 under that authority.

8 (b) REPORT.—Not later than 180 days after the date
9 of the enactment of this Act, the Secretary of the Air
10 Force shall submit to the Committees on Armed Services
11 of the Senate and the House of Representatives a report
12 setting forth a plan to eliminate shortages in the number
13 of pilot instructors within the Air Force using authorities
14 available to the Secretary under current law.

15 **Subtitle C—General Service Au-**
16 **thorities and Correction of Mili-**
17 **tary Records**

18 **SEC. 521. ESTABLISHMENT OF BOARD OF APPEALS RE-**
19 **GARDING DENIED REQUESTS FOR UPGRADED**
20 **DISCHARGES AND DISMISSALS.**

21 (a) ESTABLISHMENT.—Chapter 79 of title 10,
22 United States Code, is amended by inserting after section
23 1553 the following new section 1553a:

1 **“§ 1553a. Board of Discharge Appeals**

2 “(a) ESTABLISHMENT.—(1) The Secretary of De-
3 fense shall establish a Board of Discharge Appeals to hear
4 appeals of requests for upgraded discharges and dismis-
5 sals under section 1553 of this title that are denied by
6 the service review agencies.

7 “(2) The Board of Discharge Appeals shall consist
8 of not fewer than three members appointed by the Sec-
9 retary.

10 “(b) APPEAL.—(1) Upon the request of an appellant,
11 the Board of Discharge Appeals shall review the findings
12 and decisions of a service review agency regarding the re-
13 view of the discharge or dismissal of the appellant.

14 “(2) The Board of Discharge Appeals may direct the
15 Secretary of the military department concerned to change
16 the discharge or dismissal of an appellant, or issue a new
17 discharge for an appellant, to reflect its findings.

18 “(c) DEFINITIONS.—In this section:

19 “(1) The term ‘appellant’ means a former mem-
20 ber of the armed forces (or if the former member is
21 dead, the surviving spouse, next of kin, or legal rep-
22 resentative of the former member) whose request for
23 an upgraded discharge or dismissal was denied by a
24 service review agency.

1 “(2) The term ‘service review agency’ has the
2 meaning given that term in section 1555 of this
3 title.”.

4 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

5 (1) TABLE OF SECTIONS.—The table of sections
6 at the beginning of such chapter is amended by in-
7 serting after the item relating to section 1553 the
8 following new item:

 “1553a. Board of Discharge Appeals.”.

9 (2) CONFORMING AMENDMENT.—Section
10 1553(b) of title 10, United States Code, is amend-
11 ed—

12 (A) by inserting “(1)” before “A board”;
13 and

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

16 “(2) If a board of review established by the Secretary
17 of a military department denies a request for an upgraded
18 discharge or dismissal, that denial may be appealed to the
19 Board of Discharge Appeals under section 1553a of this
20 title.”.

21 (c) DEADLINE.—The Secretary of Defense shall es-
22 tablish and implement the Board of Discharge Appeals
23 under such section 1553a of title 10, United States Code,
24 as added by subsection (a), not later than September 30,
25 2020.

1 (d) TRAINING.—Each member of the Board of Dis-
2 charge Appeals established under such section 1553a shall
3 receive training under section 534(c) of the National De-
4 fense Authorization Act for Fiscal Year 2017 (Public Law
5 114–328; 10 U.S.C. 1552 note).

6 (e) REPORTING.—

7 (1) REPORT.—Not later than April 1, 2021, the
8 Secretary of Defense shall submit to the Committees
9 on Armed Services of the Senate and the House of
10 Representatives a report regarding the Board of
11 Discharge Appeals established under such section
12 1553a. The report shall include, with respect to ap-
13 peals heard by the Board of Discharge Appeals since
14 implementation, the following:

15 (A) The number of appeals heard.

16 (B) The number of appeals granted.

17 (C) The number of appeals denied, includ-
18 ing the reasons for such denials.

19 (D) A summary of any differences between
20 reviews under section 1553 of title 10, United
21 States Code, and appeals under section 1553a
22 of such title.

23 (2) ONLINE PUBLICATION.—On October 1 of
24 each year starting in 2022, the Secretary shall pub-
25 lish online the information described in subpara-

1 graphs (A), (B), and (C) of paragraph (1) with re-
2 gards to the preceding fiscal year.

3 **SEC. 522. PROHIBITION ON REDUCTION IN THE NUMBER OF**
4 **PERSONNEL ASSIGNED TO DUTY WITH A**
5 **SERVICE REVIEW AGENCY.**

6 (a) PROHIBITION.—Section 1559(a) of title 10,
7 United States Code, is amended—

8 (1) by striking “December 31, 2019” and in-
9 serting “December 31, 2025”;

10 (2) by striking “that agency until—” and in-
11 serting “that agency.”; and

12 (3) by striking subsections (1) and (2).

13 (b) REPORT.—

14 (1) REPORT REQUIRED.—Not later than 180
15 days after the enactment of this Act, the Secretary
16 of each military department shall submit a report to
17 the Committees on Armed Services of the Senate
18 and House of Representatives that details a plan
19 to—

20 (A) reduce the backlog of applications be-
21 fore the service review agency of the military
22 department concerned; and

23 (B) maintain the resources required to
24 meet the timeliness standards for disposition of
25 applications before the Corrections Boards

1 under section 1557 of title 10, United States
2 Code, not later than October 1, 2021.

3 (2) ELEMENTS.—Each report under this sub-
4 section shall include the following:

5 (A) A description of the current backlog of
6 applications before the service review agency of
7 the military department concerned.

8 (B) The number of personnel required to
9 meet the deadline described in paragraph
10 (1)(B).

11 (C) The plan of the Secretary concerned to
12 modernize the application and review system of
13 the service review agency of the military depart-
14 ment concerned.

15 **SEC. 523. ADVISORY COMMITTEE ON RECORD AND SERVICE**
16 **REVIEW BOARDS.**

17 (a) ESTABLISHMENT.—Not later than 180 days after
18 the date of the enactment of this Act, the Secretary of
19 Defense shall establish a Department of Defense Advisory
20 Committee to be known as the “Defense Advisory Com-
21 mittee on Record and Upgrade Review Boards” (in this
22 section referred to as the “Advisory Committee”).

23 (b) MEMBERSHIP.—

24 (1) IN GENERAL.—The Advisory Committee
25 shall consist of not more than 15 members ap-

1 pointed by the Secretary of Defense, eight of whom
2 shall be civilian practitioners or representatives of
3 organizations that have experience assisting mem-
4 bers of the Armed Forces and veterans with cases
5 before service review boards (as that term is defined
6 in section 1555 of title 10, United States Code).

7 (2) MEMBERS OF THE ARMED FORCES ON AC-
8 TIVE DUTY INELIGIBLE.—A member of the Armed
9 Forces serving on active duty may not serve as a
10 member of the Advisory Committee.

11 (c) PERSONNEL.—

12 (1) EXPERIENCE REQUIRED.—At least 35 per-
13 cent of members of the staff of the Advisory Com-
14 mittee shall have experience described in subsection
15 (b)(1).

16 (2) DIRECTOR; ASSISTANT DIRECTOR.—The di-
17 rector and assistant director of the Advisory Com-
18 mittee may not both be members of the Armed
19 Forces serving on active duty.

20 (3) STAFF.—Not more than 65 percent of the
21 staff of the Advisory Committee may be comprised
22 of members of the Armed Forces serving on active
23 duty.

24 (d) DUTIES.—The Advisory Committee shall advise
25 the Secretary of Defense on the best structure, practices,

1 and procedures to ensure consistency of boards for the
2 correction of military records and service review boards
3 in carrying out their responsibilities under chapter 79 of
4 title 10, United States Code, and in granting relief to
5 claimants under that chapter.

6 (e) ANNUAL REPORT.—Not later than one year after
7 the date of the establishment of the Advisory Committee
8 and annually thereafter for the three subsequent years,
9 the Advisory Committee shall submit to the Secretary of
10 Defense and the congressional defense committees a re-
11 port containing observations and recommendations re-
12 garding issues of board operations and efficacy, includ-
13 ing—

14 (1) granting relief at adequate rates;

15 (2) adhering to the intent of Congress, includ-
16 ing regarding liberal consideration;

17 (3) standards for evidence, training experience
18 and qualifications of board members;

19 (4) efficacy of efforts to ensure consistency
20 across boards;

21 (5) case management and record keeping sys-
22 tems, including electronic access to board prece-
23 dents;

24 (6) ease of personal appearances by claimants;

1 (7) expert review of medical and psychiatric
2 cases; and

3 (8) related potential structural changes or alter-
4 native board models.

5 (f) TERMINATION.—The Advisory Committee shall
6 terminate on the date that is four years after the date
7 of establishment under subsection (a).

8 (g) AUTHORITIES.—The Advisory Committee shall
9 have all normal authorities granted to advisory commit-
10 tees, including the ability for staff to request documents
11 from the Department of Defense, hold public hearings,
12 and travel in furtherance of the board mandate. The board
13 shall also be permitted, with assistance from personnel of
14 the Department of Defense, to administer surveys and
15 conduct field experiments to assess the viability of dif-
16 ferent policy options considered in the course of the activi-
17 ties of the Advisory Committee.

18 **SEC. 524. TIME REQUIREMENTS FOR CERTIFICATION OF**
19 **HONORABLE SERVICE.**

20 Upon the submission to the Secretary of a military
21 department or a designated commissioned officer serving
22 in the pay grade O–6 or higher by a member of the Armed
23 Forces of a completed United States Citizenship and Im-
24 migration Services Form N–426, the Secretary or the Of-
25 ficer shall—

1 (1) in the case of a member of the Armed
2 Forces who has served or is serving honorably on ac-
3 tive duty, provide certification that the nature of the
4 member's service has been honorable by not later
5 than five days from receiving the form;

6 (2) in the case of a member of the Armed
7 Forces who has served or is serving honorably in a
8 Reserve Component of the Armed Forces, provide
9 such certification by not later than three weeks from
10 receiving the form; and

11 (3) in the case of a member of the Armed
12 Forces whose service has been other than honorable,
13 provide to the member notice that a certification of
14 honorable service will not be provided and justifica-
15 tion for why such certification will not be provided—

16 (A) in the case of a member who has
17 served or is serving on active duty, by not later
18 than five days from receiving the form; and

19 (B) in the case of a member who has
20 served or is serving in a Reserve Component, by
21 not later than three weeks from receiving the
22 form.

1 **SEC. 525. PROHIBITION ON IMPLEMENTATION OF MILI-**
2 **TARY SERVICE SUITABILITY DETERMINA-**
3 **TIONS FOR FOREIGN NATIONALS WHO ARE**
4 **LAWFUL PERMANENT RESIDENTS.**

5 The Secretary of Defense may not take any action
6 to implement the memorandum titled “Military Service
7 Suitability Determinations for Foreign Nationals Who Are
8 Lawful Permanent Residents”, issued by the Secretary
9 and dated October 13, 2017, until the Secretary reports
10 to the congressional defense committees the justification
11 for the policy changes required by such memorandum.

12 **SEC. 526. STRATEGIC PLAN FOR DIVERSITY AND INCLU-**
13 **SION.**

14 (a) **PLAN REQUIRED.**—The Secretary of Defense
15 shall design and implement a five-year strategic plan for
16 diversity and inclusion in the Department of Defense.

17 (b) **ELEMENTS.**—The strategic plan under this sec-
18 tion—

19 (1) shall be based on the strategic plan estab-
20 lished under section 2 of Executive Order No. 13583
21 (3 Fed. Reg. 13583 (August 18, 2011));

22 (2) shall incorporate existing efforts to promote
23 diversity and inclusion within the Department; and

24 (3) may not conflict with the objectives of the
25 2018 National Military Strategy.

1 (c) DEADLINE.—The Secretary shall implement the
2 strategic plan under this section on January 1, 2020.

3 **SEC. 527. INDEPENDENT STUDY ON BARRIERS TO ENTRY**
4 **INTO THE ARMED FORCES FOR ENGLISH**
5 **LEARNERS.**

6 (a) INDEPENDENT STUDY.—Not later than 30 days
7 after the date of the enactment of this Act, the Secretary
8 of Defense shall seek to enter into a contract with
9 a federally funded research and development center under
10 which the center will conduct a study on barriers to entry
11 into the Armed Forces for English learners.

12 (b) ELEMENTS.—The study under subsection (a)
13 shall—

14 (1) identify barriers to entry into the Armed
15 Forces for English learners, including—

16 (A) challenges with military recruiters and
17 language proficiency;

18 (B) challenges with the assessment of po-
19 tential recruits, including the construction and
20 delivery of and testing time constraints related
21 to the Armed Services Vocational Aptitude Bat-
22 tery;

23 (C) challenges with dissemination of re-
24 cruiting information; and

1 (D) any other challenges that may be iden-
2 tified by the federally funded research and de-
3 velopment center in the course of the study;

4 (2) the effect of such barriers on—

5 (A) the number of interactions recruiters
6 have with English learners;

7 (B) the enlistment rate among populations
8 of English learners; and

9 (C) any other effects that may be identi-
10 fied by the federally funded research and devel-
11 opment center in the course of the study;

12 (3) an analysis of existing efforts and programs
13 to remove barriers to entry into the Armed Forces
14 for English learners, including an analysis of the
15 scalability and sustainability of such efforts and pro-
16 grams; and

17 (4) additional opportunities to address such
18 barriers, including alternative assessments and
19 Armed Services Vocational Aptitude Battery prepa-
20 ration programs for English learners.

21 (c) SUBMITTAL TO DEPARTMENT OF DEFENSE.—

22 Not later than 270 days after the date of the enactment
23 of this Act, the federally funded research and development
24 that conducts the study under subsection (a) shall submit

1 to the Secretary of Defense a report on the results of the
2 study.

3 (d) SUBMITTAL TO CONGRESS.—Not later than 30
4 days after the date on which the Secretary of Defense re-
5 ceives the report under subsection (c), the Secretary shall
6 submit to the congressional defense committees an
7 unaltered copy of the report and any comments of the Sec-
8 retary with respect to the report.

9 (e) ENGLISH LEARNER DEFINED.—In this section,
10 the term “English learner” has the meaning given that
11 term in section 8101 of the Elementary and Secondary
12 Education Act of 1965 (20 U.S.C. 7801).

13 **SEC. 528. REENLISTMENT WAIVERS FOR PERSONS SEPA-**
14 **RATED FROM THE ARMED FORCES WHO COM-**
15 **MIT ONE MISDEMEANOR CANNABIS OFFENSE.**

16 (a) IN GENERAL.—Not later than 90 days after the
17 date of the enactment of this Act, the Secretary of Defense
18 shall prescribe regulations that permit any Secretary of
19 a military department to grant a reenlistment waiver to
20 a covered person if the Secretary determines that the reen-
21 listment of that covered person is vital to the national in-
22 terest.

23 (b) DEFINITIONS.—In this section:

24 (1) The term “covered person” means an indi-
25 vidual—

1 (A) who has separated from the Armed
2 Forces; and

3 (B) who has admitted to or been convicted
4 by a court of competent jurisdiction of a single
5 violation—

6 (i) of any law of a State or the United
7 States relating to the use or possession of
8 cannabis;

9 (ii) that constitutes a misdemeanor;
10 and

11 (iii) that occurred while that indi-
12 vidual was not on active service in the
13 Armed Forces.

14 (2) The terms “active service” and “military
15 department” have the meanings given such terms in
16 section 101 of title 10, United States Code.

17 **SEC. 529. SENSE OF CONGRESS REGARDING ACCESSION**
18 **PHYSICALS.**

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

20 (1) United States Military Entrance Processing
21 Command (“USMEPCOM”) operates 65 Military
22 Entrance Processing Stations (“MEPS”) dispersed
23 throughout the 50 States and Puerto Rico.

24 (2) Applicants for accession into the Armed
25 Forces must travel to the closest MEPS to receive

1 physical examinations, are often driven by a military
2 recruiter, and receive lodging at a nearby hotel, paid
3 for by the Armed Force represented by that re-
4 cruter.

5 (3) In 2015, USMEPCOM reported that
6 473,000 applicants from the military and other
7 agencies processed through the 65 MEPS, for a
8 total of 931,000 MEPS visits.

9 (4) Section 1703 of title 38, United States
10 Code, authorizes the Secretary of Veterans Affairs
11 to enter into contracts with private health care pro-
12 viders for physical examinations.

13 (b) SENSE OF CONGRESS.—It is the sense of Con-
14 gress that the Secretary of Defense should explore alter-
15 natives to centralized accession physicals at MEPS, in-
16 cluding conducting physicals through community health
17 care providers, in order to reduce transportation costs, in-
18 crease efficiency in processing times, and free recruiters
19 to focus on the core of the recruiting mission.

20 **SEC. 530. RECOGNITION AND HONORING OF SERVICE OF**
21 **INDIVIDUALS WHO SERVED IN UNITED**
22 **STATES CADET NURSE CORPS DURING**
23 **WORLD WAR II.**

24 (a) DETERMINATION OF ACTIVE MILITARY SERV-
25 ICE.—

1 (1) IN GENERAL.—The Secretary of Defense
2 shall be deemed to have determined under subpara-
3 graph (A) of section 401(a)(1) of the GI Bill Im-
4 provement Act of 1977 (Public Law 95–202; 38
5 U.S.C. 106 note) that the service of the organization
6 known as the United States Cadet Nurse Corps dur-
7 ing the period beginning on July 1, 1943, and end-
8 ing on December 31, 1948, constitutes active mili-
9 tary service.

10 (2) ISSUANCE OF DISCHARGE.—Not later than
11 one year after the date of the enactment of this Act,
12 the Secretary shall, pursuant to subparagraph (B) of
13 such section, issue to each member of such organiza-
14 tion a discharge from service of such organization
15 under honorable conditions where the nature and
16 duration of the service of such member so warrants.

17 (b) BENEFITS.—

18 (1) STATUS AS A VETERAN.—Except as other-
19 wise provided in this subsection, an individual who
20 receives a discharge under subsection (a)(2) for serv-
21 ice shall be honored as a veteran but shall not be en-
22 titled by reason of such service to any benefit under
23 a law administered by the Secretary of Veterans Af-
24 fairs.

1 (2) BURIAL BENEFITS.—Service for which an
2 individual receives a discharge under subsection
3 (a)(2) shall be considered service in the active mili-
4 tary, naval, or air service (as defined in section 101
5 of title 38, United States Code) for purposes of eligi-
6 bility and entitlement to benefits under chapters 23
7 and 24 of title 38, United States Code, not including
8 section 2410 of that title.

9 (3) MEDALS OR OTHER COMMENDATIONS.—The
10 Secretary of Defense may design and produce a
11 service medal or other commendation to honor indi-
12 viduals who receive a discharge under subsection
13 (a)(2).

14 **SEC. 530A. DEVELOPMENT OF GUIDELINES FOR USE OF UN-**
15 **OFFICIAL SOURCES OF INFORMATION TO DE-**
16 **TERMINE ELIGIBILITY OF MEMBERS AND**
17 **FORMER MEMBERS OF THE ARMED FORCES**
18 **FOR BENEFITS AND DECORATIONS WHEN**
19 **THE SERVICE RECORDS ARE INCOMPLETE**
20 **BECAUSE OF DAMAGE TO THE OFFICIAL**
21 **RECORD.**

22 (a) GUIDELINES REQUIRED.—The Secretary of De-
23 fense shall develop guidelines regarding the use by the
24 Secretaries of the military departments and the Secretary
25 of Veterans Affairs of unofficial sources of information,

1 including eyewitness statements, to determine the eligi-
2 bility of a member or former member of the Armed Forces
3 for benefits and decorations when the service records of
4 the member are incomplete because of damage to the
5 records as a result of the 1973 fire at the National Per-
6 sonnel Records Center in St. Louis, Missouri, or any sub-
7 sequent incident while the records were in the possession
8 of the Department of Defense.

9 (b) CONSULTATION.—The Secretary of Defense shall
10 prepare the guidelines in consultation with the Secretary
11 of Veterans Affairs, with respect to veterans benefits
12 under title 38, United States Code, whose eligibility deter-
13 minations depend on the use of service records maintained
14 by the Department of Defense.

15 (c) TIME FOR COMPLETION.—The Secretary of De-
16 fense shall complete development of the guidelines not
17 later than one year after the date of the enactment of this
18 Act.

19 **SEC. 530B. NONDISCRIMINATION WITH RESPECT TO SERV-**
20 **ICE IN THE ARMED FORCES.**

21 (a) IN GENERAL.—Chapter 37 of title 10, United
22 States Code, is amended by inserting after section 651 the
23 following new section:

1 **“§ 651a. Members: nondiscrimination**

2 “(a) STANDARDS FOR ELIGIBILITY FOR SERVICE.—

3 Any qualifications established or applied for eligibility for
4 service in an armed force shall take into account only the
5 ability of an individual to meet gender-neutral occupa-
6 tional standards for military service generally and the
7 military occupational specialty concerned in particular,
8 and may not include any criteria relating to the race,
9 color, national origin, religion, or sex (including gender
10 identity or sexual orientation) of an individual.

11 “(b) EQUALITY OF TREATMENT IN SERVICE.—Any
12 personnel policy developed or implemented by the Depart-
13 ment of Defense with respect to members of the armed
14 forces shall ensure equality of treatment and opportunity
15 for all persons in the armed forces, without regard to race,
16 color, national origin, religion, and sex (including gender
17 identity and sexual orientation).

18 “(c) GENDER IDENTITY DEFINED.—In this section,
19 the term ‘gender identity’ means the gender-related iden-
20 tity, appearance, mannerisms, or other gender-related
21 characteristics of an individual, regardless of the individ-
22 ual’s designated sex at birth.”.

23 (b) CLERICAL AMENDMENT.—The table of sections
24 at the beginning of chapter 37 of such title is amended

1 by inserting after the item relating to section 651 the fol-
2 lowing new item:

“651a. Members: nondiscrimination.”.

3 **SEC. 530C. STUDY REGARDING SCREENING INDIVIDUALS**
4 **WHO SEEK TO ENLIST IN THE ARMED**
5 **FORCES.**

6 (a) STUDY.—The Secretary of Defense shall study
7 the feasibility of, in background investigations and secu-
8 rity and suitability screenings of individuals who seek to
9 enlist in the Armed Forces—

10 (1) screening for white nationalists and individ-
11 uals with ties to white nationalist organizations; and

12 (2) using the following resources of the Federal
13 Bureau of Investigation:

14 (A) The Tattoo and Graffiti Identification
15 Program.

16 (B) The National Gang Intelligence Cen-
17 ter.

18 (b) REPORT REQUIRED.—Not later than 90 days
19 after the date of the enactment of this Act, the Secretary
20 shall submit an unclassified report in writing to the con-
21 gressional defense committees containing conclusions of
22 the Secretary regarding the study under subsection (a).

1 **SEC. 530D. ADVICE AND COUNSEL OF TRAUMA EXPERTS IN**
2 **REVIEW BY BOARDS FOR CORRECTION OF**
3 **MILITARY RECORDS AND DISCHARGE RE-**
4 **VIEW BOARDS OF CERTAIN CLAIMS.**

5 (a) BOARDS FOR CORRECTION OF MILITARY
6 RECORDS.—Section 1552(g) of title 10, United States
7 Code, is amended—

8 (1) by inserting “(1)” after “(g)”; and

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

11 “(2) If a board established under subsection (a)(1)
12 is reviewing a claim described in subsection (h), the board
13 shall seek advice and counsel in the review from a psychia-
14 trist, psychologist, or social worker with training on men-
15 tal health issues associated with post-traumatic stress dis-
16 order or traumatic brain injury or other trauma as speci-
17 fied in the current edition of the Diagnostic and Statistical
18 Manual of Mental Disorders published by the American
19 Psychiatric Association.

20 “(3) If a board established under subsection (a)(1)
21 is reviewing a claim in which sexual trauma, intimate part-
22 ner violence, or spousal abuse is claimed, the board shall
23 seek advice and counsel in the review from an expert in
24 trauma specific to sexual assault, intimate partner vio-
25 lence, or spousal abuse, as applicable.”.

1 (b) DISCHARGE REVIEW BOARDS.—Section
2 1553(d)(1) of such title is amended—

3 (1) by inserting “(A)” after “(1)”; and

4 (2) by adding at the end the following new sub-
5 paragraph;

6 “(B) In the case of a former member described in
7 paragraph (3)(B) who claims that the former member’s
8 post-traumatic stress disorder or traumatic brain injury
9 as described in that paragraph is based in whole or in
10 part on sexual trauma, intimate partner violence, or
11 spousal abuse, a board established under this section to
12 review the former member’s discharge or dismissal shall
13 seek advice and counsel in the review from a psychiatrist,
14 psychologist, or social worker with training on mental
15 health issues associated with post-traumatic stress dis-
16 order or traumatic brain injury or other trauma as speci-
17 fied in the current edition of the Diagnostic and Statistical
18 Manual of Mental Disorders published by the American
19 Psychiatric Association.”.

1 **SEC. 530E. TRAINING OF MEMBERS OF BOARDS FOR COR-**
2 **RECTION OF MILITARY RECORDS AND DIS-**
3 **CHARGE REVIEW BOARDS ON SEXUAL TRAU-**
4 **MA, INTIMATE PARTNER VIOLENCE, SPOUSAL**
5 **ABUSE, AND RELATED MATTERS.**

6 (a) BOARDS FOR CORRECTION OF MILITARY
7 RECORDS.—The curriculum of training for members of
8 boards for the correction of military records under section
9 534(c) of the National Defense Authorization Act for Fis-
10 cal Year 2017 (10 U.S.C. 1552 note) shall include train-
11 ing on each of the following:

- 12 (1) Sexual trauma.
- 13 (2) Intimate partner violence.
- 14 (3) Spousal abuse.
- 15 (4) The various responses of individuals to
16 trauma.

17 (b) DISCHARGE REVIEW BOARDS.—

18 (1) IN GENERAL.—Each Secretary concerned
19 shall develop and provide training for members of
20 discharge review boards under section 1553 of title
21 10, United States Code, that are under the jurisdic-
22 tion of such Secretary on each of the following:

- 23 (A) Sexual trauma.
- 24 (B) Intimate partner violence.
- 25 (C) Spousal abuse.

1 (D) The various responses of individuals to
2 trauma.

3 (2) UNIFORMITY OF TRAINING.—The Secretary
4 of Defense and the Secretary of Homeland Security
5 shall jointly ensure that the training developed and
6 provided pursuant to this subsection is, to the extent
7 practicable, uniform.

8 (3) SECRETARY CONCERNED DEFINED.—In this
9 subsection, the term “Secretary concerned” has the
10 meaning given that term in section 101(a)(9) of title
11 10, United States Code.

12 **SEC. 530F. NOTIFICATION TO SECRETARY OF HOMELAND**
13 **SECURITY OF HONORABLE DISCHARGES OF**
14 **NON-CITIZENS.**

15 (a) NOTICE REQUIRED.—The Secretary of Defense
16 shall provide the Secretary of Homeland Security with a
17 copy of the Certificate of Release or Discharge from Active
18 Duty (DD Form 214) for each individual who is not a
19 citizen of the United States who is honorably discharged
20 from the Armed Forces so the Secretary of Homeland Se-
21 curity may note such discharge in an I-213 Record of De-
22 portable/Inadmissible Alien for that individual.

23 (b) DEADLINE.—The Secretary of Defense shall pro-
24 vide each notice under this section not later than 30 days
25 after the date of such discharge.

1 **SEC. 530G. PROHIBITION ON INVOLUNTARY SEPARATION**
2 **OR DEPORTATION OF MEMBERS OF THE**
3 **ARMED FORCES WHO ARE DACA RECIPIENTS**
4 **OR HAVE TEMPORARY PROTECTED STATUS.**

5 (a) DACA.—No covered person who has received de-
6 ferred action under the Deferred Action for Childhood Ar-
7 rivals program of the Department of Homeland Security,
8 established pursuant to the memorandum of the Secretary
9 of Homeland Security dated June 15, 2012, may, solely
10 on the basis of such deferred action, be—

11 (1) involuntarily separated from the Armed
12 Forces;

13 (2) placed into removal proceedings; or

14 (3) removed from the United States.

15 (b) TPS.—No covered person who has temporary
16 protected status under section 244 of the Immigration and
17 Nationality Act (8 U.S.C. 1254a), may, solely on the basis
18 of such status, be—

19 (1) involuntarily separated from the Armed
20 Forces;

21 (2) placed into removal proceedings; or

22 (3) removed from the United States.

23 (c) COVERED PERSON DEFINED.—In this section,
24 the term “covered person” means—

25 (1) a member of the Armed Forces; or

1 (2) an individual who was discharged from the
2 Armed Forces under honorable conditions.

3 **SEC. 530H. REVIEW OF DISCHARGE CHARACTERIZATION.**

4 (a) **SHORT TITLE.**—This section may cited as the
5 “Restore Honor to Service Members Act”.

6 (b) **IN GENERAL.**—In accordance with this section,
7 and in a manner that is consistent across the entire De-
8 partment of Defense, the appropriate discharge boards
9 shall review the discharge characterization of covered
10 members at the request of a covered member, and shall
11 change the discharge characterization of a covered mem-
12 ber to honorable if such change is determined to be appro-
13 priate after a review is conducted.

14 (c) **APPEAL.**—A covered member, or the representa-
15 tive of the member, may appeal a decision by the appro-
16 priate discharge board to not change the discharge charac-
17 terization by using the regular appeals process of the
18 board.

19 (d) **CHANGE OF RECORDS.**—For each covered mem-
20 ber whose discharge characterization is changed under
21 subsection (a), or for each covered member who was hon-
22 orably discharged but whose DD-214 form reflects the
23 sexual orientation of the member, the Secretary of Defense
24 shall reissue to the member or their representative a re-

1 vised DD-214 form that does not reflect the sexual ori-
2 entation of the member or reason for initial discharge.

3 (e) DEFINITIONS.—In this section:

4 (1) The term “appropriate discharge board”
5 means the boards for correction of military records
6 under section 1552 of title 10, United States Code,
7 or the discharge review boards under section 1553
8 of such title, as the case may be.

9 (2) The term “covered member” means any
10 former member of the Armed Forces who was dis-
11 charged from the Armed Forces because of the sex-
12 ual orientation of the member.

13 (3) The term “discharge characterization”
14 means the characterization under which a member
15 of the Armed forces is discharged or released, in-
16 cluding “dishonorable”, “general”, “other than hon-
17 orable”, and “honorable”.

18 (4) The term “representative” means the sur-
19 viving spouse, next of kin, or legal representative of
20 a covered member.

21 **Subtitle D—Military Justice**

22 **SEC. 531. COMMAND INFLUENCE.**

23 (a) IN GENERAL.—Section 837 of title 10, United
24 States Code (article 37 of the Uniform Code of Military
25 Justice), is amended—

1 (1) by striking “**Unlawfully influencing**
2 **action of court**” and inserting “**Command in-**
3 **fluence**”;

4 (2) by amending subsection (a) to read as fol-
5 lows:

6 “(a)(1) No court-martial convening authority, nor
7 any other commanding officer, may censure, reprimand,
8 or admonish the court or any member, military judge, or
9 counsel thereof, with respect to the findings or sentence
10 adjudged by the court, or with respect to any other exer-
11 cise of its or his functions in the conduct of the pro-
12 ceeding.

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

20 “(3) No person subject to this chapter may attempt
21 to coerce or, by any unauthorized means, attempt to influ-
22 ence the action of a court-martial or any other military
23 tribunal or any member thereof, in reaching the findings
24 or sentence in any case, or the action of any convening,
25 approving, or reviewing authority or preliminary hearing

1 officer with respect to such acts taken pursuant to this
2 chapter as prescribed by the President.

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

5 “(A) general instructional or informational
6 courses in military justice if such courses are de-
7 signed solely for the purpose of instructing members
8 of a command in the substantive and procedural as-
9 pects of courts-martial;

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

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

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

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

23 “(ii) a subordinate convening authority or offi-
24 cer may seek advice from a superior convening au-

1 thority or officer regarding the disposition of an al-
2 leged offense under this chapter.

3 “(B) No superior convening authority or officer may
4 direct a subordinate convening authority or officer to
5 make a particular disposition in a specific case or other-
6 wise substitute the discretion of such authority or such
7 officer for that of the subordinate convening authority or
8 officer.”;

9 (3) in subsection (b)—

10 (A) by striking “advanced, in grade” and
11 inserting “advanced in grade”; and

12 (B) by striking “accused before a court-
13 martial” and inserting “person in a court-mar-
14 tial proceeding”; and

15 (4) by adding at the end the following new sub-
16 sections:

17 “(c) No finding or sentence of a court-martial may
18 be held incorrect on the ground of a violation of this sec-
19 tion unless the violation materially prejudices the substan-
20 tial rights of the accused.

21 “(d)(1) A superior convening authority or com-
22 manding officer may withhold the authority of a subordi-
23 nate convening authority or officer to dispose of offenses
24 in individual cases, types of cases, or generally.

1 “(2) Except as provided in paragraph (1) or as other-
 2 wise authorized by this chapter, a superior convening au-
 3 thority or commanding officer may not limit the discretion
 4 of a subordinate convening authority or officer to act with
 5 respect to a case for which the subordinate convening au-
 6 thority or officer has authority to dispose of the offenses.”.

7 (b) CLERICAL AMENDMENT.—The table of sections
 8 at the beginning subchapter VII of chapter 47 of title 10,
 9 United States Code (the Uniform Code of Military Jus-
 10 tice), is amended by striking the item relating to section
 11 837 (article 37) and inserting the following new item:

“837. Art. 37. Command influence.”.

12 (c) EFFECTIVE DATE.—The amendments made by
 13 subsections (a) and (b) shall take effect on the date of
 14 the enactment of this Act and shall apply with respect to
 15 violations of section 837 of title 10, United States Code
 16 (article 37 of the Uniform Code of Military Justice), com-
 17 mitted on or after such date.

18 **SEC. 532. STATUTE OF LIMITATIONS FOR CERTAIN OF-**
 19 **FENSES.**

20 (a) IN GENERAL.—Section 843 of title 10, United
 21 States Code (article 43 of the Uniform Code of Military
 22 Justice), is amended—

23 (1) in subsection (a), by inserting “maiming of
 24 a child, kidnapping of a child,” after “sexual assault
 25 of a child,”; and

1 (2) in subsection (b)(2)(B)—

2 (A) by striking clauses (ii) and (iv); and

3 (B) by redesignating clause (iii) as clause

4 (ii).

5 (b) **EFFECTIVE DATE.**—The amendments made by
6 subsection (a) shall take effect on the date of the enact-
7 ment of this Act and shall apply with respect to the pros-
8 ecution of offenses committed before, on, or after the date
9 of the enactment of this Act if the applicable limitation
10 period has not yet expired.

11 **SEC. 533. GUIDELINES ON SENTENCES FOR OFFENSES**
12 **COMMITTED UNDER THE UNIFORM CODE OF**
13 **MILITARY JUSTICE.**

14 (a) **GUIDELINES REQUIRED.**—Not later than the
15 date specified in subsection (c), the Secretary of Defense
16 shall establish nonbinding guidelines on sentences for of-
17 fenses under chapter 47 of title 10, United States Code
18 (the Uniform Code of Military Justice). The guidelines
19 shall provide the sentencing authority with a suggested
20 range of punishments, including suggested ranges of con-
21 finement, that will generally be appropriate for a violation
22 of each offense under such chapter.

23 (b) **SENTENCING DATA.**—In developing the guide-
24 lines for sentences under subsection (a), the Secretary of
25 Defense shall take into account the sentencing data col-

1 lected by the Military Justice Review Panel pursuant to
2 section 946(f)(2) of title 10, United States Code (article
3 146(f)(2) of the Uniform Code of Military Justice).

4 (c) DATE SPECIFIED.—The date specified in this
5 subsection is the date that is not later than one year after
6 the date on the which the first report of the Military Jus-
7 tice Review Panel is submitted to the Committees on
8 Armed Services of the Senate and the House of Represent-
9 atives pursuant to section 946(f)(5) of title 10, United
10 States Code (article 146(f)(5) of the Uniform Code of
11 Military Justice).

12 **SEC. 534. EXPANSION OF RESPONSIBILITIES OF COM-**
13 **MANDERS FOR VICTIMS OF SEXUAL ASSAULT**
14 **COMMITTED BY ANOTHER MEMBER OF THE**
15 **ARMED FORCES.**

16 (a) NOTIFICATION OF VICTIMS OF EVENTS IN MILI-
17 TARY JUSTICE PROCESS.—

18 (1) NOTIFICATION REQUIRED.—The com-
19 mander of a member of the Armed Forces who is
20 the alleged victim of sexual assault committed by an-
21 other member of the Armed Forces shall provide no-
22 tification to such alleged victim of every key or other
23 significant event in the military justice process in
24 connection with the investigation, prosecution, and

1 confinement of such other member for sexual as-
2 sault.

3 (2) DOCUMENTATION.—Each commander de-
4 scribed in paragraph (1) shall create and maintain
5 appropriate documentation on any notification pro-
6 vided as described in that paragraph.

7 (b) DOCUMENTATION OF VICTIM’S PREFERENCE ON
8 JURISDICTION IN PROSECUTION.—In the case of a mem-
9 ber of the Armed Forces who is the alleged victim of sex-
10 ual assault committed by another member of the Armed
11 Forces who is subject to prosecution for such offense both
12 by court-martial under chapter 47 of title 10, United
13 States Code (the Uniform Code of Military Justice), and
14 by a civilian court under State law, the commander of such
15 alleged victim shall create and maintain appropriate docu-
16 mentation of the expressed preference, if any, of such al-
17 leged victim for prosecution of such offense by court-mar-
18 tial or by a civilian court as provided for by Rule 306(e)
19 of the Rules for Court-Martial.

20 (c) REGULATIONS.—The Secretary of Defense shall
21 prescribe in regulations the requirements applicable to
22 each of the following:

23 (1) Notifications under subsection (a)(1).

24 (2) Documentation under subsection (a)(2).

25 (3) Documentation under subsection (b).

1 **SEC. 535. INCREASE IN INVESTIGATIVE PERSONNEL AND**
2 **VICTIM WITNESS ASSISTANCE PROGRAM LI-**
3 **AISONS.**

4 (a) **MILITARY CRIMINAL INVESTIGATIVE SERV-**
5 **ICES.—**

6 (1) **MINIMUM STAFFING LEVEL.**—Not later
7 than one year after the date of the enactment of this
8 Act, the Secretary of each military department shall
9 ensure that the number of personnel assigned to the
10 military criminal investigative services of the depart-
11 ment is sufficient to ensure, to the extent prac-
12 ticable, that the investigation of any sex-related of-
13 fense is completed not later than six months after
14 the date on which the investigation is initiated.

15 (2) **STATUS REPORTS REQUIRED.**—Not later
16 than one year after the date of the enactment of this
17 Act, Secretary of each military department shall
18 issue guidance requiring that any criminal investi-
19 gator of the department who is assigned to inves-
20 tigate a sex-related offense submits a status report
21 to the direct supervisor of such investigator in the
22 event that the investigation of such offense exceeds
23 90 days in duration. Each status report shall in-
24 clude—

25 (A) a detailed explanation of the status of
26 the investigation;

1 (B) identification of any information that
2 has not yet been obtained but is necessary to
3 complete the investigation; and

4 (C) identification of any barriers pre-
5 venting the investigator from accessing such in-
6 formation.

7 (b) VICTIM WITNESS ASSISTANCE PROGRAM LIAI-
8 SONS.—Not later than one year after the date of the en-
9 actment of this Act, the Secretary of each military depart-
10 ment shall increase the number of personnel serving as
11 Victim Witness Assistance Program liaisons to address
12 personnel shortages in the Victim Witness Assistance Pro-
13 gram.

14 **SEC. 536. INCREASE IN NUMBER OF DIGITAL FORENSIC EX-**
15 **AMINERS FOR THE MILITARY CRIMINAL IN-**
16 **VESTIGATION ORGANIZATIONS.**

17 (a) IN GENERAL.—Each Secretary of a military de-
18 partment shall take appropriate actions to increase the
19 number of digital forensic examiners in each military
20 criminal investigation organization (MCIO) under the ju-
21 risdiction of such Secretary by not fewer than 10 from
22 the authorized number of such examiners for such organi-
23 zation as of September 30, 2019.

1 (b) MILITARY CRIMINAL INVESTIGATION ORGANIZA-
2 TIONS.—For purposes of this section, the military criminal
3 investigation organizations are the following:

4 (1) The Army Criminal Investigation Com-
5 mand.

6 (2) The Naval Criminal Investigative Service.

7 (3) The Air Force Office of Special Investiga-
8 tions.

9 (4) The Marine Corps. Criminal Investigation
10 Division.

11 (c) FUNDING.—Funds for additional digital forensic
12 examiners as required by subsection (a) for fiscal year
13 2020, including for compensation, initial training, and
14 equipment, shall be derived from amounts authorized to
15 be appropriated for that fiscal year for the Armed Force
16 concerned for operation and maintenance.

17 **SEC. 537. PILOT PROGRAMS ON DEFENSE INVESTIGATORS**
18 **IN THE MILITARY JUSTICE SYSTEM.**

19 (a) IN GENERAL.—Each Secretary of a military de-
20 partment shall carry out a pilot program on defense inves-
21 tigators within the military justice system under the juris-
22 diction of such Secretary in order to do the following:

23 (1) Determine whether the presence of defense
24 investigators within such military justice system
25 will—

1 (A) make such military justice system
2 more effective in providing an effective defense
3 for the accused; and

4 (B) make such military justice system
5 more fair and efficient.

6 (2) Otherwise assess the feasibility and advis-
7 ability of defense investigators as an element of such
8 military justice system.

9 (b) ELEMENTS.—

10 (1) INTERVIEW OF VICTIM.—A defense investi-
11 gator may question a victim under a pilot program
12 only upon a request made through the Special Vic-
13 tims' Counsel or other counsel if the victim does not
14 have such counsel.

15 (2) UNIFORMITY ACROSS MILITARY JUSTICE
16 SYSTEMS.—The Secretary of Defense shall ensure
17 that the personnel and activities of defense inves-
18 tigators under the pilot programs are, to the extent
19 practicable, uniform across the military justice sys-
20 tems of the military departments.

21 (c) REPORT.—

22 (1) IN GENERAL.—Not later than three years
23 after the date of the enactment of this Act, the Sec-
24 retary of Defense shall, in consultation with the Sec-
25 retaries of the military departments, submit to the

1 Committees on Armed Services of the Senate and
2 the House of Representatives a report on the pilot
3 programs under subsection (a).

4 (2) ELEMENTS.—The report required by para-
5 graph (1) shall include the following:

6 (A) A description of each pilot program,
7 including the personnel and activities of defense
8 investigators under such pilot program.

9 (B) An assessment of the feasibility and
10 advisability of establishing and maintaining de-
11 fense investigators as an element of the military
12 justice systems of the military departments.

13 (C) If the assessment under subparagraph
14 (B) is that the establishment and maintenance
15 of defense investigators as an element of the
16 military justice systems of the military depart-
17 ments is feasible and advisable, such rec-
18 ommendations for legislative and administrative
19 action as the Secretary of Defense considers ap-
20 propriate to establish and maintain defense in-
21 vestigators as an element of the military justice
22 systems.

23 (D) Any other matters the Secretary of
24 Defense considers appropriate.

1 **SEC. 538. PILOT PROGRAM ON PROSECUTION OF SPECIAL**
2 **VICTIM OFFENSES COMMITTED BY**
3 **ATTENDEES OF MILITARY SERVICE ACAD-**
4 **EMIES.**

5 (a) PILOT PROGRAM.—Beginning not later than Jan-
6 uary 1, 2020, the Secretary of Defense shall carry out a
7 pilot program (referred to in this section as the “Pilot
8 Program”) under which the Secretary shall establish, in
9 accordance with this section, an independent authority
10 to—

11 (1) review each covered special victim offense;
12 and

13 (2) determine whether such offense shall be re-
14 ferred to trial by an appropriate court-martial con-
15 vening authority.

16 (b) OFFICE OF THE CHIEF PROSECUTOR.—

17 (1) ESTABLISHMENT.—As part of the Pilot
18 Program, the Secretary shall establish, within the
19 Office of the Secretary of Defense, an Office of the
20 Chief Prosecutor.

21 (2) HEAD OF OFFICE.—The head of the Office
22 shall be known as the Chief Prosecutor. The Sec-
23 retary shall appoint as the Chief Prosecutor a com-
24 missioned officer in the grade of O–7 or above
25 who—

1 (A) has significant experience prosecuting
2 sexual assault trials by court-martial; and

3 (B) is outside the chain of command of
4 any cadet or midshipman described in sub-
5 section (f)(2).

6 (3) RESPONSIBILITIES.—The Chief Prosecutor
7 shall exercise the authorities described in subsection
8 (c) but only with respect to covered special victim of-
9 fenses.

10 (4) SPECIAL RULE.—Notwithstanding any other
11 provision of law, the military service from which the
12 Chief Prosecutor is appointed is authorized an addi-
13 tional billet for a general officer or a flag officer for
14 each year in the two year period beginning with the
15 year in which the appointment is made.

16 (5) TERMINATION.—The Office of the Chief
17 Prosecutor shall terminate on the date on which the
18 Pilot Program terminates under subsection (e).

19 (c) REFERRAL TO OFFICE OF THE CHIEF PROS-
20 ECUTOR.—

21 (1) INVESTIGATION PHASE.—

22 (A) NOTICE AND INFORMATION.—A mili-
23 tary criminal investigative organization that re-
24 ceives an allegation of a covered special victim
25 offense shall provide to the Chief Prosecutor

1 and the commander of the military service
2 academy concerned—

3 (i) timely notice of such allegation;
4 and

5 (ii) any information and evidence ob-
6 tained as the result a subsequent investiga-
7 tion into the allegation.

8 (B) TRIAL COUNSEL.—A trial counsel as-
9 signed to a case involving a covered special vic-
10 tim offense shall, during the investigative phase
11 of such case, provide the Chief Prosecutor with
12 the information necessary to enable the Chief
13 Prosecutor to make the determination required
14 under paragraph (3).

15 (2) REFERRAL TO CHIEF PROSECUTOR.—In the
16 case of a charge relating to a covered special victim
17 offense, in addition to referring the charge to the
18 staff judge advocate under subsection (a) or (b) of
19 section 834 of title 10, United States Code (article
20 34 of the Uniform Code of Military Justice), the
21 convening authority of the Armed Force of which
22 the accused is a member shall refer, as soon as rea-
23 sonably practicable, the charge to the Chief Pros-
24 ecutor to make the determination required by para-
25 graph (3).

1 (3) PROSECUTORIAL DETERMINATION.—The
2 Chief Prosecutor shall make a determination regard-
3 ing whether a charge relating to a covered special
4 victim offense shall be referred to trial. If the Chief
5 Prosecutor makes a determination that the charge
6 shall be tried by court-martial, the Chief Prosecutor
7 also shall determine whether the charge shall be
8 tried by a general court-martial convened under sec-
9 tion 822 of title 10, United States Code (article 22
10 of the Uniform Code of Military Justice) or a special
11 court-martial convened under section 823 of such
12 title (article 23 of the Uniform Code of Military Jus-
13 tice). The determination of whether to try a charge
14 relating to a covered special victim offense by court-
15 martial shall include a determination of whether to
16 try any known offenses, including any lesser in-
17 cluded offenses.

18 (4) EFFECT OF DETERMINATION AND APPEALS
19 PROCESS.—

20 (A) DETERMINATION TO PROCEED TO
21 TRIAL.—Subject to subparagraph (C) deter-
22 mination to try a charge relating to a covered
23 special victim offense by court-martial under
24 paragraph (3), and the determination as to the
25 type of court-martial, shall be binding on any

1 convening authority under chapter 47 of title
2 10, United States Code (the Uniform Code of
3 Military Justice) for a trial by court-martial on
4 the charge.

5 (B) DETERMINATION NOT TO PROCEED TO
6 TRIAL.—Subject to subparagraph (C) deter-
7 mination under paragraph (3) not to proceed to
8 trial on a charge relating to a covered special
9 victim offense by general or special court-mar-
10 tial shall be binding on any convening authority
11 under chapter 47 of title 10, United States
12 Code (the Uniform Code of Military Justice) ex-
13 cept that such determination shall not operate
14 to terminate or otherwise alter the authority of
15 the convening authority—

16 (i) to proceed to trial by court-martial
17 on charges of collateral misconducted re-
18 lated to the special victim offense; or

19 (ii) to impose non-judicial punishment
20 in connection with the conduct covered by
21 the charge as authorized by section 815 of
22 such title (article 15 of the Uniform Code
23 of Military Justice).

24 (C) APPEAL.—In a case in which a con-
25 vening authority and the staff judge advocate

1 advising such authority disagree with the deter-
2 mination of the Chief Prosecutor under para-
3 graph (3), the convening authority and staff
4 judge advocate may jointly appeal the deter-
5 mination to the General Counsel of the Depart-
6 ment of Defense. The determination of the Gen-
7 eral Counsel with respect to such appeal shall
8 be binding on the Chief Prosecutor and the con-
9 vening authority concerned.

10 (5) TRIAL BY RANDOMIZED JURY.—After the
11 Chief Prosecutor makes a determination under para-
12 graph (3) to proceed to trial on a charge relating to
13 a covered special victim offense, the matter shall be
14 tried by a court-martial convened within the Armed
15 Force of which the accused is a member in accord-
16 ance with the applicable provisions of chapter 47 of
17 title 10, United States Code (the Uniform Code of
18 Military Justice) except that, when convening a
19 court-martial that is a general or special court-mar-
20 tial involving a covered special victim offense in
21 which the accused elects a jury trial, the convening
22 authority shall detail members of the Armed Forces
23 as members thereof at random unless the
24 obtainability of members of the Armed Forces for

1 such court-martial prevents the convening authority
2 from detailing such members at random.

3 (6) UNLAWFUL INFLUENCE OR COERCION.—

4 The actions of the Chief Prosecutor under this sub-
5 section whether or not to try charges by court-mar-
6 tial shall be free of unlawful or unauthorized influ-
7 ence or coercion.

8 (d) EFFECT ON OTHER LAW.—This section shall su-
9 persede any provision of chapter 47 of title 10, United
10 States Code (the Uniform Code of Military Justice), that
11 is inconsistent with this section, but only to the extent of
12 the inconsistency.

13 (e) TERMINATION AND TRANSITION.—

14 (1) TERMINATION.—The authority of the Sec-
15 retary to carry out the Pilot Program shall termi-
16 nate four years after the date on which the Pilot
17 Program is initiated.

18 (2) TRANSITION.—The Secretary shall take
19 such actions as are necessary to ensure that, on the
20 date on which the Pilot Program terminates under
21 paragraph (1), any matter referred to the Chief
22 Prosecutor under subsection (c)(2), but with respect
23 to which the Chief Prosecutor has not made a deter-
24 mination under subsection (c)(3), shall be trans-

1 ferred to the appropriate convening authority for
2 consideration.

3 (f) DEFINITIONS.—In this section:

4 (1) The term “Armed Force” has the meaning
5 given that term in section 101(a)(4) of title 10,
6 United States Code.

7 (2) The term “covered special victim offense”
8 means a special victim offense—

9 (A) alleged to have been committed on or
10 after the date of the enactment of this Act by
11 a cadet of the United States Military Academy,
12 the United States Air Force Academy, or the
13 United States Coast Guard Academy, without
14 regard to the location at which the offense was
15 committed; or

16 (B) alleged to have been committed on or
17 after the date of the enactment of this Act by
18 a midshipman of the United States Naval Acad-
19 emy, without regard to the location at which
20 the offense was committed.

21 (3) The term “Secretary” means the Secretary
22 of Defense.

23 (4) The term “special victim offense” means
24 any of the following:

1 (A) An offense under section 917a, 920,
2 920b, 920c, or 930 of title 10, United States
3 Code (article 117a, 120, 120b, 120c, or 130 of
4 the Uniform Code of Military Justice).

5 (B) A conspiracy to commit an offense
6 specified in subparagraph (A) as punishable
7 under section 881 of such title (article 81 of the
8 Uniform Code of Military Justice).

9 (C) A solicitation to commit an offense
10 specified in subparagraph (A) as punishable
11 under section 882 of such title (article 82 of the
12 Uniform Code of Military Justice).

13 (D) An attempt to commit an offense spec-
14 ified in subparagraph (A) as punishable under
15 section 880 of such title (article 80 of the Uni-
16 form Code of Military Justice).

17 **SEC. 539. TIMELY DISPOSITION OF NONPROSECUTABLE**
18 **SEX-RELATED OFFENSES.**

19 (a) **POLICY REQUIRED.**—Not later than 180 days
20 after the date of the enactment of this Act, the Secretary
21 of Defense shall develop and implement a policy to ensure
22 the timely disposition of nonprosecutable sex-related of-
23 fenses in accordance with subsection (b).

24 (b) **ELEMENTS.**—The policy developed under sub-
25 section (a) shall require the following:

1 (1) Not later than seven days after the date on
2 which a court-martial convening authority declines
3 to refer a nonprosecutable sex-related offense for
4 trial by general or special court-martial under chap-
5 ter 47 of title 10, United States Code (the Uniform
6 Code of Military Justice), the convening authority
7 will forward the investigation to the commander of
8 the accused.

9 (2) Not later than 90 days after the date on
10 which the commander of the accused receives the in-
11 vestigation under paragraph (1)—

12 (A) the commander will determine whether
13 or not to take other judicial, nonjudicial, or ad-
14 ministrative action in connection with the con-
15 duct covered by the investigation, including any
16 lesser included offenses, as authorized under
17 section 815 of title 10, United States Code (ar-
18 ticle 15 of the Uniform Code of Military Jus-
19 tice); and

20 (B) in a case in which the commander of
21 the accused decides to take additional action
22 under subparagraph (A), the commander take
23 such actions as appropriate.

24 (c) NONPROSECUTABLE SEX-RELATED OFFENSE
25 DEFINED.—In this section, the term “nonprosecutable

1 sex-related offense” means an alleged sex-related offense
2 (as that term is defined in section 1044e(g) of title 10,
3 United States Code) that a court-martial convening au-
4 thority has declined to refer for trial by a general or spe-
5 cial court-martial under chapter 47 of title 10, United
6 States Code (the Uniform Code of Military Justice) due
7 to a determination that there is insufficient evidence to
8 support prosecution of the sex-related offense.

9 **SEC. 540. TRAINING FOR SEXUAL ASSAULT INITIAL DIS-**
10 **POSITION AUTHORITIES ON EXERCISE OF**
11 **DISPOSITION AUTHORITY FOR SEXUAL AS-**
12 **SAULT AND COLLATERAL OFFENSES.**

13 (a) IN GENERAL.—The training for sexual assault
14 initial Disposition authorities on the exercise of disposition
15 authority under chapter 47 of title 10, United States Code
16 (the Uniform Code of Military Justice), with respect to
17 cases for which disposition authority is withheld to such
18 authorities by the April 20, 2012, memorandum of the
19 Secretary of Defense, or any successor memorandum, shall
20 include comprehensive training on the exercise by such au-
21 thorities of such authority with respect to such cases in
22 order to enhance the capabilities of such Authorities in
23 the exercise of such authority and thereby promote con-
24 fidence and trust in the military justice process with re-
25 spect to such cases.

1 (b) MEMORANDUM OF SECRETARY OF DEFENSE.—
2 The April 20, 2012, memorandum of the Secretary of De-
3 fense referred to in subsection (a) is the memorandum of
4 the Secretary of Defense entitled “Withholding Initial Dis-
5 position Authority Under the Uniform Code of Military
6 Justice in Certain Sexual Assault Cases” and dated April
7 20, 2012.

8 **SEC. 540A. ASSESSMENT OF RACIAL, ETHNIC, AND GENDER**
9 **DISPARITIES IN THE MILITARY JUSTICE SYS-**
10 **TEM.**

11 (a) IN GENERAL.—Not later than 180 days after the
12 date of the enactment of this Act, the Secretary of Defense
13 shall carry out the activities described in subsection (b)
14 to improve the ability of the Department of Defense to
15 detect and address racial, ethnic, and gender disparities
16 in the military justice system.

17 (b) ACTIVITIES DESCRIBED.—The activities de-
18 scribed in this subsection are the following:

19 (1) For each court-martial carried out by an
20 Armed Force after the date of the enactment of this
21 Act, the Secretary of Defense shall require the head
22 of the Armed Force concerned—

23 (A) to record the race, ethnicity, and gen-
24 der of the victim and the accused, and such
25 other demographic information about the victim

1 and the accused as the Secretary considers ap-
2 propriate;

3 (B) to include data based on the informa-
4 tion described in subparagraph (A) in the an-
5 nual military justice reports of the Armed
6 Force.

7 (2) The Secretary of Defense, in consultation
8 with the Secretaries of the military departments and
9 the Secretary of Homeland Security, shall issue
10 guidance that—

11 (A) establishes criteria to determine when
12 data indicating possible racial, ethnic, or gender
13 disparities in the military justice process should
14 be further reviewed; and

15 (B) describes how such a review should be
16 conducted.

17 (3) The Secretary of Defense, in consultation
18 with the Secretaries of the military departments and
19 the Secretary of Homeland Security, shall—

20 (A) conduct an evaluation to identify the
21 causes of any racial, ethnic, or gender dispari-
22 ties in the military justice system;

23 (B) take steps to address the causes of
24 such disparities, as appropriate.

1 **SEC. 540B. EXPANSION OF PRE-REFERRAL MATTERS RE-**
2 **VIEWABLE BY MILITARY JUDGES AND MILI-**
3 **TARY MAGISTRATES IN THE INTEREST OF EF-**
4 **FICIENCY IN MILITARY JUSTICE.**

5 (a) IN GENERAL.—Subsection (a) of section 830a of
6 title 10, United States Code (article 30a of the Uniform
7 Code of Military Justice), is amended by striking para-
8 graphs (1) and (2) and inserting the following new para-
9 graphs:

10 (1) The President shall prescribe regulations
11 for matters relating to proceedings conducted before
12 referral of charges and specifications to court-mar-
13 tial for trial, including the following:

14 (A) Pre-referral investigative subpoenas.

15 (B) Pre-referral warrants or orders for
16 electronic communications.

17 (C) Pre-referral matters referred by an ap-
18 pellate court.

19 (D) Pre-referral matters under subsection
20 (c) or (e) of section 806b of this title (article
21 6b).

22 (E) Pre-referral matters relating to the fol-
23 lowing:

24 (i) Pre-trial confinement of an ac-
25 cused.

26 (ii) The accused's mental capacity.

1 (iii) A request for an individual mili-
 2 tary counsel.

3 (2) In addition to the matters specified in para-
 4 graph (1), the regulations prescribed under that
 5 paragraph shall—

6 (A) set forth the matters that a military
 7 judge may rule upon in such proceedings;

8 (B) include procedures for the review of
 9 such rulings; and

10 (C) include appropriate limitations to en-
 11 sure that proceedings under this section extend
 12 only to matters that would be subject to consid-
 13 eration by a military judge in a general or spe-
 14 cial court-martial.

15 (b) CONFORMING AND CLERICAL AMENDMENTS.—

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

18 **“§ 830A. Art. 30a. proceedings conducted before refer-
 19 ral”.**

20 (2) CLERICAL AMENDMENT.—The table of sec-
 21 tions at the beginning of subchapter VI of chapter
 22 47 of title 10, United States Code (the Uniform
 23 Code of Military Justice), is amended by striking the
 24 item relating to section 830 (article 30a) and insert-
 25 ing the following new item:

“830a. 30a. Proceedings conducted before referral.”.

1 **SEC. 540C. TRAINING FOR COMMANDERS IN THE ARMED**
2 **FORCES ON THEIR ROLE IN ALL STAGES OF**
3 **MILITARY JUSTICE IN CONNECTION WITH**
4 **SEXUAL ASSAULT.**

5 (a) IN GENERAL.—The training provided com-
6 manders in the Armed Forces shall include comprehensive
7 training on the role of commanders in all stages of mili-
8 tary justice in connection with sexual assaults by members
9 of the Armed Forces against other members of the Armed
10 Forces.

11 (b) ELEMENTS TO BE COVERED.—The training pro-
12 vided pursuant to subsection (a) shall include training on
13 the following:

14 (1) The role of commanders in each stage of
15 the military justice process in connection with sexual
16 assault committed by a member of the Armed
17 Forces against another member, including investiga-
18 tion and prosecution.

19 (2) The role of commanders in assuring that
20 victims in sexual assault described in paragraph (1)
21 are informed of, and have the opportunity to obtain,
22 assistance available for victims of sexual assault by
23 law.

24 (3) The role of commanders in assuring that
25 victims in sexual assault described in paragraph (1)

1 are afforded the due process rights and protections
2 available to victims by law.

3 (4) The role of commanders in preventing retal-
4 iation against victims, their family members, wit-
5 nesses, first responders, and bystanders for their
6 complaints, statements, testimony, and status in
7 connection with sexual assault described in para-
8 graph (1), including the role of commanders in en-
9 suring that subordinates in the command are aware
10 of their responsibilities in preventing such retalia-
11 tion.

12 (5) The role of commanders in establishing and
13 maintaining a healthy command climate in connec-
14 tion with reporting on sexual assault described in
15 paragraph (1) and in the response of the com-
16 mander, subordinates in the command, and other
17 personnel in the command to such sexual assault,
18 such reporting, and the military justice process in
19 connection with such sexual assault.

20 (6) Any other matters on the role of com-
21 manders in connection with sexual assault described
22 in paragraph (1) that the Secretary of Defense con-
23 sider appropriate for purposes of this section.

24 (c) INCORPORATION OF BEST PRACTICES.—

1 (1) IN GENERAL.—The training provided pur-
 2 suant to subsection (a) shall incorporate best prac-
 3 tices on all matters covered by the training.

4 (2) IDENTIFICATION OF BEST PRACTICES.—The
 5 Secretaries of the military departments shall, acting
 6 through the training and doctrine commands of the
 7 Armed Forces, undertake from time to time surveys
 8 and other reviews of the matters covered by the
 9 training provided pursuant to subsection (a) in order
 10 to identify and incorporate into such training the
 11 most current practicable best practices on such mat-
 12 ters.

13 (d) UNIFORMITY.—The Secretary of Defense shall
 14 ensure that the training provided pursuant to subsection
 15 (a) is, to the extent practicable, uniform across the Armed
 16 Forces.

17 **Subtitle E—Other Legal Matters**

18 **SEC. 541. STANDARD OF EVIDENCE APPLICABLE TO INVES-**
 19 **TIGATIONS AND REVIEWS RELATED TO PRO-**
 20 **TECTED COMMUNICATIONS OF MEMBERS OF**
 21 **THE ARMED FORCES AND PROHIBITED RE-**
 22 **TALIATORY ACTIONS.**

23 (a) STANDARD OF EVIDENCE.—Section 1034 of title
 24 10, United States Code, is amended—

1 (1) in subsection (b)(1)(B)(ii), by striking “as
2 defined in subsection (i)” and inserting “as defined
3 in subsection (k)”;

4 (2) by redesignating subsections (i) and (j) as
5 subsections (j) and (k), respectively; and

6 (3) by inserting after subsection (h) the fol-
7 lowing new subsection (i):

8 “(i) STANDARD OF EVIDENCE.—A finding or other
9 determination made under any of subsections (c), (d), (g),
10 or (h) may be based on the standards of evidence specified
11 in section 1221(e) of title 5.”.

12 (b) APPLICABILITY.—The amendments made by sub-
13 section (a) shall not apply to members of the Coast Guard.

14 (c) EFFECTIVE DATE.—The amendments made by
15 subsection (a) shall take effect on the date that is 30 days
16 after the date of the enactment of this Act, and shall apply
17 with respect to allegations pending or submitted under
18 section 1034 of title 10, United States Code, on or after
19 that date.

20 **SEC. 542. EXPANSION OF SPECIAL VICTIMS’ COUNSEL FOR**
21 **VICTIMS OF SEX-RELATED OR DOMESTIC VIO-**
22 **LENCE OFFENSES.**

23 (a) IN GENERAL.—Section 1044e of title 10, United
24 States Code, is amended—

1 (1) in the section heading, by striking “**sex-re-**
2 **lated**” and inserting “**sex-related or domestic**
3 **violence**”;

4 (2) by striking “alleged sex-related offense”
5 each place it appears and inserting “alleged sex-re-
6 lated offense or alleged domestic violence offense”;

7 (3) in subsection (a)—

8 (A) in paragraph (1), by striking “an indi-
9 vidual described in paragraph (2)” and insert-
10 ing “an individual described in paragraph (3)”;

11 (B) by redesignating paragraph (2) as
12 paragraph (3); and

13 (C) by inserting after paragraph (1) the
14 following new paragraph (2):

15 “(2) The Secretary concerned shall designate para-
16 legals (to be known as ‘Special Victims’ Counsel Para-
17 legals’) for the purpose of providing paralegal assistance
18 to Special Victims’ Counsel.”;

19 (4) in subsection (b)(2), by inserting “or the
20 Family Advocacy Program” after “Victim Witness
21 Assistance Program”;

22 (5) in subsection (d)(2)—

23 (A) in subparagraph (A)—

24 (i) by striking “Special Victims’ Coun-
25 sel” and inserting “Special Victims’ Coun-

1 sel and a Special Victims’ Counsel Para-
2 legal”; and

3 (ii) by striking “and” at the end;

4 (B) in subparagraph (B), by striking “Spe-
5 cial Victims’ Counsel.” and inserting “and a
6 Special Victims’ Counsel Paralegal; and”; and

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

9 “(C) ensure that a Special Victims’ Counsel re-
10 ceives the training necessary to meet the needs of a
11 victim of an alleged sex-related offense or an alleged
12 domestic violence offense.”;

13 (6) in subsection (f)(1), by inserting “a rep-
14 resentative of the Family Advocacy Program,” after
15 “Sexual Assault Victim Advocate,”;

16 (7) by amending subsection (g) to read as fol-
17 lows:

18 “(g) DEFINITIONS.—In this section:

19 “(1) The term ‘alleged sex-related offense’
20 means any allegation of—

21 “(A) a violation of section 920, 920b,
22 920c, or 930 of this title (article 120, 120b,
23 120c, or 130 of the Uniform Code of Military
24 Justice); or

1 “(B) an attempt to commit an offense
2 specified in a subparagraph (A) as punishable
3 under section 880 of this title (article 80 of the
4 Uniform Code of Military Justice).

5 “(2) The term ‘alleged domestic violence of-
6 fense’ means any allegation of—

7 “(A) a violation of section 928b of this
8 title (article 128b of the Uniform Code of Mili-
9 tary Justice); or

10 “(B) an attempt to commit such an offense
11 as punishable under section 880 of this title
12 (article 80 of the Uniform Code of Military
13 Justice).”; and

14 (8) by adding at the end the following new sub-
15 sections:

16 “(i) MINIMUM STAFFING LEVEL.—Not later than
17 two years after the date of enactment of this subsection,
18 the Secretaries concerned shall ensure that the number
19 Special Victims’ Counsel serving in each military depart-
20 ment is sufficient to ensure that the average caseload of
21 a Special Victims’ Counsel does not exceed 25 cases at
22 any given time.

23 “(j) REPORT REQUIRED.—Not later than December
24 1, 2022, the Secretary of Defense, in consultation with
25 the Secretaries concerned, shall submit to the Committees

1 on Armed Services of the Senate and the House of Rep-
 2 resentatives a report that includes—

3 “(1) an analysis of the caseloads of Special Vic-
 4 tims’ Counsel and Special Victims’ Counsel Para-
 5 legals, respectively;

6 “(2) an assessment of the ability of the military
 7 departments to fill additional authorized billets for
 8 the Special Victims’ Counsel program to meet mis-
 9 sion requirements; and

10 “(3) a description of how the training require-
 11 ments for the Special Victims’ Counsel program
 12 have been expanded to meet the needs of victims of
 13 alleged domestic violence offenses.”.

14 (b) CLERICAL AMENDMENT.—The table of sections
 15 at the beginning of chapter 53 of title 10, United States
 16 Code, is amended by striking the item relating to section
 17 1044e and inserting the following new item:

“1044e. Special Victims’ Counsel for victims of sex-related or domestic violence
 offenses.”.

18 **SEC. 543. NOTIFICATION OF ISSUANCE OF MILITARY PRO-**
 19 **TECTIVE ORDER TO CIVILIAN LAW ENFORCE-**
 20 **MENT.**

21 (a) NOTIFICATION OF ISSUANCE.—Section 1567a of
 22 title 10, United States Code, is amended—

23 (1) in subsection (a), by striking “and any indi-
 24 vidual involved in the order does not reside on a

1 military installation at any time during the duration
2 of the military protective order, the commander of
3 the military installation shall notify” and inserting
4 “, the commander of the unit to which the member
5 is assigned shall, not later than seven days after the
6 date of the issuance of the order, notify”;

7 (2) by redesignating subsection (b) as sub-
8 section (c);

9 (3) by inserting after subsection (a) the fol-
10 lowing new subsection (b);

11 “(b) NOTIFICATION IN EVENT OF TRANSFER.—In
12 the event that a member of the armed forces against whom
13 a military protective order is issued is transferred to an-
14 other unit—

15 “(1) not later than the date of the transfer, the
16 commander of the unit from which the member is
17 transferred shall notify the commander of the unit
18 to which the member is transferred of—

19 “(A) the issuance of the protective order;
20 and

21 “(B) the individuals involved in the order;
22 and

23 “(2) not later than seven days after receiving
24 the notice under paragraph (1), the commander of
25 the unit to which the member is transferred shall

1 provide notice of the order to the appropriate civilian
2 authorities in accordance with subsection (a).”; and
3 (4) in subsection (c), as so redesignated, by
4 striking “commander of the military installation”
5 and inserting “commander of the unit to which the
6 member is assigned”.

7 (b) ANNUAL REPORT REQUIRED.—Not later than
8 March 1, 2020, and each year thereafter through 2024,
9 the Secretary of Defense shall submit to the congressional
10 defense committees a report that identifies—

11 (1) the number of military protective orders
12 issued in the calendar year preceding the year in
13 which the report is submitted; and

14 (2) the number of such orders that were re-
15 ported to appropriate civilian authorities in accord-
16 ance with section 1567a(a) of title 10, United States
17 Code, in such preceding year.

18 **SEC. 544. POLICIES AND PROCEDURES ON REGISTRATION**
19 **AT MILITARY INSTALLATIONS OF CIVIL PRO-**
20 **TECTION ORDERS APPLICABLE TO MEMBERS**
21 **OF THE ARMED FORCES ASSIGNED TO SUCH**
22 **INSTALLATIONS AND CERTAIN OTHER INDIVIDUALS.**
23

24 (a) POLICIES AND PROCEDURES REQUIRED.—Not
25 later than one year after the date of the enactment of this

1 Act, the Secretary of Defense shall, in consultation with
2 the Secretaries of the military departments, establish poli-
3 cies and procedures for the registration at military instal-
4 lations of any civil protection orders described in sub-
5 section (b), including the duties and responsibilities of
6 commanders of installations in the registration process.

7 (b) CIVIL PROTECTION ORDERS.—A civil protection
8 order described in this subsection is any civil protective
9 order as follows:

10 (1) A civil protection order against a member of
11 the Armed Forces assigned to the installation con-
12 cerned.

13 (2) A civil protection order against a civilian
14 employee employed at the installation concerned.

15 (3) A civil protection order against the civilian
16 spouse or intimate partner of a member of the
17 Armed Forces on active duty and assigned to the in-
18 stallation concerned, or of a civilian employee de-
19 scribed in paragraph (2), which order provides for
20 the protection of such member or employee.

21 (c) PARTICULAR ELEMENTS.—The policies and pro-
22 cedures required by subsection (a) shall include the fol-
23 lowing:

24 (1) A requirement for notice between and
25 among the commander, military law enforcement ele-

1 ments, and military criminal investigative elements
2 of an installation when a member of the Armed
3 Forces assigned to such installation, a civilian em-
4 ployee employed at such installation, a civilian
5 spouse or intimate partner of a member assigned to
6 such installation, or a civilian spouse or intimate
7 partner of a civilian employee employed at such in-
8 stallation becomes subject to a civil protection order.

9 (2) A statement of policy that failure to register
10 a civil protection order may not be a justification for
11 the lack of enforcement of such order by military
12 law enforcement and other applicable personnel who
13 have knowledge of such order.

14 (d) LETTER.—As soon as practicable after estab-
15 lishing the policies and procedures required by subsection
16 (a), the Secretary shall submit to the Committees on
17 Armed Services of the Senate and the House of Represent-
18 atives a letter that includes the following:

19 (1) A detailed description of the policies and
20 procedures.

21 (2) A certification by the Secretary that the
22 policies and procedures have been implemented on
23 each military installation.

1 **SEC. 545. CLARIFICATIONS REGARDING SCOPE OF EMPLOY-**
2 **MENT AND REEMPLOYMENT RIGHTS OF MEM-**
3 **BERS OF THE UNIFORMED SERVICES.**

4 (a) CLARIFICATION REGARDING DEFINITION OF
5 RIGHTS AND BENEFITS.—Section 4303(2) of title 38,
6 United States Code, is amended—

7 (1) by inserting “(A)” before “The term”; and

8 (2) by adding at the end the following new sub-
9 paragraph:

10 “(B) Any procedural protections or provisions
11 set forth in this chapter shall also be considered a
12 right or benefit subject to the protection of this
13 chapter.”.

14 (b) CLARIFICATION REGARDING RELATION TO
15 OTHER LAW AND PLANS FOR AGREEMENTS.—Section
16 4302 of such title is amended by adding at the end the
17 following:

18 “(c)(1) Pursuant to this section and the procedural
19 rights afforded by subchapter III of this chapter, any
20 agreement to arbitrate a claim under this chapter is unen-
21 forceable, unless all parties consent to arbitration after a
22 complaint on the specific claim has been filed in court or
23 with the Merit Systems Protection Board and all parties
24 knowingly and voluntarily consent to have that particular
25 claim subjected to arbitration.

1 “(2) For purposes of this subsection, consent shall
 2 not be considered voluntary when a person is required to
 3 agree to arbitrate an action, complaint, or claim alleging
 4 a violation of this chapter as a condition of future or con-
 5 tinued employment, advancement in employment, or re-
 6 ceipt of any right or benefit of employment.”.

7 **SEC. 546. MILITARY ORDERS REQUIRED FOR TERMINATION**
 8 **OF LEASES PURSUANT TO THE**
 9 **SERVICEMEMBERS CIVIL RELIEF ACT.**

10 Section 305(i) of the Servicemembers Civil Relief Act
 11 (50 U.S.C. 3955) is amended—

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

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

17 “(3) PERMANENT CHANGE OF STATION.—The
 18 term ‘permanent change of station’ includes separa-
 19 tion or retirement from military service.”.

20 **SEC. 547. CONSULTATION REGARDING VICTIM’S PREF-**
 21 **ERENCE IN PROSECUTION JURISDICTION.**

22 Section 534(b) of the Carl Levin and Howard P.
 23 “Buck” McKeon National Defense Authorization Act for
 24 Fiscal Year 2015 (Public Law 113–291; 10 U.S.C. 1044e
 25 note) is amended by—

1 (1) redesignating paragraphs (2) through (4) as
2 paragraphs (3) through (5), respectively; and

3 (2) by inserting after paragraph (1) the fol-
4 lowing new paragraph (2):

5 “(2) RECORD OF CONSULTATION AND VICTIM
6 PREFERENCE.—The Secretary of Defense, acting
7 through the Under Secretary of Defense for Per-
8 sonnel and Readiness, shall issue guidance to ensure
9 that the consultation under paragraph (1) is pro-
10 vided to each victim of an alleged sex-related offense
11 described in such paragraph. Such guidance shall re-
12 quire that the following information about each con-
13 sultation is recorded and preserved in written or
14 electronic format:

15 “(A) The time and date of the consulta-
16 tion.

17 “(B) The name of the individual who con-
18 sulted with the victim.

19 “(C) The result of the consultation, includ-
20 ing—

21 “(i) whether the victim expressed a
22 preference under paragraph (1); and

23 “(ii) if the victim expressed a pref-
24 erence, whether the victim preferred that

1 the offense be prosecuted by court-martial
2 or in a civilian court.”.

3 **SEC. 548. EXTENSION AND EXPANSION OF DEFENSE ADVI-**
4 **SORY COMMITTEE ON INVESTIGATION, PROS-**
5 **ECUTION, AND DEFENSE OF SEXUAL AS-**
6 **SAULT IN THE ARMED FORCES.**

7 Section 546 of the Carl Levin and Howard P.
8 “Buck” McKeon National Defense Authorization Act for
9 Fiscal Year 2015 (10 U.S.C. 1561 note) is amended—
10 (1) by amending paragraph (2) of subsection
11 (c) to read as follows:

12 “(2) BASIS FOR PROVISION OF ADVICE.—For
13 purposes of providing advice to the Secretary pursu-
14 ant to this subsection, the Advisory Committee
15 shall—

16 “(A) review, on an ongoing basis, cases in-
17 volving allegations of sexual misconduct de-
18 scribed in paragraph (1);

19 “(B) study the feasibility of incorporating
20 restorative justice models into the Uniform
21 Code of Military Justice; and

22 “(C) review Rule for Courts-Martial
23 1001(c) (as set forth in the Manual for Courts-
24 Martial, 2019 edition, or any successor rule) to

determine whether, and to what extent, the interpretation of that rule by military courts—

“(i) limits the ability of sexual assault victims to make statements during presentencing proceedings; and

“(ii) limits the content of such statements.”; and

(2) in subsection (f)(1), by striking “five years” and inserting “ten years”.

SEC. 549. DEFENSE ADVISORY COMMITTEE FOR THE PREVENTION OF SEXUAL MISCONDUCT.

(a) ESTABLISHMENT REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall establish and maintain within the Department of Defense an advisory committee to be known as the “Defense Advisory Committee for the Prevention of Sexual Misconduct” (in this section referred to as the “Advisory Committee”).

(2) DEADLINE FOR ESTABLISHMENT.—The Secretary shall establish the Advisory Committee not later than 180 days after the date of the enactment of this Act.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Advisory Committee shall consist of not more than 20 members, ap-

1 pointed by the Secretary from among individuals
2 who have an expertise appropriate for the work of
3 the Advisory Committee, including at least one indi-
4 vidual with each expertise as follows:

5 (A) Expertise in the prevention of sexual
6 assault and behaviors on the sexual assault con-
7 tinuum of harm.

8 (B) Expertise in the prevention of suicide.

9 (C) Expertise in trauma and trauma symp-
10 toms.

11 (D) Expertise in the change of culture of
12 large organizations.

13 (E) Expertise in implementation science.

14 (2) BACKGROUND OF INDIVIDUALS.—Individ-
15 uals appointed to the Advisory Committee may in-
16 clude individuals with expertise in sexual assault
17 prevention efforts of institutions of higher education,
18 public health officials, and such other individuals as
19 the Secretary considers appropriate.

20 (3) PROHIBITION ON MEMBERSHIP OF MEM-
21 BERS OF ARMED FORCES ON ACTIVE DUTY.—A
22 member of the Armed Forces serving on active duty
23 may not serve as a member of the Advisory Com-
24 mittee.

25 (c) DUTIES.—

1 (1) IN GENERAL.—The Advisory Committee
2 shall advise the Secretary on the following:

3 (A) The prevention of sexual assault (in-
4 cluding rape, forcible sodomy, other sexual as-
5 sault, and other sexual misconduct (including
6 behaviors on the sexual assault continuum of
7 harm)) involving members of the Armed Forces.

8 (B) The policies, programs, and practices
9 of each military department, each Armed Force,
10 and each military service academy for the pre-
11 vention of sexual assault as described in sub-
12 paragraph (A).

13 (2) BASIS FOR PROVISION OF ADVICE.—For
14 purposes of providing advice to the Secretary pursu-
15 ant to this subsection, the Advisory Committee shall
16 review, on an ongoing basis, the following:

17 (A) Closed cases involving allegations of
18 sexual assault described in paragraph (1).

19 (B) Efforts of institutions of higher edu-
20 cation to prevent sexual assault among stu-
21 dents.

22 (C) Any other information or matters that
23 the Advisory Committee or the Secretary con-
24 siders appropriate.

1 (3) COORDINATION OF EFFORTS.—In addition
2 to the reviews required by paragraph (2), for pur-
3 poses of providing advice to the Secretary the Advi-
4 sory Committee shall also consult and coordinate
5 with the Defense Advisory Committee on Investiga-
6 tion, Prosecution, and Defense of Sexual Assault in
7 the Armed Forces (DAC-IPAD) on matters of joint
8 interest to the two Advisory Committees.

9 (d) ANNUAL REPORT.—Not later than March 30
10 each year, the Advisory Committee shall submit to the
11 Secretary and the Committees on Armed Services of the
12 Senate and the House of Representatives a report on the
13 activities of the Advisory Committee pursuant to this sec-
14 tion during the preceding year.

15 (e) SEXUAL ASSAULT CONTINUUM OF HARM.—In
16 this section, the term “sexual assault continuum of harm”
17 includes—

18 (1) inappropriate actions (such as sexist jokes),
19 sexual harassment, gender discrimination, hazing,
20 cyber bullying, or other behavior that contributes to
21 a culture that is tolerant of, or increases risk for,
22 sexual assault; and

23 (2) maltreatment or ostracism of a victim for a
24 report of sexual misconduct.

25 (f) TERMINATION.—

1 (1) IN GENERAL.—Except as provided in para-
2 graph (2), the Advisory Committee shall terminate
3 on the date that is five years after the date of the
4 establishment of the Advisory Committee pursuant
5 to subsection (a).

6 (2) CONTINUATION.—The Secretary of Defense
7 may continue the Advisory Committee after the ter-
8 mination date applicable under paragraph (1) if the
9 Secretary determines that continuation of the Advi-
10 sory Committee after that date is advisable and ap-
11 propriate. If the Secretary determines to continue
12 the Advisory Committee after that date, the Sec-
13 retary shall notify the Committees on the Armed
14 Services of the Senate and House of Representa-
15 tives.

16 **SEC. 550. SAFE TO REPORT POLICY APPLICABLE ACROSS**
17 **THE ARMED FORCES.**

18 (a) IN GENERAL.—The Secretary of Defense shall,
19 in consultation with the Secretaries of the military depart-
20 ments, prescribe in regulations a safe to report policy de-
21 scribed in subsection (b) that applies with respect to all
22 members of the Armed Forces (including members of the
23 reserve components of the Armed Forces) and cadets and
24 midshipmen at the military service academies.

1 (b) SAFE TO REPORT POLICY.—The safe to report
2 policy described in this subsection is a policy under which
3 a member of the Armed Forces who is the alleged victim
4 of sexual assault, but who may have committed minor col-
5 lateral misconduct at or about the time of such sexual as-
6 sault, or whose minor collateral misconduct is discovered
7 only as a result of the investigation into such sexual as-
8 sault, may report such sexual assault to proper authorities
9 without fear or receipt of discipline in connection with
10 such minor collateral misconduct absent aggravating cir-
11 cumstances that increase the gravity of the minor collat-
12 eral misconduct or its impact on good order and discipline.

13 (c) MINOR COLLATERAL MISCONDUCT.—For pur-
14 poses of the safe to report policy, minor collateral mis-
15 conduct shall include any of the following:

16 (1) Improper use or possession of alcohol.

17 (2) Consensual intimate behavior (including
18 adultery) or fraternization.

19 (3) Presence in an off-limits area.

20 (4) Such other misconduct as the Secretary of
21 Defense shall specify in the regulations under sub-
22 section (a).

23 (d) AGGRAVATING CIRCUMSTANCES.—The regula-
24 tions under subsection (a) shall specify aggravating cir-
25 cumstances that increase the gravity of minor collateral

1 misconduct or its impact on good order and discipline for
2 purposes of the safe to report policy.

3 (e) DEFINITIONS.—In this section:

4 (1) The term “Armed Forces” has the meaning
5 given that term in section 101(a)(4) of title 10,
6 United States Code, except such term does not in-
7 clude the Coast Guard.

8 (2) The term “military service academy” means
9 the following:

10 (A) The United States Military Academy.

11 (B) The United States Naval Academy.

12 (C) The United States Air Force Academy.

13 **SEC. 550A. AVAILABILITY OF SPECIAL VICTIMS’ COUNSEL**
14 **AND SPECIAL VICTIM PROSECUTORS AT MILI-**
15 **TARY INSTALLATIONS.**

16 (a) DEADLINE FOR AVAILABILITY.—

17 (1) IN GENERAL.—If an individual specified in
18 paragraph (2) is not available at a military installa-
19 tion for access by a member of the Armed Forces
20 who requests access to such an individual, such an
21 individual shall be made available at such installa-
22 tion for access by such member by not later than 48
23 hours after such request.

24 (2) INDIVIDUALS.—The individuals specified in
25 this paragraph are the following:

1 (A) Special Victims' Counsel (SVC).

2 (B) Special Victim Prosecutor (SPC).

3 (b) REPORT ON CIVILIAN SUPPORT OF SVCs.—Not
4 later than 180 days after the date of the enactment of
5 this Act, each Secretary of a military department shall
6 submit to the Committees on Armed Services of the Sen-
7 ate and the House of Representatives a report setting
8 forth the assessment of such Secretary of the feasibility
9 and advisability of establishing and maintaining at each
10 installation under the jurisdiction of such Secretary with
11 a Special Victims' Counsel one or more civilian positions
12 for the purpose of—

13 (1) providing support to such Special Victims'
14 Counsel; and

15 (2) ensuring continuity and the preservation of
16 institutional knowledge in transitions between the
17 service of individuals as Special Victims' Counsel at
18 such installation.

19 **SEC. 550B. NOTICE TO VICTIMS OF ALLEGED SEXUAL AS-**
20 **SAULT OF PENDENCY OF FURTHER ADMINIS-**
21 **TRATIVE ACTION FOLLOWING A DETERMINA-**
22 **TION NOT TO REFER TO TRIAL BY COURT-**
23 **MARTIAL.**

24 Under regulations prescribed by the Secretary of De-
25 fense, upon a determination not to refer a case of alleged

1 sexual assault for trial by court-martial under chapter 47
2 of title 10, United States Code (the Uniform Code of Military Justice), the commander making such determination
3 shall periodically notify the victim of the status of a final
4 determination on further action on such case, whether
5 non-judicial punishment under section 815 of such title
6 (article 15 of the Uniform Code of Military Justice), other
7 administrative action, or no further action. Such notifications shall continue not less frequently than monthly until
8 such final determination.

11 **SEC. 550C. TRAINING FOR SPECIAL VICTIMS' COUNSEL ON**
12 **CIVILIAN CRIMINAL JUSTICE MATTERS IN**
13 **THE STATES OF THE MILITARY INSTALLA-**
14 **TIONS TO WHICH ASSIGNED.**

15 (a) TRAINING.—

16 (1) IN GENERAL.—Except as provided in sub-
17 section (c), upon the assignment of a Special Victims' Counsel (including a Victim Legal Counsel of
18 the Navy) to a military installation in the United
19 States, such Counsel shall be provided appropriate
20 training on the law and policies of the State or
21 States in which such military installation is located
22 with respect to the criminal justice matters specified
23 in paragraph (2). The purpose of the training is to
24 assist such Counsel in providing victims of alleged
25

1 sex-related offenses with information necessary to
2 make an informed decision regarding preference as
3 to the jurisdiction (whether court-martial or State
4 court) in which such offenses will be prosecuted.

5 (2) CRIMINAL JUSTICE MATTERS.—The criminal
6 justice matters specified in this paragraph, with
7 respect to a State, are the following:

8 (A) Victim rights.

9 (B) Prosecution of criminal offenses.

10 (C) Sentencing for conviction of criminal
11 offenses.

12 (b) ALLEGED SEX-RELATED OFFENSE DEFINED.—
13 In this section, the term “alleged sex-related offense”
14 means any allegation of—

15 (1) a violation of section 920, 920b, 920c, or
16 930 of title 10, United States Code (article 120,
17 120b, 120c, or 130 of the Uniform Code of Military
18 Justice); or

19 (2) an attempt to commit an offense specified
20 in a paragraph (1) as punishable under section 880
21 of title 10, United States Code (article 80 of the
22 Uniform Code of Military Justice).

23 (c) EXCEPTION.—The requirements of this section do
24 not apply to a Special Victims’ Counsel of the Coast
25 Guard.

1 **SEC. 550D. COPYRIGHT PROTECTION FOR CIVILIAN FAC-**
2 **ULTY OF ACCREDITED INSTITUTIONS.**

3 (a) IN GENERAL.—Chapter 108 of title 10, United
4 States Code, is amended by adding at the end the fol-
5 lowing new section:

6 **“§ 2169a. Copyright of works created by civilian fac-**
7 **ulty members**

8 “(a) COPYRIGHT OF WORKS.—Subject to subsection
9 (b), for purposes of sections 101 and 105 of title 17, a
10 work produced by a civilian member of the faculty of a
11 covered institution is only a work of the United States
12 Government if the work is created in direct support of a
13 lecture, instruction, curriculum development, or special
14 duty assigned to such civilian member at the covered insti-
15 tution.

16 “(b) USE BY FEDERAL GOVERNMENT.—The Sec-
17 retary concerned may require a civilian member of the fac-
18 ulty of a covered institution who becomes the owner of
19 a copyright in a work that would be considered a work
20 of the United States Government but for the applicability
21 of subsection (a) to—

22 “(1) provide the Federal Government with an
23 irrevocable, royalty-free, world-wide, nonexclusive li-
24 cense to use, modify, reproduce, release, perform,
25 display, or disclose such work for United States Gov-
26 ernment purposes; and

1 “(2) authorize the Federal Government to au-
2 thorize persons that are not officers or employees of
3 the Federal Government to use, modify, reproduce,
4 release, perform, display, or disclose such work for
5 United States Government purposes.

6 “(c) COVERED INSTITUTION DEFINED.—In this sec-
7 tion, the term ‘covered institution’ means the following:

8 “(1) National Defense University.

9 “(2) United States Military Academy.

10 “(3) Army War College.

11 “(4) United States Army Command and Gen-
12 eral Staff College.

13 “(5) United States Naval Academy.

14 “(6) Naval War College.

15 “(7) Naval Post Graduate School.

16 “(8) Marine Corps University.

17 “(9) United States Air Force Academy.

18 “(10) Air University.

19 “(11) Defense Language Institute.

20 “(12) United States Coast Guard Academy.”.

21 (b) TABLE OF SECTIONS AMENDMENT.—The table of
22 sections at the beginning of such chapter is amended by
23 adding at the end the following new item:

“2169a. Copyright of works created by civilian faculty members.”.

1 **SEC. 550E. PRELIMINARY INQUIRY ON ARLINGTON NA-**
2 **TIONAL CEMETERY BURIAL.**

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

4 (1) The Department of Defense must ensure
5 that only individuals who have served honorably are
6 interred or inurned at Arlington National Cemetery.

7 (2) Recent news reports have alleged that Army
8 Sergeant Jack Edward Dunlap, who was buried at
9 Arlington National Cemetery in 1963, may have
10 been the past subject of an espionage investigation
11 by the National Security Agency, the results of
12 which have not been made public.

13 (b) INQUIRY REQUIRED.—The General Counsel of
14 the Department of the Army shall, pursuant to the terms
15 of section 553.21 of title 32, Code of Federal Regulations,
16 carry out a preliminary inquiry to investigate the Arling-
17 ton National Cemetery burial of Jack Edward Dunlap due
18 to accusations that he supplied the Soviet Union with valu-
19 able intelligence during the Cold War.

20 **SEC. 550F. AVAILABILITY OF RECORDS FOR NATIONAL IN-**
21 **STANT CRIMINAL BACKGROUND CHECK SYS-**
22 **TEM.**

23 (a) NICS RECORDS.—Section 101(b) of the NICS
24 Improvement Amendments Act of 2007 (34 U.S.C.
25 40911(b)) is amended—

1 (1) by redesignating paragraph (2) as para-
2 graph (3); and

3 (2) by inserting after paragraph (1), the fol-
4 lowing new paragraph (2):

5 “(2) DEPARTMENT OF DEFENSE.—Not later
6 than three business days after the final disposition
7 of a judicial proceeding conducted within the De-
8 partment of Defense, the Secretary of Defense shall
9 make available to the Attorney General records
10 which are relevant to a determination of whether a
11 member of the Armed Forces involved in such pro-
12 ceeding is disqualified from possessing or receiving a
13 firearm under subsection (g) or (n) of section 922
14 of title 18, United States Code, for use in back-
15 ground checks performed by the National Instant
16 Criminal Background Check System.”.

17 (b) STUDY AND REPORT ON MPO DATABASE.—

18 (1) STUDY.—The Secretary of Defense shall
19 conduct a study on the feasibility of establishing a
20 database of military protective orders issued by mili-
21 tary commanders against individuals suspected of
22 having committed an offense of domestic violence
23 under section 928b of title 10, United States Code
24 (article 128b of the Uniform Code of Military Jus-

1 tice). The study shall include an examination of each
2 of the following:

3 (A) The feasibility of creating a database
4 to record, track, and report such military pro-
5 tective orders to the National Instant Criminal
6 Background Check System.

7 (B) The feasibility of establishing a proc-
8 ess by which a military judge or magistrate
9 may issue a protective order against an indi-
10 vidual suspected of having committed such an
11 offense.

12 (2) REPORT.—Not later than 180 days after
13 the date of the enactment of this Act, the Secretary
14 of Defense shall submit to the congressional defense
15 committees a report on the results of the study con-
16 ducted under paragraph (1).

17 **SEC. 550G. TERMINATION OF LEASES OF PREMISES AND**
18 **MOTOR VEHICLES OF SERVICEMEMBERS**
19 **WHO INCUR CATASTROPHIC INJURY OR ILL-**
20 **NESS OR DIE WHILE IN MILITARY SERVICE.**

21 (a) CATASTROPHIC INJURIES AND ILLNESSES.—Sub-
22 section (a) of section 305 of the Servicemembers Civil Re-
23 lief Act (50 U.S.C. 3955), as amended by section 301 of
24 the Veterans Benefits and Transition Act of 2018 (Public

1 Law 115–407), is further amended by adding at the end
2 the following new paragraph:

3 “(4) CATASTROPHIC INJURY OR ILLNESS OF
4 LESSEE.—The spouse of the lessee on a lease de-
5 scribed in subsection (b) may terminate the lease
6 during the one-year period beginning on the date on
7 which the lessee incurs a catastrophic injury or ill-
8 ness (as that term is defined in section 439(g) of
9 title 37, United States Code), if the lessee incurs the
10 catastrophic injury or illness during a period of mili-
11 tary service or while performing full-time National
12 Guard duty, active Guard and Reserve duty, or inac-
13 tive-duty training (as such terms are defined in sec-
14 tion 101(d) of title 10, United States Code).”.

15 (b) DEATHS.—Paragraph (3) of such subsection is
16 amended by striking “in subsection (b)(1)” and inserting
17 “in subsection (b)”.

18 **SEC. 550H. TO RESOLVE CONTROVERSIES UNDER**
19 **SERVICEMEMBERS CIVIL RELIEF ACT.**

20 (a) IN GENERAL.—Section 102 of the
21 Servicemembers Civil Relief Act (50 U.S.C. App. 512) is
22 amended by adding at the end the following new sub-
23 section:

24 “(d) WRITTEN CONSENT REQUIRED FOR ARBITRA-
25 TION.—Notwithstanding any other provision of law, when-

1 ever a contract with a servicemember, or a servicemember
 2 and the servicemember's spouse jointly, provides for the
 3 use of arbitration to resolve a controversy subject to a pro-
 4 vision of this Act and arising out of or relating to such
 5 contract, arbitration may be used to settle such con-
 6 troversy only if, after such controversy arises, all parties
 7 to such controversy consent in writing to use arbitration
 8 to settle such controversy.”.

9 (b) **APPLICABILITY.**—Subsection (d) of such section,
 10 as added by subsection (a), shall apply with respect to con-
 11 tracts entered into, amended, altered, modified, renewed,
 12 or extended after the date of the enactment of this Act.

13 **SEC. 550I. LIMITATION ON WAIVER OF RIGHTS AND PRO-**
 14 **TECTIONS UNDER SERVICEMEMBERS CIVIL**
 15 **RELIEF ACT.**

16 (a) **IN GENERAL.**—Section 107(a) of the
 17 Servicemembers Civil Relief Act (50 U.S.C. App. 517(a))
 18 is amended—

19 (1) in the second sentence, by inserting “and if
 20 it is made after a specific dispute has arisen and the
 21 dispute is identified in the waiver” after “to which
 22 it applies”; and

23 (2) in the third sentence, by inserting “and if
 24 it is made after a specific dispute has arisen and the

1 dispute is identified in the waiver” after “period of
2 military service”.

3 (b) APPLICABILITY.—The amendment made by sub-
4 section (a) shall apply with respect to waivers made on
5 or after the date of the enactment of this Act.

6 **SEC. 550J. PRESERVATION OF RIGHT TO BRING CLASS AC-**
7 **TION UNDER SERVICEMEMBERS CIVIL RE-**
8 **LIEF ACT.**

9 (a) IN GENERAL.—Section 802(a) of the
10 Servicemembers Civil Relief Act (50 U.S.C. App. 597a(a))
11 is amended—

12 (1) in paragraph (1), by striking “and” at the
13 end;

14 (2) in paragraph (2), by striking the period at
15 the end and inserting “; and”; and

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

18 “(3) be a representative party on behalf of
19 members of a class or be a member of a class, in
20 accordance with the Federal Rules of Civil Proce-
21 dure, notwithstanding any previous agreement to the
22 contrary.”.

23 (b) CONSTRUCTION.—The amendments made by sub-
24 section (a) shall not be construed to imply that a person
25 aggrieved by a violation of such Act did not have a right

1 to bring a civil action as a representative party on behalf
2 of members of a class or be a member of a class in a
3 civil action before the date of the enactment of this Act.

4 **SEC. 550K. EFFECTIVE DATE OF RULE REGARDING PAYDAY**
5 **LENDING PROTECTIONS.**

6 (a) IN GENERAL.—Sections 1041.4 through 1041.6,
7 1041.10, and 1041.12(b)(1) through (3) in the final rule
8 published on November 17, 2017 by the Bureau of Con-
9 sumer Financial Protection (82 Fed. Reg. 54472) related
10 to Mandatory Underwriting Provisions shall go into effect
11 on August 19, 2019, with regards to servicemembers, vet-
12 erans and surviving spouses.

13 (b) DEFINITIONS.—In this section:

14 (1) The term “servicemember” has the meaning
15 given that term in section 101 of title 10, United
16 States Code.

17 (2) The terms “veteran” and “surviving
18 spouse” have the meanings given those terms in sec-
19 tion 101 of title 38, United States Code.

20 **SEC. 550L. STRENGTHENING CIVILIAN AND MILITARY**
21 **PARTNERSHIPS TO RESPOND TO DOMESTIC**
22 **AND SEXUAL VIOLENCE.**

23 (a) STUDY.—Not later than one year after the enact-
24 ment of this legislation, the Comptroller General of the
25 United States shall submit to Congress a report on part-

1 nerships between military installations and civilian domes-
2 tic and sexual violence response organizations, including—

3 (1) a review of memoranda of understanding
4 between such installations and such response organi-
5 zations;

6 (2) descriptions of the services provided pursu-
7 ant to such partnerships;

8 (3) a review of the central plan, if any, of each
9 service regarding such partnerships; and

10 (4) recommendations on increasing and improv-
11 ing such partnerships.

12 (b) CIVILIAN DOMESTIC AND SEXUAL VIOLENCE RE-
13 SPONSE ORGANIZATION.—In this section, the term “civil-
14 ian domestic and sexual violence response organization”
15 includes a rape crisis center, domestic violence shelter, ci-
16 vilian law enforcement, local government group, civilian
17 sexual assault nurse examiner, civilian medical service pro-
18 vider, veterans service organization, faith-based organiza-
19 tion, or Federally qualified health center.

20 **SEC. 550M. INFORMATION ON LEGAL SERVICES PROVIDED**
21 **TO MEMBERS OF THE ARMED FORCES**
22 **HARMED BY HEALTH OR ENVIRONMENTAL**
23 **HAZARDS AT MILITARY HOUSING.**

24 (a) REPORT.—Not later than 90 days after the date
25 of the enactment of this Act, the Secretary of Defense

1 shall submit to the congressional defense committees a re-
2 port on the legal services that the Secretary may provide
3 to members of the Armed Forces who have been harmed
4 by a health or environmental hazard while living in mili-
5 tary housing.

6 (b) AVAILABILITY OF INFORMATION.—The Secretary
7 of the military department concerned shall make the infor-
8 mation contained in the report submitted under subsection
9 (a) available to members of the Armed Forces at all instal-
10 lations of the Department of Defense in the United States.

11 **SEC. 550N. INITIATIVE TO IMPROVE THE CAPACITY OF**
12 **MILITARY CRIMINAL INVESTIGATIVE ORGA-**
13 **NIZATIONS TO PREVENT CHILD SEXUAL EX-**
14 **PLOITATION.**

15 (a) IN GENERAL.—Not later than 180 days after the
16 date of the enactment of this Act, the Secretary of Defense
17 shall establish an initiative on improving the capacity of
18 military criminal investigative organizations to prevent
19 child sexual exploitation. Under the initiative, the Sec-
20 retary shall work with an external partner to train military
21 criminal investigative organization officials at Department
22 of Defense installations from all military departments re-
23 garding—

24 (1) online investigative technology, tools, and
25 techniques;

- 1 (2) computer forensics;
- 2 (3) complex evidentiary issues;
- 3 (4) child victim identification;
- 4 (5) child victim referral for comprehensive in-
- 5 vestigation and treatment services; and
- 6 (6) related instruction.

7 (b) PARTNERSHIPS AND AGREEMENTS.—Under the
8 initiative, the Secretary shall develop partnerships and es-
9 tablish collaborative agreements with the following:

10 (1) The Department of Justice, Office of the
11 Attorney General, in better coordinating the inves-
12 tigative jurisdictions and law enforcement authori-
13 ties of the military criminal investigative organiza-
14 tions, and in improving the justice community's un-
15 derstanding of those law enforcement authorities to
16 enforce Federal criminal statutes.

17 (2) Federal criminal investigative organizations
18 responsible for enforcement of Federal criminal stat-
19 utes related to combatting child sexual exploitation,
20 in order to ensure a streamlined process for trans-
21 ferring criminal investigations into child exploitation
22 to other jurisdictions, while maintaining the integrity
23 of the evidence already collected.

24 (3) A highly qualified national child protection
25 organization or law enforcement training center with

1 demonstrated expertise in the delivery of law en-
2 forcement training—

3 (A) to detect, identify, investigate, and
4 prosecute individuals engaged in the trading or
5 production of child pornography and the online
6 solicitation of children; and

7 (B) to train military criminal investigative
8 organization officials at Department of Defense
9 installations from all military departments.

10 (4) A highly qualified national child protection
11 organization with demonstrated expertise in the de-
12 velopment and delivery of multidisciplinary interven-
13 tion training including evidence-based forensic inter-
14 viewing, victim advocacy, trauma-informed mental
15 health services, medical services, and multidisci-
16 plinary coordination between the Department of De-
17 fense and civilian experts to improve outcomes for
18 victims of child sexual exploitation.

19 (5) Children’s Advocacy Centers located in the
20 same communities as military installations that co-
21 ordinate the multidisciplinary team response and
22 child-friendly approach to identifying, investigating,
23 prosecuting, and intervening in child sexual exploi-
24 tation cases that can partner with military installa-
25 tions on law enforcement, child protection, prosecu-

1 tion, mental health, medical, and victim advocacy to
2 investigate sexual exploitation, help children heal
3 from sexual exploitation, and hold offenders account-
4 able.

5 (6) State and local authorities to address law
6 enforcement capacity in communities where military
7 installations are located, and to prevent lapses in ju-
8 risdiction that would undercut the Department's ef-
9 forts to prevent child sexual exploitation.

10 (7) The National Association to Protect Chil-
11 dren and the United States Special Operations Com-
12 mand Care Coalition to replicate successful outcomes
13 of the Human Exploitation Rescue Operative
14 (HERO) Child Rescue Corps, as established by sec-
15 tion 890A of the Homeland Security Act of 2002 (6
16 U.S.C. 473), within military criminal investigative
17 organizations and other Department components to
18 combat child sexual exploitation.

19 (c) LOCATIONS.—

20 (1) IN GENERAL.—The Secretary shall carry
21 out the initiative—

22 (A) in at least two States where there is a
23 high density of Department network users in
24 comparison to the overall population of the
25 States;

1 (B) in at least two States where there is
2 a high population of Department network users;

3 (C) in at least two States where there is a
4 large percentage of Indian children, including
5 children who are Alaska Native or Native Ha-
6 waiian;

7 (D) in at least one State with a population
8 with fewer than 2,000,000 people;

9 (E) in at least one State with a population
10 with fewer than 5,000,000 people, but not fewer
11 than 2,000,000 people;

12 (F) in at least one State with a population
13 with fewer than 10,000,000 people, but not
14 fewer than 5,000,000; and

15 (G) in at least one State with a population
16 with 10,000,000 or more people.

17 (2) GEOGRAPHIC DISTRIBUTION.—The Sec-
18 retary shall ensure that the locations at which the
19 initiative is carried out are distributed across dif-
20 ferent regions.

21 (d) ADDITIONAL REQUIREMENTS.—In carrying out
22 the initiative, the Secretary shall—

23 (1) participate in multi-jurisdictional task
24 forces;

1 (2) establish cooperative agreements to facili-
2 tate co-training and collaboration with Federal,
3 State, and local law enforcement; and

4 (3) develop a streamlined process to refer child
5 sexual abuse cases to other jurisdictions.

6 **SEC. 550O. TREATMENT OF INFORMATION IN CATCH A SE-**
7 **RIAL OFFENDER PROGRAM FOR CERTAIN**
8 **PURPOSES.**

9 (a) EXCLUSION FROM FOIA.—Section 552 of title
10 5, United States Code (commonly referred to as the
11 “Freedom of Information Act”), shall not apply to any
12 report for purposes of the Catch a Serial Offender Pro-
13 gram.

14 (b) PRESERVATION OF RESTRICTED REPORT.—The
15 transmittal or receipt in connection with the Catch a Se-
16 rial Offender Program of a report on a sexual assault that
17 is treated as a restricted report shall not operate to termi-
18 nate its treatment or status as a restricted report.

19 **SEC. 550P. PRESERVATION OF RECOURSE TO RESTRICTED**
20 **REPORT ON SEXUAL ASSAULT FOR VICTIMS**
21 **OF SEXUAL ASSAULT BEING INVESTIGATED**
22 **FOLLOWING CERTAIN VICTIM OR THIRD-**
23 **PARTY COMMUNICATIONS.**

24 (a) IN GENERAL.—The Secretary of Defense shall es-
25 tablish a policy that allows a member of the Armed Forces

1 who is the victim of a sexual assault that is or may be
 2 investigated as a result of a communication described in
 3 subsection (b) to elect to have the member's reporting on
 4 such sexual assault be treated as a Restricted Report with-
 5 out regard to the party initiating or receiving such com-
 6 munication.

7 (b) COMMUNICATION.—A communication described
 8 in this subsection is a communication on a sexual assault
 9 as follows:

10 (1) By the member concerned to a member of
 11 the Armed Forces in the chain of command of such
 12 member, whether a commissioned officer or a non-
 13 commissioned officer.

14 (2) By the member concerned to military law
 15 enforcement personnel or personnel of a military
 16 criminal investigation organization (MCIO).

17 (3) By any individual other than the member
 18 concerned.

19 **Subtitle F—Member Education**

20 **SEC. 551. AUTHORITY FOR DETAIL OF CERTAIN ENLISTED** 21 **MEMBERS OF THE ARMED FORCES AS STU-** 22 **DENTS AT LAW SCHOOLS.**

23 (a) IN GENERAL.—Chapter 101 of title 10, United
 24 States Code, is amended—

1 (1) by redesignating sections 2004a and 2004b
2 as sections 2004b and 2004c, respectively;

3 (2) by inserting after section 2004 the following
4 new section:

5 **“§ 2004a. Detail as students at law schools: certain**
6 **enlisted members**

7 “(a) IN GENERAL.—The Secretary of each military
8 department may, under regulations prescribed by the Sec-
9 retary of Defense, detail enlisted members of the armed
10 forces as students at accredited law schools, located in the
11 United States, for a period of training leading to the de-
12 gree of bachelor of laws or juris doctor. No more than
13 twenty-five officers from each military department may
14 commence such training in any single fiscal year.

15 “(b) ELIGIBILITY FOR DETAIL.—To be eligible for
16 detail under subsection (a), a member must be a citizen
17 of the United States and must—

18 “(1) as of the time training is to begin—

19 “(A) have served on active duty for a pe-
20 riod of not less than four years nor more than
21 eight years;

22 “(B) be in pay grade E–5 or E–6; and

23 “(C) meet all requirements for acceptance
24 of a commission as a commissioned officer in
25 the armed forces; and

1 “(2) sign an agreement that, unless sooner sep-
2 arated, the member will—

3 “(A) complete the educational course of
4 legal training;

5 “(B) upon completion of the educational
6 course of legal training—

7 “(i) accept a commission as a commis-
8 sioned officer in the armed forces; and

9 “(ii) accept transfer or detail as a
10 judge advocate or law specialist within the
11 department concerned; and

12 “(C) agree to serve on active duty fol-
13 lowing completion or other termination of the
14 educational course of legal training for a period
15 of two years for each year or part thereof of
16 such training.

17 “(c) SELECTION.—Members detailed for legal train-
18 ing under subsection (a) shall be selected on a competitive
19 basis by the Secretary of the military department con-
20 cerned, under the regulations required by subsection (a).

21 “(d) SERVICE AND SERVICE OBLIGATIONS.—(1) Ex-
22 cept as provided in paragraph (2), any service obligation
23 incurred by a member under an agreement entered into
24 under subsection (b) shall be in addition to any service

1 obligation incurred by the member under any other provi-
2 sion of law or agreement.

3 “(2)(A) A member who does not successfully com-
4 plete a course of legal training to which detailed pursuant
5 to this section shall cease such detail and return to the
6 armed force concerned as an enlisted member.

7 “(B) Any time of a member described by subpara-
8 graph (A) in a course of legal training described in that
9 subparagraph shall not count toward satisfaction of any
10 period of service required under the current contract or
11 agreement of the member for enlistment in the armed
12 forces.

13 “(e) LIMITATION ON NUMBER DETAILABLE.—The
14 aggregate number of enlisted members detailed under this
15 section and commissioned officers detailed under section
16 2004 of this title in any fiscal year by a Secretary of a
17 military department may not exceed 25.

18 “(f) OTHER ADMINISTRATIVE MATTERS.—Sub-
19 sections (d) and (f) of section 2004 of this title shall apply
20 to the detail of members under this section, except that
21 any reference in such section to an ‘officer’ shall be
22 deemed to be a reference to an ‘enlisted member’ for such
23 purposes.”.

1 **SEC. 552. EDUCATION OF MEMBERS OF THE ARMED**
2 **FORCES ON CAREER READINESS AND PRO-**
3 **FESSIONAL DEVELOPMENT.**

4 (a) PROGRAMS OF EDUCATION REQUIRED.—

5 (1) IN GENERAL.—Chapter 101 of title 10,
6 United States Code, is amended by inserting after
7 section 2015 the following new section:

8 **“§ 2015a. Education of members on career readiness**
9 **and professional development**

10 “(a) PROGRAM OF EDUCATION REQUIRED.—The
11 Secretary of Defense shall carry out a program to provide
12 education on career readiness and professional develop-
13 ment to members of the armed forces.

14 “(b) ELEMENTS.—The program under this section
15 shall provide members with the following:

16 “(1) Information on the transition plan as de-
17 scribed in section 1142(b)(10) of this title.

18 “(2) Information on opportunities available to
19 members during military service for professional de-
20 velopment and preparation for a career after mili-
21 tary service, including—

22 “(A) programs of education, certification,
23 training, and employment assistance (including
24 programs under sections 1143(e), 2007, and
25 2015 of this title); and

1 “(B) programs and resources available to
2 members in communities in the vicinity of mili-
3 tary installations.

4 “(3) Instruction on the use of online and other
5 electronic mechanisms in order to access the edu-
6 cation, training, and assistance and resources de-
7 scribed in paragraph (2).

8 “(4) Such other information, instruction, and
9 matters as the Secretary shall specify for purposes
10 of this section.

11 “(c) TIMING OF PROVISION OF INFORMATION.—Sub-
12 ject to subsection (d), information, instruction, and other
13 matters under the program under this section shall be pro-
14 vided to members at the times as follows:

15 “(1) Upon arrival at first duty station.

16 “(2) Upon arrival at any subsequent duty sta-
17 tion.

18 “(3) Upon deployment.

19 “(4) Upon promotion.

20 “(5) Upon reenlistment.

21 “(6) At any other point in a military career
22 specified by the Secretary for purposes of this sec-
23 tion.

24 “(d) SINGLE PROVISION OF INFORMATION IN A YEAR
25 WITH MULTIPLE EVENTS.—A member who has received

1 information and instruction under the program under this
2 section in connection with an event specified in subsection
3 (c) in a year may elect not to undergo additional receipt
4 of information and instruction under the program in con-
5 nection with another such event in the year, unless such
6 other event is arrival at a new duty station.”.

7 (2) CLERICAL AMENDMENT.—The table of sec-
8 tions at the beginning of chapter 101 of such title
9 is amended by inserting after the item relating to
10 section 2015 the following new item:

“2015a. Education of members on career readiness and professional develop-
ment.”.

11 (b) REPORT ON IMPLEMENTATION.—

12 (1) IN GENERAL.—Not later than one year
13 after the date of the enactment of this Act, the Sec-
14 retary of Defense shall submit to the appropriate
15 committees of Congress a report on the program of
16 education required by section 2015a of title 10,
17 United States Code (as added by subsection (a)), in-
18 cluding the following:

19 (A) A comprehensive description of the ac-
20 tions taken to implement the program of edu-
21 cation.

22 (B) A comprehensive description of the
23 program of education.

1 (2) APPROPRIATE COMMITTEES OF CONGRESS
2 DEFINED.—In this subsection, the term “appro-
3 priate committees of Congress” means—

4 (A) the Committee on Armed Services and
5 the Committee on Veterans’ Affairs of the Sen-
6 ate; and

7 (B) the Committee on Armed Services and
8 the Committee on Veterans’ Affairs of the
9 House of Representatives.

10 **SEC. 553. DEFENSE LANGUAGE INSTITUTE FOREIGN LAN-**
11 **GUAGE CENTER.**

12 (a) AUTHORITY TO AWARD BACHELOR’S DE-
13 GREES.—Section 2168 of title 10, United States Code, is
14 amended—

15 (1) in the section heading, by striking “**Asso-**
16 **ciate**” and inserting “**Associate or Bachelor**”;
17 and

18 (2) by amending subsection (a) to read as fol-
19 lows:

20 “(a) Subject to subsection (b), the Commandant of
21 the Defense Language Institute may confer—

22 “(1) an Associate of Arts degree in a foreign
23 language upon any graduate of the Foreign Lan-
24 guage Center of the Institute who fulfills the re-
25 quirements for that degree; or

1 “(2) a Bachelor of Arts degree in a foreign lan-
 2 guage upon any graduate of the Foreign Language
 3 Center of the Institute who fulfills the requirements
 4 for that degree.”.

5 (b) CLERICAL AMENDMENT.—The table of sections
 6 at the beginning of chapter 108 of title 10, United States
 7 Code, is amended by striking the item relating to section
 8 2168 and inserting the following new item:

 “2168. Defense Language Institute Foreign Language Center: degree of Asso-
 ciate or Bachelor of Arts in foreign language.”.

9 **SEC. 554. EXPANSION OF DEPARTMENT OF DEFENSE**
 10 **STARBASE PROGRAM.**

11 (a) IN GENERAL.—Section 2193b of title 10, United
 12 States Code, is amended—

13 (1) in the section heading, by striking
 14 **“science, mathematics, and technology”**
 15 and inserting **“science, technology, engineer-**
 16 **ing, art and design, and mathematics”**;

17 (2) in subsection (a), by striking “science,
 18 mathematics, and technology” and inserting
 19 “science, technology, engineering, art and design,
 20 and mathematics”; and

21 (3) in subsection (b), by striking “mathematics,
 22 science, and technology” and inserting “science,
 23 technology, engineering, art and design, and mathe-
 24 matics”;

1 (b) CLERICAL AMENDMENT.—The table of sections
 2 at the beginning of chapter 111 of title 10, United States
 3 Code, is amended by striking the item relating to section
 4 2193b and inserting the following new item:

“2193b. Improvement of education in technical fields: program for support of
 elementary and secondary education in science, technology, en-
 gineering, art and design, and mathematics.”.

5 **SEC. 555. INCLUSION OF COAST GUARD IN DEPARTMENT**
 6 **OF DEFENSE STARBASE PROGRAM.**

7 Section 2193b of title 10, United States Code, is fur-
 8 ther amended—

9 (1) in subsection (a), by inserting “and the Sec-
 10 retary of the Department in which the Coast Guard
 11 is operating” after “military departments”; and

12 (2) in subsection (f), by striking “and the Sec-
 13 retaries of the military departments” and inserting
 14 “, the Secretaries of the military departments, and
 15 the Secretary of the Department in which the Coast
 16 Guard is operating”.

17 **SEC. 556. DEGREE GRANTING AUTHORITY FOR UNITED**
 18 **STATES ARMY ARMAMENT GRADUATE**
 19 **SCHOOL.**

20 (a) IN GENERAL.—Chapter 751 of title 10, United
 21 States Code, is amended by adding at the end the fol-
 22 lowing new section:

1 **“§ 7422. Degree granting authority for United States**
2 **Army Armament Graduate School**

3 “(a) **AUTHORITY.**—Under regulations prescribed by
4 the Secretary of the Army, the Chancellor of the United
5 States Army Armament Graduate School may, upon the
6 recommendation of the faculty and provost of the college,
7 confer appropriate degrees upon graduates who meet the
8 degree requirements.

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

11 “(1) the Secretary of Education has rec-
12 ommended approval of the degree in accordance with
13 the Federal Policy Governing Granting of Academic
14 Degrees by Federal Agencies; and

15 “(2) the United States Army Armament Grad-
16 uate School is accredited by the appropriate civilian
17 academic accrediting agency or organization to
18 award the degree, as determined by the Secretary of
19 Education.

20 “(c) **CONGRESSIONAL NOTIFICATION REQUIRE-**
21 **MENTS.**—(1) When seeking to establish degree granting
22 authority under this section, the Secretary of Defense
23 shall submit to the Committees on Armed Services of the
24 Senate and the House of Representatives—

25 “(A) a copy of the self-assessment questionnaire
26 required by the Federal Policy Governing Granting

1 of Academic Degrees by Federal Agencies, at the
2 time the assessment is submitted to the Department
3 of Education’s National Advisory Committee on In-
4 stitutional Quality and Integrity; and

5 “(B) the subsequent recommendations and ra-
6 tionale of the Secretary of Education regarding the
7 establishment of the degree granting authority.

8 “(2) Upon any modification or redesignation of exist-
9 ing degree granting authority, the Secretary of Defense
10 shall submit to the Committees on Armed Services of the
11 Senate and House of Representatives a report containing
12 the rationale for the proposed modification or redesigna-
13 tion and any subsequent recommendation of the Secretary
14 of Education on the proposed modification or redesigna-
15 tion.

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

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

“7422. Degree granting authority for United States Army Armament Graduate School.”.

1 **SEC. 557. CONGRESSIONAL NOMINATIONS FOR SENIOR RE-**
2 **SERVE OFFICERS’ TRAINING CORPS SCHOL-**
3 **ARSHIPS.**

4 Section 7442 of title 10, United States Code, is
5 amended by adding at the end the following new sub-
6 section:

7 “(k) Any candidate not nominated under paragraphs
8 (3) through (10) of subsection (a) may be considered by
9 the Secretary of the Army in order of merit for appoint-
10 ment as a Senior Reserve Officers’ Training Corps cadet
11 under section 2107 of this title.”.

12 **SEC. 558. CONSIDERATION OF APPLICATION FOR TRANS-**
13 **FER FOR A STUDENT OF A MILITARY SERV-**
14 **ICE ACADEMY WHO IS THE VICTIM OF A SEX-**
15 **UAL ASSAULT OR RELATED OFFENSE.**

16 (a) **MILITARY ACADEMY.**—Section 7461 of title 10,
17 United States Code, is amended by adding at the end the
18 following new subsection:

19 “(e) **CONSIDERATION OF APPLICATION FOR TRANS-**
20 **FER FOR A CADET WHO IS THE VICTIM OF A SEXUAL**
21 **ASSAULT OR RELATED OFFENSE.**—(1) The Secretary of
22 the Army shall provide for timely determination and action
23 on an application for consideration of a transfer to an-
24 other military service academy submitted by a cadet who

1 was a victim of a sexual assault or other offense covered
2 by section 920, 920a, or 920c of this title (article 120,
3 120a, or 120c of the Uniform Code of Military Justice)
4 so as to reduce the possibility of retaliation against the
5 cadet for reporting the sexual assault or other offense.

6 “(2) The Secretary of the Army shall prescribe regu-
7 lations to carry out this subsection, within guidelines pro-
8 vided by the Secretary of Defense that direct the Super-
9 intendent of the Military Academy, in coordination with
10 the Superintendent of the military service academy to
11 which the cadet wishes to transfer—

12 “(A) to approve or deny an application under
13 this subsection not later than 72 hours after the
14 submission of the application; and

15 “(B) to approve such application unless there
16 are exceptional circumstances that require denial of
17 the application.

18 “(3) If the Superintendent of the Military Academy
19 or the Superintendent of the military service academy to
20 which the cadet wishes to transfer denies an application
21 under this subsection, the cadet may request review of the
22 denial by the Secretary concerned, who shall grant or deny
23 review not later than 72 hours after submission of the re-
24 quest for review.

1 “(4) The Secretary concerned shall ensure that all
2 records of any request, determination, or action under this
3 subsection remain confidential.

4 “(5) A cadet who transfers under this subsection may
5 retain the cadet’s appointment to the Military Academy
6 or may be appointed to the military service academy to
7 which the cadet transfers without regard to the limitations
8 and requirements set forth in sections 7442, 8454, and
9 9442 of this title.”.

10 (b) NAVAL ACADEMY.—Section 8480 of title 10,
11 United States Code, is amended by adding at the end the
12 following new subsection:

13 “(e) CONSIDERATION OF APPLICATION FOR TRANS-
14 FER FOR A MIDSHIPMAN WHO IS THE VICTIM OF A SEX-
15 UAL ASSAULT OR RELATED OFFENSE.—(1) The Sec-
16 retary of the Navy shall provide for timely determination
17 and action on an application for consideration of a trans-
18 fer to another military service academy submitted by a
19 midshipman who was a victim of a sexual assault or other
20 offense covered by section 920, 920a, or 920c of this title
21 (article 120, 120a, or 120c of the Uniform Code of Mili-
22 tary Justice) so as to reduce the possibility of retaliation
23 against the midshipman for reporting the sexual assault
24 or other offense.

1 “(2) The Secretary of the Navy shall prescribe regu-
2 lations to carry out this subsection, within guidelines pro-
3 vided by the Secretary of Defense that direct the Super-
4 intendent of the Naval Academy, in coordination with the
5 Superintendent of the military service academy to which
6 the midshipman wishes to transfer—

7 “(A) to approve or deny an application under
8 this subsection not later than 72 hours after the
9 submission of the application; and

10 “(B) to approve such application unless there
11 are exceptional circumstances that require denial of
12 the application.

13 “(3) If the Superintendent of the Naval Academy or
14 the Superintendent of the military service academy to
15 which the midshipman wishes to transfer denies an appli-
16 cation under this subsection, the midshipman may request
17 review of the denial by the Secretary concerned, who shall
18 grant or deny review not later than 72 hours after submis-
19 sion of the request for review.

20 “(4) The Secretary concerned shall ensure that all
21 records of any request, determination, or action under this
22 subsection remain confidential.

23 “(5) A midshipman who transfers under this sub-
24 section may retain the midshipman’s appointment to the
25 Naval Academy or may be appointed to the military serv-

1 ice academy to which the midshipman transfers without
2 regard to the limitations and requirements set forth in sec-
3 tions 7442, 8454, and 9442 of this title.”.

4 (c) AIR FORCE ACADEMY.—Section 9461 of title 10,
5 United States Code, is amended by adding at the end the
6 following new subsection:

7 “(e) CONSIDERATION OF APPLICATION FOR TRANS-
8 FER FOR A CADET WHO IS THE VICTIM OF A SEXUAL
9 ASSAULT OR RELATED OFFENSE.—(1) The Secretary of
10 the Air Force shall provide for timely determination and
11 action on an application for consideration of a transfer
12 to another military service academy submitted by a cadet
13 who was a victim of a sexual assault or other offense cov-
14 ered by section 920, 920a, or 920c of this title (article
15 120, 120a, or 120c of the Uniform Code of Military Jus-
16 tice) so as to reduce the possibility of retaliation against
17 the cadet for reporting the sexual assault or other offense.

18 “(2) The Secretary of the Air Force shall prescribe
19 regulations to carry out this subsection, within guidelines
20 provided by the Secretary of Defense that direct the Su-
21 perintendent of the Air Force Academy, in coordination
22 with the Superintendent of the military service academy
23 to which the cadet wishes to transfer—

1 “(A) to approve or deny an application under
2 this subsection not later than 72 hours after the
3 submission of the application; and

4 “(B) to approve such application unless there
5 are exceptional circumstances that require denial of
6 the application.

7 “(3) If the Superintendent of the Air Force Academy
8 or the Superintendent of the military service academy to
9 which the cadet wishes to transfer denies an application
10 under this subsection, the cadet may request review of the
11 denial by the Secretary concerned, who shall grant or deny
12 review not later than 72 hours after submission of the re-
13 quest for review.

14 “(4) The Secretary concerned shall ensure that all
15 records of any request, determination, or action under this
16 subsection remain confidential.

17 “(5) A cadet who transfers under this subsection may
18 retain the cadet’s appointment to the Air Force Academy
19 or may be appointed to the military service academy to
20 which the cadet transfers without regard to the limitations
21 and requirements set forth in sections 7442, 8454, and
22 9442 of this title.”.

1 **SEC. 559. REDESIGNATION OF THE COMMANDANT OF THE**
2 **UNITED STATES AIR FORCE INSTITUTE OF**
3 **TECHNOLOGY AS THE DIRECTOR AND CHAN-**
4 **CELLOR OF SUCH INSTITUTE.**

5 (a) REDESIGNATION.—Section 9414b(a) of title 10,
6 United States Code, is amended—

7 (1) in the subsection heading, by striking
8 “COMMANDANT” and inserting “DIRECTOR AND
9 CHANCELLOR”;

10 (2) by striking “Commandant” each place it ap-
11 pears and inserting “Director and Chancellor”; and

12 (3) in the heading of paragraph (3), by striking
13 “Commandant” and inserting “Director and Chan-
14 cellor”.

15 (b) CONFORMING AMENDMENT.—Section 9414 of
16 such title is amended by striking “Commandant” both
17 places it appears and inserting “Director and Chancellor”.

18 (c) REFERENCES.—Any reference in any law, regula-
19 tion, map, document, paper, or other record of the United
20 States to the Commandant of the United States Air Force
21 Institute of Technology shall be deemed to be a reference
22 to the Director and Chancellor of the United States Air
23 Force Institute of Technology.

1 **SEC. 560. ELIGIBILITY OF ADDITIONAL ENLISTED MEM-**
2 **BERS FOR ASSOCIATE DEGREE PROGRAMS**
3 **OF THE COMMUNITY COLLEGE OF THE AIR**
4 **FORCE.**

5 Section 9415(b) of title 10, United States Code, is
6 amended by adding at the end the following new para-
7 graph:

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

12 **SEC. 560A. SAFE-TO-REPORT POLICY APPLICABLE TO MILI-**
13 **TARY SERVICE ACADEMIES.**

14 (a) IN GENERAL.—The Secretary of Defense, in con-
15 sultation with the Secretaries of the military departments,
16 shall prescribe in regulations a safe-to-report policy de-
17 scribed in subsection (b) that applies with respect to ca-
18 dets and midshipmen at the military service academies.

19 (b) SAFE-TO-REPORT POLICY.—The safe-to-report
20 policy described in this subsection is a policy under which
21 a cadet or midshipman at a military service academy who
22 is the alleged victim of sexual assault, but who may have
23 committed minor collateral misconduct at or about the
24 time of such sexual assault, or whose minor collateral mis-
25 conduct is discovered only as a result of the investigation
26 into such sexual assault, may report such sexual assault

1 to proper authorities without fear or receipt of discipline
2 in connection with such minor collateral misconduct.

3 (c) MINOR COLLATERAL MISCONDUCT.—For pur-
4 poses of the safe-to-report policy, minor collateral mis-
5 conduct shall include any of the following:

6 (1) Improper use or possession of alcohol.

7 (2) Consensual intimate behavior or fraterniza-
8 tion with another cadet or midshipman.

9 (3) Presence in an off-limits area.

10 (4) Such other misconduct as the Secretary of
11 Defense shall specify in the regulations under sub-
12 section (a).

13 (d) MILITARY SERVICE ACADEMY DEFINED.—In this
14 section, the term “military service academy” means the
15 following:

16 (1) The United States Military Academy.

17 (2) The United States Naval Academy.

18 (3) The United States Air Force Academy.

19 (4) The United States Coast Guard Academy.

20 **SEC. 560B. RECOUPMENT OF FUNDS FROM CADETS AND**
21 **MIDSHIPMEN SEPARATED FOR CRIMINAL**
22 **MISCONDUCT.**

23 Not later than September 30, 2020, each Secretary
24 of a military department shall prescribe regulations by
25 which the Superintendent of a military service academy

1 under the jurisdiction of the Secretary shall, pursuant to
2 section 303a(e) of title 37, United States Code, recoup
3 the cost of advanced education received by a cadet or mid-
4 shipman who is separated from that military service acad-
5 emy—

6 (1) at any time before the cadet or midshipman
7 graduates from the military service academy; and

8 (2) for criminal misconduct by the cadet or
9 midshipman.

10 **SEC. 560C. COMMISSION OF GRADUATES OF THE MILITARY**
11 **SERVICE ACADEMIES AS OFFICERS.**

12 (a) **MILITARY ACADEMY.**—Section 7453(b) of title
13 10, United States Code, is amended by striking “may”
14 and inserting “shall”.

15 (b) **NAVAL ACADEMY.**—Section 8467 of title 10,
16 United States Code, is amended—

17 (1) by striking the heading and inserting
18 **“Midshipmen: degree and commission on**
19 **graduation”**;

20 (2) by inserting “(a)” before “Under”; and

21 (3) by adding at the end the following new sub-
22 section:

23 “(b) Notwithstanding any other provision of law, a
24 midshipman who completes the prescribed course of in-
25 struction shall, upon graduation, be appointed an ensign

1 in the Regular Navy or a second lieutenant in the Marine
2 Corps under section 531 of this title.”.

3 (c) AIR FORCE ACADEMY.—Section 9453(b) of title
4 10, United States Code, is amended by striking “may”
5 and inserting “shall”.

6 **SEC. 560D. SUPPORT OF MILITARY SERVICE ACADEMY**
7 **FOUNDATIONS.**

8 (a) IN GENERAL.—Chapter 155 of title 10, United
9 States Code, is amended by adding at the end the fol-
10 lowing new section:

11 **“§ 2616. Support of military service academy founda-**
12 **tions**

13 “(a) AUTHORITY.—Subject to subsection (b), the
14 Secretary concerned may provide the following support to
15 a covered foundation:

16 “(1) Participation in fundraising or a member-
17 ship drive for the covered foundation by any—

18 “(A) general or flag officer;

19 “(B) Senior Executive Service employee
20 assigned to the service academy supported by
21 that covered foundation; or

22 “(C) official designated by the Secretary
23 concerned.

24 “(2) Endorsement by an individual described in
25 paragraph (1) of—

1 “(A) the covered foundation;

2 “(B) an event of the covered foundation;

3 or

4 “(C) an activity of the covered foundation.

5 “(b) LIMITATIONS.—Support under subsection (a)
6 may be provided only if such support—

7 “(1) is without any liability of the United
8 States to the covered foundation;

9 “(2) does not affect the ability of any official or
10 employee of the Department of Defense or the De-
11 partment of Homeland Security, or any member of
12 the armed forces, to carry out any responsibility or
13 duty in a fair and objective manner;

14 “(3) does not compromise the integrity or ap-
15 pearance of integrity of any program of the Depart-
16 ment of Defense or the Department of Homeland
17 Security, or any individual involved in such a pro-
18 gram; and

19 “(4) does not include the participation of any
20 cadet or midshipman.

21 “(c) BRIEFING.—In any fiscal year during which sup-
22 port is provided under subsection (a), the Secretary con-
23 cerned shall provide a briefing not later than the last day
24 of that fiscal year to the congressional defense committees
25 regarding the following:

1 “(1) The number of events, activities, or fund-
 2 raising or membership drives of a covered founda-
 3 tion in which an individual described in subsection
 4 (a)(1) participated during such fiscal year.

5 “(2) The amount of funds raised for each cov-
 6 ered foundation during each such event, activity, or
 7 drive.

8 “(3) Each designated purpose of funds de-
 9 scribed in paragraph (2).

10 “(d) COVERED FOUNDATION DEFINED.—In this sec-
 11 tion, the term ‘covered foundation’ means a charitable,
 12 educational, or civic nonprofit organization under section
 13 501(c)(3) of the Internal Revenue Code of 1986, that the
 14 Secretary concerned determines operates exclusively to
 15 support, with respect to a military service academy, any
 16 of the following:

17 “(1) Recruiting.

18 “(2) Parent or alumni development.

19 “(3) Academic, leadership, or character develop-
 20 ment.

21 “(4) Institutional development.

22 “(5) Athletics.”.

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

“2616. Support of military service academy foundations.”.

1 **SEC. 560E. REQUIREMENT TO CONTINUE PROVISION OF**
2 **TUITION ASSISTANCE FOR MEMBERS OF THE**
3 **ARMED FORCES.**

4 The Secretary of each military department shall carry
5 out tuition assistance programs for members of an Armed
6 Force under the jurisdiction of that Secretary during fis-
7 cal year 2020 using an amount not less than the sum of
8 any amounts appropriated for tuition assistance for mem-
9 bers of that Armed Force for fiscal year 2020.

10 **SEC. 560F. REVIEW OF INSTITUTIONS OF HIGHER EDU-**
11 **CATION PARTICIPATING IN THE DEPART-**
12 **MENT OF DEFENSE TUITION ASSISTANCE**
13 **PROGRAM.**

14 (a) LIST OF PARTICIPATING INSTITUTIONS.—

15 (1) IN GENERAL.—The Secretary of Defense
16 shall make available, on a publicly accessible website
17 of the Department of Defense, a list that identi-
18 fies—

19 (A) each institution of higher education
20 that receives funds under the Department of
21 Defense Tuition Assistance Program; and

22 (B) the amount of such funds received by
23 the institution.

24 (2) ANNUAL UPDATES.—The Secretary of De-
25 fense shall update the list described in paragraph
26 (1) not less frequently than once annually.

1 (b) AUDIT OF CERTAIN INSTITUTIONS.—

2 (1) IN GENERAL.—The Secretary of Defense
3 shall audit the eligibility a proprietary institution of
4 higher education to participate in the Department of
5 Defense Tuition Assistance Program if the institu-
6 tion does not meet the financial responsibility stand-
7 ards under section 498 of the Higher Education Act
8 of 1965 (20 U.S.C. 1099c).

9 (2) PUBLICATION REQUIRED.—The results of
10 each audit conducted under paragraph (1) shall be
11 made available on a publicly accessible website of the
12 Department of Defense not later than 30 days after
13 the date on which the audit is complete.

14 **SEC. 560G. INCLUSION OF INFORMATION ON FREE CREDIT**
15 **MONITORING IN ANNUAL FINANCIAL LIT-**
16 **ERACY BRIEFING.**

17 The Secretary of each military department shall en-
18 sure that the annual financial literacy education briefing
19 provided to servicemembers includes information on the
20 availability of free credit monitoring services pursuant to
21 section 605A(k) of the Fair Credit Reporting Act (15
22 U.S.C. 1681c–1(k)).

1 **SEC. 560H. SPEECH DISORDERS OF CADETS AND MID-**
2 **SHIPMEN.**

3 (a) TESTING.—The Superintendent of a military
4 service academy shall provide testing for speech disorders
5 to incoming cadets or midshipmen under the jurisdiction
6 of that Superintendent.

7 (b) NO EFFECT ON ADMISSION.—The testing under
8 subsection (a) may not have any affect on admission to
9 a military service academy.

10 (c) RESULTS.—The Superintendent shall provide
11 each cadet or midshipman under the jurisdiction of that
12 Superintendent the result of the testing under subsection
13 (a) and a list of warfare unrestricted line officer positions
14 and occupation specialists that require successful perform-
15 ance on the speech test.

16 (d) THERAPY.—The Superintendent shall furnish
17 speech therapy to a cadet or midshipman under the juris-
18 diction of that Superintendent at the election of the cadet
19 or midshipman.

20 (e) RETAKING.—A cadet or midshipman whose test-
21 ing indicate a speech disorder or impediment may elect
22 to retake the testing once each academic year while en-
23 rolled at the military service academy.

1 **Subtitle G—Member Training and**
2 **Transition**

3 **SEC. 561. PROHIBITION ON GENDER-SEGREGATED TRAIN-**
4 **ING AT MARINE CORPS RECRUIT DEPOTS.**

5 (a) PARRIS ISLAND.—

6 (1) PROHIBITION.—Subject to paragraph (2),
7 training at the Marine Corps Recruit Depot, Parris
8 Island, South Carolina, may not be segregated based
9 on gender.

10 (2) DEADLINE.—The Commandant of the Ma-
11 rine Corps shall carry out this subsection not later
12 than five years after the date of the enactment of
13 this Act.

14 (b) SAN DIEGO.—

15 (1) PROHIBITION.—Subject to paragraph (2),
16 training at the Marine Corps Recruit Depot, San
17 Diego, California, may not be segregated based on
18 gender.

19 (2) DEADLINE.—The Commandant of the Ma-
20 rine Corps shall carry out this subsection not later
21 than eight years after the date of the enactment of
22 this Act.

1 **SEC. 562. MEDICAL PERSONNEL AT MARINE CORPS RE-**
2 **CRUIT DEPOTS.**

3 Not later than September 30, 2020, the Secretary of
4 the Navy, in coordination with the Navy Medical Depart-
5 ment, shall—

6 (1) assign personnel to the Marine Recruit
7 Training Regiment at each Marine Corps Recruit
8 Depot who—

9 (A) possess sufficient medical training and
10 equipment to evaluate sick recruits; and

11 (B) is capable of determining whether a re-
12 cruit requires emergent care; and

13 (2) ensure such personnel is available after
14 business hours in order to advise personnel regard-
15 ing the course of action for managing a sick recruit.

16 **SEC. 563. ASSESSMENT OF DEATHS OF RECRUITS UNDER**
17 **THE JURISDICTION OF THE SECRETARY OF**
18 **THE NAVY.**

19 (a) **ASSESSMENT.**—The Inspector General of the De-
20 partment of Defense shall conduct an assessment of the
21 deaths of recruits at facilities under the jurisdiction of the
22 Secretary of the Navy, and the effectiveness of the current
23 medical protocols on the training bases.

24 (b) **REPORT.**—Not later than September 30, 2020,
25 the Inspector General shall submit to the Committees on
26 Armed Services of the Senate and the House of Represent-

1 ative a report containing the results of the assessment con-
2 ducted under subsection (a). The report shall include the
3 following:

4 (1) The number of recruits who died during
5 basic training in the five years preceding the date of
6 the report.

7 (2) The causes of deaths described in para-
8 graph (1).

9 (3) The types of medical treatment that was
10 provided to recruits described in paragraph (1).

11 (4) Whether any of the deaths identified under
12 paragraph (1) were found to be a result of medical
13 negligence.

14 (5) A description of medical capabilities and
15 personnel available to the recruits at each facility.

16 (6) A description of medical resources accessible
17 to the recruits at the company level at each facility.

18 (7) A description of 24-hour medical resources
19 available to recruits at each facility.

20 (8) An evaluation of the guidelines and re-
21 sources in place to monitor sick recruits.

22 (9) An evaluation of how supervisors evaluate
23 and determine whether a sick recruit should con-
24 tinue training or further seek medical assistance.

1 (10) An evaluation of how the Secretary of the
2 Navy can increase visibility of the comprehensive
3 medical status of a sick recruit to instructors and
4 supervisors in order to provide better situational
5 awareness of the such medical status.

6 (11) An evaluation of how to improve and med-
7 ical care for recruits.

8 **SEC. 564. INCLUSION OF SPECIFIC EMAIL ADDRESS BLOCK**
9 **ON CERTIFICATE OF RELEASE OR DIS-**
10 **CHARGE FROM ACTIVE DUTY (DD FORM 214).**

11 (a) MODIFICATION REQUIRED.—The Secretary of
12 Defense shall modify the Certificate of Release or Dis-
13 charge from Active Duty (DD Form 214) to include a spe-
14 cific block explicitly identified as the location in which a
15 member of the Armed Forces may provide one or more
16 email addresses by which the member may be contacted
17 after discharge or release from active duty in the Armed
18 Forces.

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

1 **SEC. 565. MACHINE READABILITY AND ELECTRONIC**
2 **TRANSFERABILITY OF CERTIFICATE OF RE-**
3 **LEASE OR DISCHARGE FROM ACTIVE DUTY**
4 **(DD FORM 214).**

5 (a) MODIFICATION REQUIRED.—The Secretary of
6 Defense shall modify the Certificate of Release or Dis-
7 charge from Active Duty (DD Form 214) to be machine
8 readable and electronically transferable.

9 (b) DEADLINE FOR MODIFICATION.—The Secretary
10 of Defense shall release a revised Certificate of Release
11 or Discharge from Active Duty (DD Form 214), modified
12 pursuant to subsection (a), not later than four years after
13 the date of the enactment of this Act.

14 (c) REPORT.—Not later than 180 days after the date
15 of the enactment of this Act, the Secretary of Defense
16 shall submit a report to Congress regarding the following:

17 (1) What systems of the Department of De-
18 fense require an individual to manually enter infor-
19 mation from DD Form 214.

20 (2) What activities of the Department of De-
21 fense require a veteran or former member of the
22 Armed Forces to provide a physical copy of DD
23 Form 214.

24 (3) The order of priority for modernizing items
25 identified under paragraphs (1) and (2) as deter-
26 mined by the Secretary.

1 (4) The estimated cost, as determined by the
2 Secretary, to automate items identified under para-
3 graphs (1) and (2).

4 **SEC. 566. RECORDS OF SERVICE FOR RESERVES.**

5 (a) ESTABLISHMENT.—Not later than September 30,
6 2020, the Secretary of Defense shall establish and imple-
7 ment a standard record of service for members of the re-
8 serve components of the Armed Forces, similar to DD
9 Form 214, that summarizes the record of service of each
10 such member, including dates of active duty service.

11 (b) COORDINATION.—In carrying out this section, the
12 Secretary of Defense shall coordinate with the Secretary
13 of Veterans Affairs to ensure that the record established
14 under this section is acceptable as proof of service for
15 former members of the reserve components of the Armed
16 Forces who are eligible for benefits under laws adminis-
17 tered by the Secretary of Veterans Affairs to receive such
18 benefits.

19 **SEC. 567. REQUIREMENT TO PROVIDE INFORMATION RE-**
20 **GARDING BENEFITS CLAIMS TO MEMBERS**
21 **DURING TAP COUNSELING.**

22 Section 1142(b) of title 10, United States Code, is
23 amended by adding at the end the following new para-
24 graph:

1 “(19) Information regarding how to file claims
2 for benefits available to the member under laws ad-
3 ministered by the Secretaries of Defense and Vet-
4 erans Affairs.”.

5 **SEC. 568. EXPANSION AND RENAMING OF THE TROOPS-TO-**
6 **TEACHERS PROGRAM.**

7 (a) TROOPS-TO-SUPPORT-EDUCATION PROGRAM.—
8 Section 1154 of title 10, United States Code, is amend-
9 ed—

10 (1) in the section heading, by striking: “**em-**
11 **ployment as teachers: Troops-to-Teachers**
12 **Program**” and inserting “**employment in**
13 **schools: Troops-to-Support-Education**
14 **Program**”;

15 (2) in subsection (a)—

16 (A) in paragraph (6), by striking “Troops-
17 to-Teachers” and inserting “Troops-to-Support-
18 Education”;

19 (B) by redesignating paragraphs (7) and
20 (8) as paragraphs (9) and (10), respectively;

21 (C) by inserting after paragraph (6) the
22 following new paragraphs:

23 “(7) QUALIFYING POSITION.—

24 “(A) Except as provided in subparagraph

25 (B), the term ‘qualifying position’ means any

1 full-time position in an eligible school, including
2 a position as:

3 “(i) a teacher, including an elemen-
4 tary school teacher, a secondary school
5 teacher, or a career or technical education
6 teacher;

7 “(ii) a school resource officer;

8 “(iii) a school leader;

9 “(iv) specialized instructional support
10 personnel;

11 “(v) a paraprofessional; or

12 “(vi) other staff.

13 “(B) Such term does not include a position
14 that is—

15 “(i) performed primarily at a location
16 outside the grounds of an eligible school;
17 or

18 “(ii) held by an individual who is em-
19 ployed by a contractor.

20 “(8) SCHOOL RESOURCE OFFICER.—The term
21 ‘school resource officer’ has the meaning given that
22 term in section 1709(4) of the Omnibus Crime Con-
23 trol and Safe Streets Act of 1968 (34 U.S.C.
24 10389(4)).”; and

1 (D) by amending paragraph (10), as so re-
2 designated, to read as follows:

3 “(10) ADDITIONAL TERMS.—The terms ‘ele-
4 mentary school’, ‘local educational agency’, ‘other
5 staff’, ‘paraprofessional’, ‘school leader’, ‘secondary
6 school’, ‘specialized instructional support personnel’,
7 and ‘State’ have the meanings given those terms in
8 section 8101 of the Elementary and Secondary Edu-
9 cation Act of 1965 (20 U.S.C. 7801).”;

10 (3) in subsection (b)—

11 (A) in the matter preceding paragraph (1),
12 by striking “Troops-to-Teachers” and inserting
13 “Troops-to-Support-Education”; and

14 (B) in paragraph (1), by striking “become
15 a teacher” and inserting “obtain a qualifying
16 position”;

17 (C) in paragraph (2)(A)—

18 (i) in clause (i), by striking “or” at
19 the end;

20 (ii) in clause (ii), by striking “and” at
21 the end and inserting “or”; and

22 (iii) by adding at the end the fol-
23 lowing new clause:

1 “(iii) experiencing a shortage of
2 personnel to fill qualifying positions;
3 and”;

4 (4) in subsection (d)(3)—

5 (A) by redesignating subparagraph (D) as
6 subparagraph (E); and

7 (B) by inserting after subparagraph (C)
8 the following new subparagraph:

9 “(D) If a member of the armed forces is apply-
10 ing for the Program to receive assistance for place-
11 ment in a qualifying position other than a position
12 as a teacher described in subparagraph (B) or sub-
13 paragraph (C), the Secretary shall require the mem-
14 ber to obtain the professional credentials that are re-
15 quired by the State for the position involved.”;

16 (5) in subsection (e)—

17 (A) in paragraph (1)(A)—

18 (i) in clause (i), by striking “become
19 a teacher” and inserting “obtain a quali-
20 fying position”; and

21 (ii) in clause (ii), by striking “as an
22 elementary school teacher” and all that fol-
23 lows through the period at the end and in-
24 serting “in a qualifying position for not
25 less than three school years in an eligible

1 school to begin the school year after the
2 member obtains the professional creden-
3 tials required for the position involved”;

4 (B) in paragraph (2)(E), by striking “as a
5 teacher in an eligible elementary school or sec-
6 ondary school or as a career or technical teach-
7 er” and inserting “in a qualifying position”;
8 and

9 (C) in paragraph (3)—

10 (i) in subparagraph (A), by striking
11 “educational level, certification, or licens-
12 ing” and inserting “educational level, cer-
13 tification, licensing, or other professional
14 credentials”;

15 (ii) in subparagraph (B)(i), by strik-
16 ing “as an elementary school teacher, sec-
17 ondary school teacher, or career or tech-
18 nical teacher” and inserting “in a quali-
19 fying position”; and

20 (iii) in subparagraph (C)—

21 (I) in clause (i), by striking
22 “5,000” and inserting “7500”; and

23 (II) in clause (ii), by striking
24 “3,000” and inserting “4500”;

25 (6) in subsection (f)(1)—

1 (A) in subparagraph (A)—

2 (i) by striking “become a teacher”
3 and inserting “obtain a qualifying posi-
4 tion”; and

5 (ii) by striking “as an elementary
6 school teacher, secondary school teacher, or
7 career or technical teacher” and insert “in
8 a qualifying position”; and

9 (B) in subparagraph (B), by striking “,
10 employment as an elementary school teacher,
11 secondary school teacher, or career or technical
12 teacher” and inserting “employment in a quali-
13 fying position”;

14 (7) in subsection (h)(2)(A) by striking “as ele-
15 mentary school teachers, secondary school teachers,
16 and career or technical teachers” and inserting “in
17 qualifying positions”;

18 (8) in subsection (i), by striking “\$15,000,000”
19 and inserting “\$20,000,000”; and

20 (9) by adding at the end the following new sub-
21 section:

22 “(j) PUBLIC-PRIVATE PARTNERSHIP.—

23 “(1) IN GENERAL.—The Secretary may enter
24 into one or more partnerships with nonprofit enti-
25 ties, including veterans service organizations, to as-

1 sist with the placement of participants in eligible
2 schools in accordance with this section.

3 “(2) NONPROFIT ENTITY DEFINED.—In this
4 subsection, the term ‘nonprofit entity’ means an en-
5 tity qualifying as an exempt organization under sec-
6 tion 501(c)(3) of the Internal Revenue Code of
7 1986.”.

8 (b) CONFORMING AMENDMENT AND REFERENCES.—

9 (1) TABLE OF SECTIONS.—The table of sections
10 at the beginning of chapter 58 of such title is
11 amended by striking the item relating to section
12 1154 and inserting the following new item:

“1154. Assistance to eligible members and former members to obtain employ-
ment in schools: Troops-to-Support-Education Program.”.

13 (2) REFERENCES.—Any reference in Federal
14 law (other than this Act), regulations, guidance, in-
15 structions, or other documents of the Federal Gov-
16 ernment to the Troops-to-Teachers Program shall be
17 deemed to be a reference to the Troops-to-Support-
18 Education Program.

19 **SEC. 569. TRANSITION OUTREACH PILOT PROGRAM.**

20 (a) ESTABLISHMENT.—Not later than 90 days after
21 the enactment of this Act, the Secretary of Defense, in
22 coordination with the Secretaries of Veterans Affairs,
23 Labor, Education, and Homeland Security, and the Ad-
24 ministrators of the Small Business Administration, shall

1 establish a pilot program through the Transition to Vet-
2 erans Program Office that fosters contact between vet-
3 erans and the Department of Defense.

4 (b) CONTACT.—The Secretary of Defense, and with
5 respect to members of the Coast Guard, the Secretary of
6 the Department in which the Coast Guard is operating
7 when it is not operating as a service in the Navy, shall
8 direct the Military Transition Assistance Teams of the De-
9 partment of Defense to contact each veteran from the
10 Armed Forces at least twice during each of the first three
11 months after the veteran separates from the Armed
12 Forces to—

13 (1) inquire about the transition of the separated
14 member to civilian life, including—

- 15 (A) employment;
- 16 (B) veterans benefits;
- 17 (C) education;
- 18 (D) family life; and

19 (2) hear concerns of the veteran regarding tran-
20 sition.

21 (c) TERMINATION.—The Secretary shall complete op-
22 eration of the pilot program under this section not later
23 than September 30, 2020.

24 (d) REPORT.—Not later than 90 days after termi-
25 nation of the pilot program under this section, the Sec-

1 retary of Defense shall submit a report to Congress re-
2 garding such pilot program, including the following,
3 disaggregated by armed force:

4 (1) The number of veterans contacted, includ-
5 ing how many times such veterans were contacted.

6 (2) Information regarding the age, sex, and ge-
7 ographic region of contacted veterans.

8 (3) Concerns most frequently raised by the vet-
9 erans.

10 (4) What benefits the contacted veterans have
11 received, and an estimate of the cost to the Federal
12 Government for such benefits.

13 (5) How many contacted veterans are employed
14 or have sought employment, including what fields of
15 employment.

16 (6) How many contacted veterans are enrolled
17 or have sought to enroll in a course of education, in-
18 cluding what fields of study.

19 (7) Recommendations for legislation to improve
20 the long-term effectiveness of TAP and the well-
21 being of veterans.

22 (e) DEFINITIONS.—In this section:

23 (1) The term “armed force” has the meaning
24 given that term in section 101 of title 10, United
25 States Code.

1 (2) The term “TAP” means the Transition As-
2 sistance Program under sections 1142 and 1144 of
3 title 10, United States Code.

4 (3) The term “veteran” has the meaning given
5 that term in section 101 of title 38, United States
6 Code.

7 **SEC. 570. TRAINING PROGRAM REGARDING**
8 **DISINFORMATION CAMPAIGNS.**

9 (a) ESTABLISHMENT.—Not later than September 30,
10 2020, the Secretary of Defense shall establish a program
11 for training members of the Armed Forces and employees
12 of the Department of Defense regarding the threat of
13 disinformation campaigns specifically targeted at such in-
14 dividuals and the families of such individuals.

15 (b) REPORT REQUIRED.—Not later than October 30,
16 2020, the Secretary of Defense shall submit a report to
17 the congressional defense committees regarding the pro-
18 gram under subsection (a).

19 **SEC. 570A. ASSESSMENT AND STUDY OF TRANSITION AS-**
20 **SISTANCE PROGRAM.**

21 (a) ONE-YEAR INDEPENDENT ASSESSMENT OF THE
22 EFFECTIVENESS OF TAP.—

23 (1) INDEPENDENT ASSESSMENT.—Not later
24 than 90 days after the date of the enactment of this
25 Act, the Secretary of Veterans Affairs, in consulta-

1 tion with the covered officials, shall enter into an
2 agreement with an appropriate entity with experi-
3 ence in adult education to carry out a 1-year inde-
4 pendent assessment of TAP, including—

5 (A) the effectiveness of TAP for members
6 of each military department during the entire
7 military life cycle;

8 (B) the appropriateness of the TAP career
9 readiness standards;

10 (C) a review of information that is pro-
11 vided to the Department of Veterans Affairs
12 under TAP, including mental health data;

13 (D) whether TAP effectively addresses the
14 challenges veterans face entering the civilian
15 workforce and in translating experience and
16 skills from military service to the job market;

17 (E) whether TAP effectively addresses the
18 challenges faced by the families of veterans
19 making the transition to civilian life;

20 (F) appropriate metrics regarding TAP
21 outcomes for members of the Armed Forces one
22 year after separation, retirement, or discharge
23 from the Armed Forces;

24 (G) what the Secretary, in consultation
25 with the covered officials and veterans service

1 organizations determine to be successful out-
2 comes for TAP;

3 (H) whether members of the Armed Forces
4 achieve successful outcomes for TAP, as deter-
5 mined under subparagraph (G);

6 (I) how the Secretary and the covered offi-
7 cials provide feedback to each other regarding
8 such outcomes;

9 (J) recommendations for the Secretaries of
10 the military departments regarding how to im-
11 prove outcomes for members of the Armed
12 Forces after separation, retirement, and dis-
13 charge; and

14 (K) other topics the Secretary and the cov-
15 ered officials determine would aid members of
16 the Armed Forces as they transition to civilian
17 life.

18 (2) REPORT.—Not later than 90 days after the
19 completion of the independent assessment under
20 paragraph (1), the Secretary and the covered offi-
21 cials, shall submit to the Committees on Veterans’
22 Affairs of the Senate and House of Representatives
23 and the Committees on Armed Services of the Sen-
24 ate and House of Representatives—

1 (A) the findings and recommendations (in-
2 cluding recommended legislation) of the inde-
3 pendent assessment prepared by the entity de-
4 scribed in paragraph (1); and

5 (B) responses of the Secretary and the
6 covered officials to the findings and rec-
7 ommendations described in subparagraph (G).

8 (3) DEFINITIONS.—In this section:

9 (A) The term “covered officials” is com-
10 prised of—

11 (i) the Secretary of Defense;

12 (ii) the Secretary of Labor;

13 (iii) the Administrator of the Small
14 Business Administration; and

15 (iv) the Secretaries of the military de-
16 partments.

17 (B) The term “military department” has
18 the meaning given that term in section 101 of
19 title 10, United States Code.

20 (b) LONGITUDINAL STUDY ON CHANGES TO TAP.—

21 (1) STUDY.—Not later than 90 days after the
22 date of the enactment of this Act, the Secretary of
23 Veterans Affairs, in consultation with the Secre-
24 taries of Defense and Labor and the Administrator
25 of the Small Business Administration, shall conduct

1 a five-year longitudinal study regarding TAP on
2 three separate cohorts of members of the Armed
3 Forces who have separated from the Armed Forces,
4 including—

5 (A) a cohort that has attended TAP coun-
6 seling as implemented on the date of the enact-
7 ment of this Act;

8 (B) a cohort that attends TAP counseling
9 after the Secretaries of Defense and Labor im-
10 plement changes recommended in the report
11 under subsection a(2); and

12 (C) a cohort that has not attended TAP
13 counseling.

14 (2) PROGRESS REPORTS.—Not later than 90
15 days after the day that is one year after the date of
16 the initiation of the study under paragraph (1) and
17 annually thereafter for the three subsequent years,
18 the Secretaries of Veterans Affairs, Defense, and
19 Labor, and the Administrator of the Small Business
20 Administration, shall submit to the Committees on
21 Veterans' Affairs of the Senate and House of Rep-
22 resentatives and the Committees on Armed Services
23 of the Senate and House of Representatives a
24 progress report of activities under the study during
25 the immediately preceding year.

1 (3) FINAL REPORT.—Not later than 180 days
2 after the completion of the study under paragraph
3 (1), the Secretaries of Veterans Affairs, Defense,
4 and Labor, and the Administrator of the Small
5 Business Administration, shall submit to the Com-
6 mittees on Veterans' Affairs of the Senate and
7 House of Representatives and the Committees on
8 Armed Services of the Senate and House of Rep-
9 resentatives a report of final findings and rec-
10 ommendations based on the study.

11 (4) ELEMENTS.—The final report under para-
12 graph (3) shall include information regarding the
13 following:

14 (A) The percentage of each cohort that re-
15 ceived unemployment benefits during the study.

16 (B) The numbers of months members of
17 each cohort were employed during the study.

18 (C) Annual starting and ending salaries of
19 members of each cohort who were employed
20 during the study.

21 (D) How many members of each cohort en-
22 rolled in an institution of higher learning, as
23 that term is defined in section 3452(f) of title
24 38, United States Code.

1 (E) The academic credit hours, degrees,
2 and certificates obtained by members of each
3 cohort during the study.

4 (F) The annual income of members of each
5 cohort.

6 (G) The total household income of mem-
7 bers of each cohort.

8 (H) How many members of each cohort
9 own their principal residences.

10 (I) How many dependents that members of
11 each cohort have.

12 (J) The percentage of each cohort that
13 achieves a successful outcome for TAP, as de-
14 termined under subsection (1)(G).

15 (K) Other criteria the Secretaries and the
16 Administrator of the Small Business Adminis-
17 tration determine appropriate.

18 **SEC. 570B. INFORMATION REGARDING COUNTY VETERANS**
19 **SERVICE OFFICERS.**

20 (a) PROVISION OF INFORMATION.—The Secretary of
21 Defense shall ensure that a member of the Armed Forces
22 who is separating or retiring from the Armed Forces may
23 elect to have the Department of Defense form DD-214
24 of the member transmitted to the appropriate county vet-

1 erans service officer based on the mailing address provided
2 by the member.

3 (b) DATABASE.—The Secretary of Defense, in coordi-
4 nation with the Secretary of Veterans Affairs, shall main-
5 tain a database of all county veterans service officers.

6 (c) COUNTY VETERANS SERVICE OFFICER DE-
7 FINED.—In this section, the term “county veterans service
8 officer” means an employee of a county government, local
9 government, or Tribal government who is covered by sec-
10 tion 14.629(a)(2) of title 38, Code of Federal Regulations.

11 **SEC. 570C. PILOT PROGRAM TO IMPROVE INFORMATION**
12 **SHARING BETWEEN DEPARTMENT OF DE-**
13 **FENSE AND DESIGNATED RELATIVES AND**
14 **FRIENDS OF MEMBERS OF THE ARMED**
15 **FORCES REGARDING THE EXPERIENCES AND**
16 **CHALLENGES OF MILITARY SERVICE.**

17 (a) PILOT PROGRAM DESCRIBED.—

18 (1) PURPOSE.—Not later than one year after
19 the date of the enactment of this Act, the Secretary
20 of Defense shall seek to enter into an agreement
21 with the American Red Cross to carry out a pilot
22 program under which the American Red Cross—

23 (A) encourages a member of the Armed
24 Forces, upon the enlistment or appointment of
25 such member, to designate up to 10 persons to

1 whom information regarding the military serv-
2 ice of such member shall be disseminated using
3 contact information obtained under paragraph
4 (5); and

5 (B) provides such persons, within 30 days
6 after the date on which such persons were des-
7 ignated under subparagraph (A), the option to
8 elect to receive such information regarding mili-
9 tary service; and

10 (2) TYPES OF INFORMATION.—The types of in-
11 formation to be disseminated under the pilot pro-
12 gram to persons who elect to receive information
13 shall include information regarding—

14 (A) aspects of daily life and routine experi-
15 enced by members of the Armed Forces;

16 (B) the challenges and stresses of military
17 service, particularly during and after deploy-
18 ment as part of a contingency operation;

19 (C) the services available to members of
20 the Armed Forces and the dependents of such
21 members to cope with the experiences and chal-
22 lenges of military service;

23 (D) benefits administered by the Depart-
24 ment of Defense for members of the Armed
25 Forces and the dependents of such members;

1 (E) a toll-free telephone number through
2 which such persons who elect to receive infor-
3 mation under the pilot program may request in-
4 formation regarding the program; and

5 (F) such other information as the Sec-
6 retary of Defense determines to be appropriate.

7 (3) PRIVACY OF INFORMATION.—In carrying
8 out the pilot program under paragraph (1), the Sec-
9 retary of Defense may not disseminate information
10 under paragraph (2) in violation of laws and regula-
11 tions pertaining to the privacy of members of the
12 Armed Forces, including requirements pursuant
13 to—

14 (A) section 552a of title 5, United States
15 Code; and

16 (B) the Health Insurance Portability and
17 Accountability Act of 1996 (Public Law 104–
18 191).

19 (4) NOTICE AND MODIFICATIONS.—In carrying
20 out the pilot program under paragraph (1), the Sec-
21 retary of Defense shall, with respect to a member of
22 the Armed Forces—

23 (A) ensure that such member is notified of
24 the ability to modify designations made by the
25 member under paragraph (1)(A); and

1 (B) upon the request of a member, author-
2 ize the member to modify such designations at
3 any time.

4 (5) CONTACT INFORMATION.—In making a des-
5 igation under the pilot program, a member of the
6 Armed Forces shall provide necessary contact infor-
7 mation, specifically including an email address, to
8 facilitate the dissemination of information regarding
9 the military service of the member.

10 (6) OPT-OUT OF PROGRAM.—In carrying out
11 the pilot program under paragraph (1), the Sec-
12 retary of Defense shall, with respect to a person who
13 has elected to receive information under such pilot
14 program, cease disseminating such information to
15 that person upon request of such person.

16 (b) SURVEY AND REPORT ON PILOT PROGRAM.—

17 (1) SURVEY.—Not later than two years after
18 the date on which the pilot program commences, the
19 Secretary of Defense, in consultation with the Amer-
20 ican Red Cross, shall administer a survey to persons
21 who elected to receive information under the pilot
22 program, for the purpose of receiving feedback re-
23 garding the quality of information disseminated
24 under this section, including whether such informa-

1 tion appropriately reflects the military career pro-
2 gression of members of the Armed Forces.

3 (2) REPORT.—Not later than three years after
4 the date on which the pilot program commences, the
5 Secretary of Defense shall submit to the congres-
6 sional defense committees a final report on the pilot
7 program which includes—

8 (A) the results of the survey administered
9 under paragraph (1);

10 (B) a determination as to whether the pilot
11 program should be made permanent; and

12 (C) recommendations as to modifications
13 necessary to improve the program if made per-
14 manent.

15 (3) CONGRESSIONAL DEFENSE COMMITTEES
16 DEFINED.—The term “congressional defense com-
17 mittees” has the meaning given that term in section
18 101 of title 10, United States Code.

19 (c) TERMINATION OF PILOT PROGRAM.—The pilot
20 program shall terminate upon submission of the report re-
21 quired by subsection (b)(2).

1 **SEC. 570D. REPORT REGARDING EFFECTIVENESS OF TRAN-**
2 **SITION ASSISTANCE PROGRAM FOR FEMALE**
3 **MEMBERS OF THE ARMED FORCES.**

4 Section 552(b)(4) of the John S. McCain National
5 Defense Authorization Act for Fiscal Year 2019 (Public
6 Law 115–232) is amended by adding at the end the fol-
7 lowing:

8 “(E) The evaluation of the Secretary re-
9 garding the effectiveness of the Transition As-
10 sistance Program for female members of the
11 Armed Forces.”.

12 **SEC. 570E. NOTICE TO SEPARATING SERVICEMEMBERS OF**
13 **RIGHTS UNDER THE SERVICEMEMBERS CIVIL**
14 **RELIEF ACT.**

15 Section 105 of the Servicemembers Civil Relief Act
16 (50 U.S.C. 3915) is amended—

17 (1) by inserting “(a) INITIAL NOTICE.—” be-
18 fore “The Secretary concerned”; and

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

21 “(b) NOTICE AFTER PERIOD OF MILITARY SERV-
22 ICE.—The Secretary concerned shall ensure that a notice
23 described in subsection (a) is provided in writing to each
24 person not sooner than 150 days after and not later than
25 180 days after the date of the termination of a period of
26 military service of that person.”.

1 **SEC. 570F. PILOT PROGRAM REGARDING ONLINE APPLICA-**
2 **TION FOR THE TRANSITION ASSISTANCE**
3 **PROGRAM.**

4 (a) ESTABLISHMENT.—The Secretary of Defense, the
5 Secretary of Veterans Affairs, and the Secretary of Labor
6 should jointly carry out a pilot program that creates a one-
7 stop source for online applications for the purposes of as-
8 sisting members of the Armed Forces and Veterans par-
9 ticipating in the Transition Assistance Program (in this
10 section referred to as “TAP”).

11 (b) DATA SOURCES.—The online application shall, in
12 part, aggregate existing data from government resources
13 and private sector under one uniform resource locator for
14 the purpose of assisting members of the Armed Forces
15 and veterans participating in TAP.

16 (c) ELEMENTS FOR VETERANS AND MEMBERS OF
17 THE ARMED FORCES.—

18 (1) The online application shall be available as
19 a mobile online application available on multiple de-
20 vices (including smartphones and tablets), with re-
21 sponsive design, updated no less than once per year,
22 and downloadable from the two online application
23 stores most commonly used in the United States.

24 (2) The version of the online application acces-
25 sible through a desktop or laptop computer shall be

1 compatible with the most current versions of popular
2 web browsers identified by the Secretaries.

3 (3) The online application shall be accessible to
4 individuals with disabilities in accordance with sec-
5 tion 508 of the Rehabilitation Act of 1973 (29
6 U.S.C. 794d).

7 (4) The online application shall generate, for
8 each individual who uses the online application, a
9 personalized transition data dashboard that includes
10 the following information with regards to the loca-
11 tion in which the individual resides or intends to re-
12 side after separation from the Armed Forces:

13 (A) A current list of employment opportu-
14 nities collected from employers.

15 (B) A current list of educational institu-
16 tions.

17 (C) A current list of facilities of the De-
18 partment of Veterans Affairs.

19 (D) A current list of local veterans service
20 organizations.

21 (5) The dashboard under paragraph (4) shall
22 include a list of benefits for which an individual as
23 a veteran or separated member of the Armed Forces
24 is eligible under the laws administered by the Secre-
25 taries, including educational assistance benefits.

1 (6) The dashboard under paragraph (4) shall
2 keep track of the time remaining before the expira-
3 tion of the following:

4 (A) Any civilian career certification waiver
5 based on the military occupational specialty of
6 the individual.

7 (B) Any active security clearance of the in-
8 dividual.

9 (7) The online application shall, to the extent
10 practicable, match all current military occupational
11 specialties, cross-referenced by grade, to current in-
12 dustries and jobs.

13 (8) The online application shall permit an indi-
14 vidual to search jobs described in paragraph (4)(A)
15 that match jobs described in paragraph (7).

16 (9) The online application shall alert individuals
17 of new job opportunities relevant to the individual,
18 based on military occupational specialty, interest,
19 and search criteria used by the individual under
20 paragraph (8).

21 (10) The online application shall permit an in-
22 dividual to maintain a history of job searches and
23 submitted job applications.

1 (11) The online application shall include a re-
2 sume generator that is compliant with industry-
3 standard applicant tracking systems.

4 (12) The online application shall provide for ca-
5 reer training through the use of learning manage-
6 ment software, including training courses with a
7 minimum of 100 soft skills and business courses.

8 (13) The online application shall include a ca-
9 reer mentorship system, allowing individuals to com-
10 municate through text, chat, video calling, and
11 email, with mentors who can use the online applica-
12 tion to track the jobs mentees have applied for, the
13 training mentees have undertaken, and any other
14 appropriate mentorship matters.

15 (c) ELEMENTS FOR EMPLOYERS.—

16 (1) The online application shall include a mech-
17 anism (to be known as a “military skills translator”)
18 with which employers may identify military occupa-
19 tional specialties that align with jobs offered by the
20 employers.

21 (2) The online application shall include a mech-
22 anism with which employers may search for individ-
23 uals seeking employment, based criteria including
24 military occupational specialty, grade, education, ci-
25 vilian career category, and location.

1 (3) The online application shall provide online
2 training for employers regarding what military occu-
3 pational specialties relate to what jobs.

4 (d) ADDITIONAL REQUIREMENTS.—

5 (1) CYBERSECURITY.—To ensure the informa-
6 tion of individuals and employers is protected from
7 breaches, the Secretaries shall implement cybersecu-
8 rity measures for the online application. These meas-
9 ures shall include the following:

10 (A) A security certificate produced by the
11 online application that is updated each year of
12 the pilot program.

13 (B) The online application shall be hosted
14 by a provider the Secretaries determine to be
15 secure and reputable.

16 (C) Ensuring that the online application
17 has a live development team of dedicated engi-
18 neers to address immediate concerns. No more
19 than half of such team may be based outside
20 the United States.

21 (D) Regular scans of the online applica-
22 tion, host, and server for vulnerabilities.

23 (E) The system must not have had a secu-
24 rity breach within the last 3 years.

1 (2) SYSTEM STABILITY.—To ensure system sta-
2 bility and continuity, all elements of the online appli-
3 cation must pass testing no less than 1 year before
4 the online application is made available for use by
5 individuals and employers.

6 (3) PRIOR PROVIDERS BARRED.—No entity that
7 applies to become the provider of the online applica-
8 tion may have served as a contractor providing data-
9 base management for TAP during the 5 years pre-
10 ceding such online application.

11 (e) ASSESSMENTS.—

12 (1) INTERIM ASSESSMENTS.—Not later than
13 the dates that are one and two years after the date
14 of the commencement of the pilot program, the Sec-
15 retaries shall jointly assess the pilot program.

16 (2) FINAL ASSESSMENT.—Not later than the
17 date that is three years after the date of the com-
18 mencement of the pilot program, the Secretaries
19 shall jointly carry out a final assessment of the pilot
20 program.

21 (3) PURPOSE.—The general objective of each
22 assessment under this subsection shall be to deter-
23 mine if the online application under the pilot pro-
24 gram assists participants in TAP accomplish the
25 goals of TAP, accounting for the individual profiles

1 of participants, including military experience and ge-
2 ographic location.

3 (4) ELEMENTS.—Each assessment shall include
4 the following:

5 (A) The aggregate number of profiles cre-
6 ated on the online application since the com-
7 mencement of the pilot program.

8 (B) Demographic information on individ-
9 uals who use the online application.

10 (C) The average amount time individuals,
11 employers, and community-based services pro-
12 viders, use the online application each month,
13 since the commencement of the pilot program.

14 (D) A ranking of most frequently-used fea-
15 tures of the online application.

16 (E) A satisfaction survey of individuals
17 who use the online application during the peri-
18 ods of 30 days and 180 days after separation
19 from the Armed Forces.

20 (F) A report regarding the attendance of
21 members of the Armed Forces at online and in-
22 person TAP classes.

23 (f) REPORT.—Not later than six months after com-
24 pleting the final assessment under subsection (e)(2), the
25 Secretaries shall submit a report to Congress on its find-

1 ings regarding the pilot program, including recommenda-
2 tions for legislation.

3 **SEC. 570G. INCLUSION OF QUESTION REGARDING IMMI-**
4 **GRATION STATUS ON PRESEPARATION COUN-**
5 **SELING CHECKLIST (DD FORM 2648).**

6 Not later than September 30, 2020, the Secretary of
7 Defense shall modify the preseparation counseling check-
8 list for active component, active guard reserve, active re-
9 serve, full time support, and reserve program adminis-
10 trator service members (DD Form 2648) to include a spe-
11 cific block wherein a member of the Armed Forces may
12 indicate that the member would like to receive information
13 regarding the immigration status of that member and ex-
14 pedited naturalization.

15 **SEC. 570H. COUNSELING TO MEMBERS WHO ARE NOT CITI-**
16 **ZENS OF THE UNITED STATES.**

17 (a) IN GENERAL.—The Secretary concerned shall
18 furnish to covered individuals under the jurisdiction of
19 that Secretary counseling regarding how to apply for natu-
20 ralization.

21 (b) COVERED INDIVIDUAL DEFINED.—In this sec-
22 tion, the term “covered individual” means a member of
23 the Armed Forces who is not a citizen of the United
24 States.

1 **Subtitle H—Military Family Readiness and Dependents’ Education**

2 **SEC. 571. AUTHORIZING MEMBERS TO TAKE LEAVE FOR A**
3 **BIRTH OR ADOPTION IN MORE THAN ONE IN-**
4 **CREMENT.**

5 Section 701(i) of title 10, United States Code, is
6 amended by striking paragraph (5).

7 **SEC. 572. DEFERRED DEPLOYMENT FOR MEMBERS WHO**
8 **GIVE BIRTH.**

9 Section 701 of title 10, United States Code, is
10 amended by adding at the end the following new sub-
11 section:

12 “(l) A member of the armed forces who gives birth
13 may not be deployed during the period of 12 months be-
14 ginning on the date of such birth except—

15 “(1) at the election of such member; and

16 “(2) with the approval of a health care provider
17 employed at a military medical treatment facility.”.

18 **SEC. 573. AUTHORITY OF THE SECRETARY CONCERNED TO**
19 **TRANSPORT REMAINS OF A COVERED DECE-**
20 **DENT TO NO MORE THAN TWO PLACES SE-**
21 **LECTED BY THE PERSON DESIGNATED TO DI-**
22 **RECT DISPOSITION OF THE REMAINS.**

23 (a) **AUTHORITY.**—Section 1482(a)(8) of title 10,
24 United States Code, is amended to read as follows:
25

1 “(8)(A) Transportation of the remains, and
2 travel and transportation allowances as specified in
3 regulations prescribed under section 464 of title 37
4 for an escort of one person, to the place, subject to
5 subparagraph (B), selected by the person designated
6 to direct disposition of the remains or, if such a se-
7 lection is not made, to a national or other cemetery
8 which is selected by the Secretary and in which bur-
9 ial of the decedent is authorized.

10 “(B) The person designated to direct disposi-
11 tion of the remains may select two places under sub-
12 paragraph (A) if the second place is a national cem-
13 etery. If that person selects two places, the Sec-
14 retary concerned may pay for transportation to the
15 second place only by means of reimbursement under
16 to subsection (b).

17 “(C) When transportation of the remains in-
18 cludes transportation by aircraft under section 562
19 of the John Warner National Defense Authorization
20 Act for Fiscal Year 2007 (Public Law 109–364; 10
21 U.S.C. 1482 note), the Secretary concerned shall
22 provide, to the maximum extent practicable, for de-
23 livery of the remains by air to the commercial, gen-
24 eral aviation, or military airport nearest to the place
25 selected by the designee.”.

1 (b) MILITARY ESCORT AND HONOR GUARD ONLY TO
2 FIRST LOCATION.—Section 562(b) of the John Warner
3 National Defense Authorization Act for Fiscal Year 2007
4 (Public Law 109–364; 10 U.S.C. 1482 note) is amended
5 by adding at the end the following: “If the person des-
6 ignated to direct disposition of the remains selects two
7 places under such section, the term means only the first
8 of those two places.”.

9 **SEC. 574. CLARIFICATION REGARDING ELIGIBILITY TO**
10 **TRANSFER ENTITLEMENT UNDER POST-9/11**
11 **EDUCATIONAL ASSISTANCE PROGRAM.**

12 Section 3319(j) of title 38, United States Code, is
13 amended by adding at the end the following new para-
14 graph:

15 “(3) The Secretary of Defense may not prescribe any
16 regulation that would provide for a limitation on eligibility
17 to transfer unused education benefits to family members
18 based on a maximum number of years of service in the
19 Armed Forces.”.

20 **SEC. 575. ABSENTEE BALLOT TRACKING PROGRAM.**

21 (a) ESTABLISHMENT AND OPERATION OF PRO-
22 GRAM.—Section 102(h) of the Uniformed and Overseas
23 Citizens Absentee Voting Act (52 U.S.C. 20302(h)) is
24 amended to read as follows:

25 “(h) ABSENTEE BALLOT TRACKING PROGRAM.—

1 “(1) REQUIRING ESTABLISHMENT AND OPER-
2 ATION OF PROGRAM.—The chief State election offi-
3 cial, in coordination with local election jurisdictions,
4 shall establish and operate an absentee ballot track-
5 ing program described in paragraph (2) for the use
6 of absent uniformed services voters and overseas vot-
7 ers.

8 “(2) PROGRAM DESCRIBED.—

9 “(A) INFORMATION ON TRANSMISSION AND
10 RECEIPT OF ABSENTEE BALLOTS.—An absentee
11 ballot tracking program described in this para-
12 graph is a program under which—

13 “(i) the State or local election official
14 responsible for the transmission of absen-
15 tee ballots in an election for Federal office
16 operates procedures to track and confirm
17 the transmission of such ballots and to
18 make information on the transmission of
19 such a ballot available by means of online
20 access using the internet site of the offi-
21 cial’s office; and

22 “(ii) the State or local election official
23 responsible for the receipt of absentee bal-
24 lots in an election for Federal office oper-
25 ates procedures to track and confirm the

1 receipt of such ballots and (subject to sub-
2 paragraph (B)) to make information on
3 the receipt of such a ballot available by
4 means of online access using the internet
5 site of the official's office.

6 “(B) SPECIFIC INFORMATION ON RECEIPT
7 OF VOTED ABSENTEE BALLOTS.—The informa-
8 tion required to be made available under clause
9 (ii) of subparagraph (A) with respect to the re-
10 ceipt of a voted absentee ballot in an election
11 for Federal office shall include information re-
12 garding whether the vote cast on the ballot was
13 counted, and, in the case of a vote which was
14 not counted, the reasons therefor. The appro-
15 priate State or local election official shall make
16 the information described in the previous sen-
17 tence available during the 30-day period that
18 begins on the date on which the results of the
19 election are certified, or during such earlier 30-
20 day period as the official may provide.

21 “(3) USE OF TOLL-FREE TELEPHONE NUMBER
22 BY OFFICIALS WITHOUT INTERNET SITE.—A pro-
23 gram established and operated by a State or local
24 election official whose office does not have an inter-
25 net site may meet the requirements of paragraph (2)

1 if the official has established and operates a toll-free
 2 telephone number that may be used to obtain the in-
 3 formation on the transmission or receipt of the ab-
 4 sentee ballot which is required under such para-
 5 graph.”.

6 (b) EFFECTIVE DATE.—The amendment made by
 7 subsection (a) shall apply with respect to elections held
 8 during 2020 or any succeeding year.

9 **SEC. 576. ANNUAL STATE REPORT CARD.**

10 Section 1111(h)(1)(C)(ii) of the Elementary and Sec-
 11 ondary Education Act of 1965 (20 U.S.C.
 12 6311(h)(1)(C)(ii)) is amended by striking “on active duty
 13 (as defined in section 101(d)(5) of such title)”.

14 **SEC. 577. TRANSPORTATION OF REMAINS OF CASUALTIES;**
 15 **TRAVEL EXPENSES FOR NEXT OF KIN.**

16 (a) TRANSPORTATION FOR REMAINS OF A MEMBER
 17 WHO DIES NOT IN A THEATER OF COMBAT OPER-
 18 ATIONS.—Section 562 of the John Warner National De-
 19 fense Authorization Act for Fiscal Year 2007 (Public Law
 20 109–364; 10 U.S.C. 1482 note) is amended—

21 (1) in the heading, by striking “**DYING IN A**
 22 **THEATER OF COMBAT OPERATIONS**”; and

23 (2) in subsection (a), by striking “in a combat
 24 theater of operations” and inserting “outside of the
 25 United States”.

1 (b) TRANSPORTATION FOR FAMILY.—The Secretary
2 of Defense shall revise Department of Defense Instruction
3 1300.18 to extend travel privileges via Invitational Travel
4 Authorization to family members of members of the
5 Armed Forces who die outside of the United States and
6 whose remains are returned to the United States through
7 the mortuary facility at Dover Air Force Base, Delaware.

8 **SEC. 578. MEETINGS OF OFFICIALS OF THE DEPARTMENT**
9 **OF DEFENSE WITH SURVIVORS OF DECEASED**
10 **MEMBERS OF THE ARMED FORCES.**

11 (a) CHIEFS OF THE ARMED FORCES.—The Secretary
12 of Defense shall direct the chiefs of the Armed Forces to
13 meet periodically with survivors of deceased members of
14 the Armed Forces to receive feedback from those survivors
15 regarding issues affecting such survivors. The Chief of the
16 National Guard Bureau shall meet with survivors of de-
17 ceased members of the Air National Guard and the Army
18 National Guard.

19 (b) UNDER SECRETARY OF DEFENSE FOR PER-
20 SONNEL AND READINESS.—The Under Secretary of De-
21 fense for Personnel and Readiness shall meet periodically
22 with survivors of deceased members of the Armed Forces
23 to discuss policies of the Department of Defense regarding
24 military casualties and Gold Star families.

1 (c) BRIEFING.—Not later than April 1, 2020, the
2 Under Secretary of Defense for Personnel and Readiness
3 shall brief the Committee on Armed Services of the House
4 of Representatives regarding policies established and the
5 results of the meetings under subsection (b).

6 **SEC. 579. DIRECT EMPLOYMENT PILOT PROGRAM FOR**
7 **MEMBERS OF THE NATIONAL GUARD AND RE-**
8 **SERVE, VETERANS, THEIR SPOUSES AND DE-**
9 **PENDENTS, AND MEMBERS OF GOLD STAR**
10 **FAMILIES.**

11 (a) IN GENERAL.—The Secretary of Defense may
12 carry out a pilot program to enhance the efforts of the
13 Department of Defense to provide job placement assist-
14 ance and related employment services directly to the fol-
15 lowing:

16 (1) Members of the National Guard and Re-
17 serves in reserve active status.

18 (2) Veterans of the Armed Forces.

19 (3) Spouses and other dependents of individuals
20 referred to in paragraphs (1) and (2).

21 (4) Members of Gold Star Families.

22 (5) Spouses and other dependents of members
23 of the Armed Forces on active duty.

24 (b) ADMINISTRATION.—The pilot program shall be
25 offered to, and administered by, the adjutants general ap-

1 pointed under section 314 of title 32, United States Code,
2 or other officials in the States concerned designated by
3 the Secretary for purposes of the pilot program.

4 (c) COST-SHARING REQUIREMENT.—As a condition
5 on the provision of funds under this section to a State
6 to support the operation of the pilot program in the State,
7 the State must agree to contribute an amount, derived
8 from non-Federal sources, equal to at least 50 percent of
9 the funds provided by the Secretary to the State under
10 this section.

11 (d) DIRECT EMPLOYMENT PROGRAM MODEL.—The
12 pilot program should follow a job placement program
13 model that focuses on working one-on-one with individuals
14 specified in subsection (a) to cost-effectively provide job
15 placement services, including services such as identifying
16 unemployed and underemployed individuals, job matching
17 services, resume editing, interview preparation, and post-
18 employment follow up. Development of the pilot program
19 should be informed by existing State direct employment
20 programs for members of the reserve components and vet-
21 erans.

22 (e) TRAINING.—The pilot program should draw on
23 the resources provided to transitioning members of the
24 Armed Forces with civilian training opportunities through

1 the SkillBridge transition training program administered
2 by the Department of Defense.

3 (f) EVALUATION.—The Secretary shall develop out-
4 come measurements to evaluate the success of the pilot
5 program.

6 (g) REPORTING REQUIREMENTS.—

7 (1) REPORT REQUIRED.—Not later than March
8 1, 2021, the Secretary of Defense shall submit to
9 the congressional defense committees a report de-
10 scribing the results of the pilot program. The Sec-
11 retary shall prepare the report in coordination with
12 the Secretary of Veterans Affairs and the Chief of
13 the National Guard Bureau.

14 (2) ELEMENTS OF REPORT.—A report under
15 paragraph (1) shall include the following:

16 (A) A description and assessment of the ef-
17 fectiveness and achievements of the pilot pro-
18 gram, including the number of members of the
19 reserve components and veterans of the Armed
20 Forces hired and the cost-per-placement of par-
21 ticipating members and veterans.

22 (B) An assessment of the impact of the
23 pilot program and increased reserve component
24 employment levels on the readiness of members

1 of the reserve components and on the retention
2 of members of the Armed Forces.

3 (C) A comparison of the pilot program to
4 other programs conducted by the Department
5 of Defense and Department of Veterans Affairs
6 to provide unemployment and underemployment
7 support to members of the reserve components
8 and veterans of the Armed Forces, including
9 the best practices developed through and used
10 in such programs.

11 (D) An assessment of the pilot program's
12 minority outreach efforts, participation out-
13 comes, and participation rates for individuals
14 specified under subsection (a).

15 (E) Any other matters considered appro-
16 priate by the Secretary of Defense.

17 (h) DURATION OF AUTHORITY.—The authority to
18 carry out the pilot program expires on September 30,
19 2023, except that the Secretary may, at the Secretary's
20 discretion, extend the pilot program for not more than two
21 additional fiscal years.

1 **SEC. 580. CONTINUED ASSISTANCE TO SCHOOLS WITH SIG-**
2 **NIFICANT NUMBERS OF MILITARY DEPEND-**
3 **ENT STUDENTS.**

4 (a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT
5 NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the
6 amount authorized to be appropriated for fiscal year 2020
7 in Division D of this Act and available for operation and
8 maintenance for Defense-wide activities as specified in the
9 funding table in Section 4301 of this Act, \$40,000,000
10 shall be available only for the purpose of providing assist-
11 ance to local educational agencies under subsection (a) of
12 section 572 of the National Defense Authorization Act for
13 Fiscal Year 2006 (Public Law 109–163; 20 U.S.C.
14 7703b).

15 (b) IMPACT AID FOR CHILDREN WITH SEVERE DIS-
16 ABILITIES.—Of the amount authorized to be appropriated
17 for fiscal year 2020 in Division D of this Act and available
18 for operation and maintenance for Defense-wide activities
19 as specified in the funding table in Section 4301 of this
20 Act, \$10,000,000 shall be available for payments under
21 section 363 of the Floyd D. Spence National Defense Au-
22 thorization Act for Fiscal Year 2001 (Public Law 106–
23 398; 20 U.S.C. 7703a).

24 (c) LOCAL EDUCATIONAL AGENCY DEFINED.—In
25 this section, the term “local educational agency” has the
26 meaning given that term in section 7013(9) of the Ele-

1 mentary and Secondary Education Act of 1965 (20 U.S.C.
2 7713(9)).

3 **SEC. 580A. PILOT PROGRAM TO FUND NON-PROFIT ORGANI-**
4 **ZATIONS THAT SUPPORT MILITARY FAMI-**
5 **LIES.**

6 (a) ESTABLISHMENT.—The Secretary of Defense
7 shall establish a two-year pilot program to provide grants
8 to eligible nonprofit organizations.

9 (b) INCREASE.—Notwithstanding the amounts set
10 forth in the funding tables in division D, the amount au-
11 thorized to be appropriated in section 301 for Operations
12 and Maintenance, Defense Wide, as specified in the cor-
13 responding funding table in section 4301, line 460 for the
14 Office of the Secretary of Defense is hereby increased by
15 \$1,000,000.

16 (c) OFFSET.—Notwithstanding the amounts set forth
17 in the funding tables in division D, the amount authorized
18 to be appropriated in section 101 for Procurement of
19 Wheeled and Tracked Combat Vehicles, Army, as specified
20 in the corresponding funding table in section 4101, for
21 Bradley Program (Mod) is hereby reduced by \$1,000,000.

22 (d) DISTRIBUTION OF FUNDS.—The Secretary may
23 operate the pilot program under this section on not more
24 than eight covered military installations in a fiscal year,

1 expending not more than \$125,000 per such covered mili-
2 tary installation.

3 (e) REPORT.—Not later than 180 days after the Sec-
4 retary disburses the last of the funds appropriated for the
5 pilot program, the Secretary shall submit to Congress a
6 report regarding—

7 (1) the efficacy of the pilot program; and

8 (2) any recommendation of the Secretary to ex-
9 pand, extend, or make permanent the pilot program.

10 (f) DEFINITIONS.—In this section:

11 (1) The term “eligible organization” means an
12 organization that—

13 (A) is a nonprofit organization under sec-
14 tion 501(c)(3) of the Internal Revenue Code of
15 1986;

16 (B) on the date of the enactment of this
17 Act, is providing food, clothing, or other assist-
18 ance to families on a covered military installa-
19 tion; and

20 (C) proves, to the satisfaction of the Sec-
21 retary, that the organization has received fund-
22 ing commitments that match each dollar re-
23 quested from the Secretary by the organization
24 under the pilot program under this section.

1 (2) The term “covered military installation”
2 means a military installation—

3 (A) on which not more than 5,000 mem-
4 bers of the Armed Forces serve on active duty;
5 and

6 (B) located in a county for which the Sec-
7 retary determines the cost of living exceeds the
8 national average.

9 **SEC. 580B. EXPANSION OF THE MY CAREER ADVANCEMENT**
10 **ACCOUNT PROGRAM FOR MILITARY SPOUSES**
11 **TO NONPORTABLE CAREER FIELDS AND OC-**
12 **CUPATIONS.**

13 The Secretary of Defense shall modify the My Career
14 Advancement Account program of the Department of De-
15 fense to ensure that military spouses participating in the
16 program may receive financial assistance for the pursuit
17 of a license, certification, or Associate’s degree in any ca-
18 reer field or occupation, including both portable and non-
19 portable career fields and occupations.

20 **SEC. 580C. EXPANSION OF THE MY CAREER ADVANCEMENT**
21 **ACCOUNT PROGRAM FOR MILITARY**
22 **SPOUSES.**

23 (a) COAST GUARD.—The spouse of a member of the
24 Coast Guard may participate in the My Career Advance-
25 ment Account program of the Department of Defense.

1 (b) ALL ENLISTED GRADES.—The spouse of an en-
2 listed member of the Armed Forces may participate in the
3 My Career Advancement Account program of the Depart-
4 ment of Defense.

5 **SEC. 580D. REPORT ON TRAINING AND SUPPORT AVAIL-**
6 **ABLE TO MILITARY SPOUSES.**

7 (a) REPORT REQUIRED.—Not later than 180 days
8 after the date of the enactment of this Act, the Under
9 Secretary of Defense for Personnel and Readiness shall
10 submit to the congressional defense committees a report
11 that includes a description of the following:

12 (1) Financial literacy programs currently de-
13 signed specifically for military spouses.

14 (2) Programs designed to educate spouses and
15 service members about the risks of multi-level mar-
16 keting.

17 (3) Efforts to evaluate the effectiveness of fi-
18 nancial literacy programs.

19 (4) The number of counseling sessions re-
20 quested by military spouses at Family Support Cen-
21 ters in the previous 5 years.

22 (b) PUBLIC AVAILABILITY.—The report submitted
23 under subsection (a) shall be made available on a publicly
24 accessible website of the Department of Defense.

1 **SEC. 580E. FULL MILITARY HONORS CEREMONY FOR CER-**
2 **TAIN VETERANS.**

3 Section 1491(b) of title 10, United States Code, is
4 amended by adding at the end the following:

5 “(3) The Secretary concerned shall provide full mili-
6 tary honors (as determined by the Secretary concerned)
7 for the funeral of a veteran who—

8 “(A) is first interred or first inurned in Arling-
9 ton National Cemetery on or after the date of the
10 enactment of this paragraph;

11 “(B) was awarded the medal of honor or the
12 prisoner-of-war medal; and

13 “(C) is not entitled to full military honors by
14 the grade of that veteran.”.

15 **SEC. 580F. INCREASE IN ASSISTANCE TO CERTAIN LOCAL**
16 **EDUCATIONAL AGENCIES.**

17 (a) INCREASE.—Notwithstanding the amounts set
18 forth in the funding tables in division D, the amount au-
19 thorized to be appropriated in section 301 for Operation
20 and Maintenance, Defense-Wide, as specified in the cor-
21 responding funding table in section 4301, for Department
22 of Defense Education Activity, line 410 is hereby in-
23 creased by \$10,000,000 (with the amount of such increase
24 to be made available for support to local educational agen-
25 cies that serve military communities and families).

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 101 for procurement, as specified in the corresponding funding table in section 4101, for shipbuilding and conversion, Navy, ship to shore connector, line 024 is hereby reduced by \$10,000,000.

SEC. 580G. ASSISTANCE FOR DEPLOYMENT-RELATED SUPPORT OF MEMBERS OF THE ARMED FORCES UNDERGOING DEPLOYMENT AND THEIR FAMILIES BEYOND THE YELLOW RIBBON RE-INTEGRATION PROGRAM.

Section 582 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 10101 note) is amended—

(1) by redesignating subsections (k) and (l) as subsections (l) and (m), respectively; and

(2) by inserting after subsection (j) the following new subsection (k):

“(k) SUPPORT BEYOND PROGRAM.—The Secretary of Defense shall provide funds to States, Territories, and government entities to carry out programs, and other activities as the Secretary considers appropriate, that provide deployment cycle information, services, and referrals to members of the armed forces, and their families, throughout the deployment cycle. Such programs may in-

1 clude the provision of access to outreach services, includ-
2 ing the following:

3 “(1) Employment counseling.

4 “(2) Behavioral health counseling.

5 “(3) Suicide prevention.

6 “(4) Housing advocacy.

7 “(5) Financial counseling.

8 “(6) Referrals for the receipt of other related
9 services.”.

10 **Subtitle I—Decorations and** 11 **Awards**

12 **SEC. 581. EXPANSION OF GOLD STAR LAPEL BUTTON ELIGI-** 13 **BILITY TO STEPSIBLINGS; FREE REPLACE-** 14 **MENT.**

15 (a) ELIGIBILITY OF STEPSIBLINGS.—Subsection
16 (d)(3) of section 1126 of title 10, United States Code, is
17 amended by striking “and half sisters” and inserting “half
18 sisters, stepbrothers, and stepsisters”.

19 (b) FREE REPLACEMENT.—Subsection (c) of such
20 section is amended by striking “and payment of an
21 amount sufficient to cover the cost of manufacture and
22 distribution” and inserting “at no cost to that person”.

1 **SEC. 582. ESTABLISHMENT OF THE ATOMIC VETERANS**
2 **SERVICE MEDAL.**

3 (a) SERVICE MEDAL REQUIRED.—The Secretary of
4 Defense shall design and produce a military service medal,
5 to be known as the “Atomic Veterans Service Medal”, to
6 honor retired and former members of the Armed Forces
7 who are radiation-exposed veterans (as such term is de-
8 fined in section 1112(c)(3) of title 38, United States
9 Code).

10 (b) DISTRIBUTION OF MEDAL.—

11 (1) ISSUANCE TO RETIRED AND FORMER MEM-
12 BERS.—At the request of a radiation-exposed vet-
13 eran, the Secretary of Defense shall issue the Atom-
14 ic Veterans Service Medal to the veteran.

15 (2) ISSUANCE TO NEXT-OF-KIN.—In the case of
16 a radiation-exposed veteran who is deceased, the
17 Secretary may provide for issuance of the Atomic
18 Veterans Service Medal to the next-of-kin of the per-
19 son.

20 (3) APPLICATION.—The Secretary shall prepare
21 and disseminate as appropriate an application by
22 which radiation-exposed veterans and their next-of-
23 kin may apply to receive the Atomic Veterans Serv-
24 ice Medal.

1 **SEC. 583. REVIEW OF WORLD WAR I VALOR MEDALS.**

2 (a) REVIEW REQUIRED.—Each Secretary concerned
3 shall review the service records of each World War I vet-
4 eran described in subsection (b) under the jurisdiction of
5 such Secretary who is recommended for such review by
6 the Valor Medals Review Task Force referred to in sub-
7 section (c), or another veterans service organization, in
8 order to determine whether such veteran should be award-
9 ed the Medal of Honor for valor during World War I.

10 (b) COVERED WORLD WAR I VETERANS.—The
11 World War I veterans whose service records are to be re-
12 viewed under subsection (a) are the following:

13 (1) Any African American war veteran, Asian
14 American war veteran, Hispanic American war vet-
15 eran, Jewish American war veteran, or Native Amer-
16 ican war veteran who was awarded the Distinguished
17 Service Cross or the Navy Cross for an action that
18 occurred between April 6, 1917, and November 11,
19 1918.

20 (2) Any African American war veteran, Asian
21 American war veteran, Hispanic American war vet-
22 eran, Jewish American war veteran, or Native Amer-
23 ican war veteran who was awarded the Croix de
24 Guerre with Palm (that is, awarded at the Army
25 level or above) by the Government of France for an

1 action that occurred between April 6, 1917, and No-
2 vember 11, 1918.

3 (3) Any African American war veteran, Asian
4 American war veteran, Hispanic American war vet-
5 eran, Jewish American war veteran, or Native Amer-
6 ican war veteran who was recommended for a Medal
7 of Honor for an action that occurred from April 6,
8 1917, to November 11, 1918, if the Department of
9 Defense possesses or receives records relating to
10 such recommendation.

11 (c) CONSULTATIONS.—In carrying out the review
12 under subsection (a), each Secretary concerned may con-
13 sult with the Valor Medals Review Task Force, jointly es-
14 tablished by the United States Foundation for the Com-
15 memoration of the World Wars (in consultation with the
16 United States World War One Centennial Commission)
17 and the George S. Robb Centre for the Study of the Great
18 War, and with such other veterans service organizations
19 as such Secretary determines appropriate, until the con-
20 clusion of the review.

21 (d) RECOMMENDATION BASED ON REVIEW.—If a
22 Secretary concerned determines, based upon the review
23 under subsection (a), that the award of the Medal of
24 Honor to a covered World War I veteran is warranted,
25 such Secretary shall submit to the President a rec-

1 ommendation that the President award the Medal of
2 Honor to that veteran.

3 (e) AUTHORITY TO AWARD MEDAL OF HONOR.—The
4 Medal of Honor may be awarded to a World War I veteran
5 in accordance with a recommendation of a Secretary con-
6 cerned under subsection (d).

7 (f) WAIVER OF TIME LIMITATIONS.—An award of
8 the Medal of Honor may be made under subsection (e)
9 without regard to—

10 (1) section 7274 or 8298 of title 10, United
11 States Code, as applicable; and

12 (2) any regulation or other administrative re-
13 striction on—

14 (A) the time for awarding the Medal of
15 Honor; or

16 (B) the awarding of the Medal of Honor
17 for service for which a Distinguished Service
18 Cross or Navy Cross has been awarded.

19 (g) DEFINITIONS.—

20 (1) IN GENERAL.—In this section:

21 (A) AFRICAN AMERICAN WAR VETERAN.—

22 The term “African American war veteran”
23 means any person who served in the United
24 States Armed Forces between April 6, 1917,
25 and November 11, 1918, and who identified

1 himself as of African descent on his military
2 personnel records.

3 (B) ASIAN AMERICAN WAR VETERAN.—

4 The term “Asian American war veteran” means
5 any person who served in the United States
6 Armed Forces between April 6, 1917, and No-
7 vember 11, 1918, and who identified himself ra-
8 cially, nationally, or ethnically as originating
9 from a country in Asia on his military per-
10 sonnel records.

11 (C) HISPANIC AMERICAN WAR VETERAN.—

12 The term “Hispanic American war veteran”
13 means any person who served in the United
14 States Armed Forces between April 6, 1917,
15 and November 11, 1918, and who identified
16 himself racially, nationally, or ethnically as
17 originating from a country where Spanish is an
18 official language on his military personnel
19 records.

20 (D) JEWISH AMERICAN WAR VETERAN.—

21 The term “Jewish American war veteran” mean
22 any person who served in the United States
23 Armed Forces between April 6, 1917, and No-
24 vember 11, 1918, and who identified himself as
25 Jewish on his military personnel records.

1 (E) NATIVE AMERICAN WAR VETERAN.—

2 The term “Native American war veteran”
3 means any person who served in the United
4 States Armed Forces between April 6, 1917,
5 and November 11, 1918, and who identified
6 himself as a member of a federally recognized
7 tribe within the modern territory of the United
8 States on his military personnel records.

9 (F) SECRETARY CONCERNED.—The term
10 “Secretary concerned” means—

11 (i) the Secretary of the Army, in the
12 case of members of the Armed Forces who
13 served in the Army between April 6, 1917,
14 and November 11, 1918; and

15 (ii) the Secretary of the Navy, in the
16 case of members of the Armed Forces who
17 served in the Navy or the Marine Corps
18 between April 6, 1917, and November 11,
19 1918.

20 (2) APPLICATION OF DEFINITIONS OF ORI-
21 GIN.—If the military personnel records of a person
22 do not reflect the person’s membership in one of the
23 groups identified in subparagraphs (B) through (F)
24 of paragraph (1) but historical evidence exists that
25 demonstrates the person’s Jewish faith held at the

1 time of service, or that the person identified himself
2 as of African, Asian, Hispanic, or Native American
3 descent, the person may be treated as being a mem-
4 ber of the applicable group by the Secretary con-
5 cerned (in consultation with the organizations re-
6 ferred to in subsection (c)) for purposes of this sec-
7 tion.

8 **SEC. 584. AUTHORIZATION FOR AWARD OF THE MEDAL OF**
9 **HONOR TO ALWYN CASHE FOR ACTS OF**
10 **VALOR DURING OPERATION IRAQI FREEDOM.**

11 (a) WAIVER OF TIME LIMITATIONS.—Notwith-
12 standing the time limitations specified in section 7271 of
13 title 10, United States Code, or any other time limitation
14 with respect to the awarding of certain medals to persons
15 who served in the Armed Forces, the President may award
16 the Medal of Honor under section 7271 of such title to
17 Alwyn C. Cashe for the acts of valor during Operation
18 Iraqi Freedom described in subsection (b).

19 (b) ACTS OF VALOR DESCRIBED.—The acts of valor
20 referred to in subsection (a) are the actions of Alwyn
21 Cashe on October 17, 2005, in Samarra, Iraq, during Op-
22 eration Iraqi Freedom, when, as a Sergeant First Class
23 in Company A, 1st Battalion, 15th Infantry Regiment,
24 3rd Infantry Division, with no regard to his own safety
25 or wellbeing, he repeatedly entered a burning Bradley

1 Fighting Vehicle after it struck an improvised explosive
2 device. While receiving small arms fire, he made his first
3 evacuation of his Soldiers. On his second evacuation of
4 Soldiers, his own fuel-soaked uniform caught on fire, yet
5 he returned to the burning Bradley Fighting Vehicle for
6 a third evacuation. Cashe, injured the worst of all in-
7 volved, with second- and third- degree burns over 72 per-
8 cent of his body, still led recovery efforts and refused med-
9 ical evacuation until his men were evacuated to safety and
10 treatment. Cashe's actions saved the lives of six of his Sol-
11 diers. Sergeant First Class Alwyn Cashe succumbed from
12 his wounds on November 8, 2005 at Brooks Army Medical
13 Center, Fort Sam Houston, San Antonio, Texas. He was
14 posthumously awarded the Silver Star for his heroism.

15 **SEC. 585. ELIGIBILITY OF VETERANS OF OPERATION END**
16 **SWEEP FOR VIETNAM SERVICE MEDAL.**

17 The Secretary of the military department concerned
18 may, upon the application of an individual who is a vet-
19 eran who participated in Operation End Sweep, award
20 that individual the Vietnam Service Medal.

1 **Subtitle J—Miscellaneous Reports**
2 **and Other Matters**

3 **SEC. 591. REPEAL OF QUARTERLY REPORT ON END**
4 **STRENGTHS.**

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

7 **SEC. 592. REVISION OF WORKPLACE AND GENDER RELA-**
8 **TIONS SURVEYS.**

9 (a) SURVEYS OF MEMBERS OF THE ARMED
10 FORCES.—Section 481(c) of title 10, United States Code,
11 is amended—

12 (1) in the matter preceding paragraph (1), by
13 inserting “unwanted sexual contact,” after “as-
14 sault,”;

15 (2) by redesignating paragraphs (3) through
16 (5) as paragraphs (4) through (6), respectively;

17 (3) by inserting after paragraph (2), the fol-
18 lowing new paragraph (3):

19 “(3) The specific types of unwanted sexual con-
20 tact that have occurred, and the number of times
21 each respondent has been subjected to unwanted
22 sexual contact during the preceding year.”;

23 (4) in paragraph (5), as so redesignated, by
24 striking “and assault” and inserting “assault, and
25 unwanted sexual contact”;

1 (5) in paragraph (6), as so redesignated, by
2 striking “or assault” and inserting “assault, or un-
3 wanted sexual contact”.

4 (b) SURVEYS OF CIVILIAN EMPLOYEES OF THE DE-
5 PARTMENT OF DEFENSE.—Section 481a of title 10,
6 United States Code, is amended—

7 (1) in subsection (a)(1), by striking “and dis-
8 crimination” and inserting “discrimination, and un-
9 wanted sexual contact”;

10 (2) in subsection (b)—

11 (A) by redesignating paragraphs (3)
12 through (5) as paragraphs (4) through (6), re-
13 spectively;

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

16 “(3) The specific types of unwanted sexual con-
17 tact that civilian employees of the Department were
18 subjected to by other personnel of the Department
19 (including contractor personnel), and the number of
20 times each respondent has been subjected to un-
21 wanted sexual contact during the preceding fiscal
22 year.”;

23 (C) in paragraph (5), as so redesignated,
24 by striking “and discrimination” and inserting

1 “discrimination, and unwanted sexual contact”;
2 and

3 (D) in paragraph (6), as so redesignated,
4 by striking “or discrimination” and inserting
5 “discrimination, or unwanted sexual contact”.

6 (c) EFFECTIVE DATE.—The amendments made by
7 subsections (a) and (b) shall take effect on the date of
8 the enactment of this Act and shall apply with respect to
9 surveys under sections 481 and 481a of title 10, United
10 States Code, that are initiated after such date.

11 **SEC. 593. MODIFICATION OF ELEMENTS OF REPORTS ON**
12 **THE IMPROVED TRANSITION ASSISTANCE**
13 **PROGRAM.**

14 Section 552(b)(4) of the John S. McCain National
15 Defense Authorization Act for Fiscal Year 2019 (Public
16 Law 115–232) is amended—

17 (1) by redesignating subparagraphs (A) through
18 (D) as subparagraphs (B) through (E), respectively;

19 (2) by inserting before subparagraph (B), as re-
20 designated by paragraph (1), the following new sub-
21 paragraph (A):

22 “(A) The total number of members eligible
23 to attend Transition Assistance Program coun-
24 seling.”; and

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

3 “(F) The number of members who partici-
4 pated in programs under section 1143(e) of
5 title 10, United States Code (commonly re-
6 ferred to as ‘Job Training, Employment Skills,
7 Apprenticeships and Internships (JTEST-AI)’
8 or ‘Skill Bridge’).

9 “(G) Such other information as is required
10 to provide Congress with a comprehensive de-
11 scription of the participation of the members in
12 the Transition Assistance Program and pro-
13 grams described in subparagraph (F).”.

14 **SEC. 594. QUESTIONS IN WORKPLACE SURVEYS REGARD-**
15 **ING SUPREMACIST, EXTREMIST, AND RACIST**
16 **ACTIVITY.**

17 The Secretary of Defense shall include, in the work-
18 place and equal opportunity, command climate, and work-
19 place and gender relations surveys administered by the Of-
20 fice of People Analytics of the Department of Defense,
21 questions regarding whether respondents have ever—

- 22 (1) experienced or witnessed in the workplace—
23 (A) supremacist activity;
24 (B) extremist activity;
25 (C) racism; or

1 (D) anti-Semitism; and

2 (2) reported activity described in paragraph (1).

3 **SEC. 595. COMMAND MATTERS IN CONNECTION WITH**
4 **TRANSITION ASSISTANCE PROGRAMS.**

5 (a) INCLUSION OF SUPPORT FOR PARTICIPATION IN
6 PROGRAMS IN COMMAND CLIMATE ASSESSMENTS.—Not
7 later than 180 days after the date of the enactment of
8 this Act, each command climate assessment for the com-
9 mander of a military installation shall include an assess-
10 ment of the extent to which the commander and other
11 command personnel at the installation encourage and sup-
12 port the participation in covered transition assistance pro-
13 grams of members of the Armed Forces at the installation
14 who are eligible for participation in such programs.

15 (b) TRAINING ON PROGRAMS.—The training provided
16 a commander of a military installation in connection with
17 the commencement of assignment to the installation shall
18 include a module on the covered transition assistance pro-
19 grams available for members of the Armed Forces as-
20 signed to the installation.

21 (c) COVERED TRANSITION ASSISTANCE PROGRAMS
22 DEFINED.—In this section, the term “covered transition
23 assistance programs” means the following:

24 (1) The Transition Assistance Program.

1 (2) The programs under section 1143(e) of title
2 10, United States Code (commonly referred to as
3 “Job Training, Employment Skills, Apprenticeships
4 and Internships (JTEST–AI)” or “Skill Bridge”).

5 (3) Any program of apprenticeship, on-the-job-
6 training, internship, education, or transition assist-
7 ance offered (whether by public or private entities)
8 in the vicinity of the military installation concerned
9 in which members of the Armed Forces at the instal-
10 lation are eligible to participate.

11 (4) Any other program of apprenticeship, on-
12 the-job training, internship, education, or transition
13 assistance specified by the Secretary of Defense for
14 purposes of this section.

15 **SEC. 596. EXPRESSING SUPPORT FOR THE DESIGNATION**
16 **OF A “GOLD STAR FAMILIES REMEMBRANCE**
17 **DAY”.**

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

19 (1) March 2, 2020, marked the 91st anniver-
20 sary of President Calvin Coolidge signing an Act of
21 Congress that approved and funded the first Gold
22 Star pilgrimage to enable Gold Star families to trav-
23 el to the gravesites of their loved ones who died dur-
24 ing World War I.

1 (2) The members of the Armed Forces of the
2 United States bear the burden of protecting the
3 freedom of the people of the United States.

4 (3) The sacrifices of the families of the fallen
5 members of the Armed Forces of the United States
6 should never be forgotten.

7 (b) SENSE OF CONGRESS.—It is the sense of Con-
8 gress to—

9 (1) support the designation of a “Gold Star
10 Families Remembrance Day”;

11 (2) honor and recognize the sacrifices made by
12 the families of members of the Armed Forces of the
13 United States who gave their lives to defend freedom
14 and protect America; and

15 (3) encourage the people of the United States
16 to observe “Gold Star Families Remembrance Day”
17 by—

18 (A) performing acts of service and good
19 will in their communities; and

20 (B) celebrating the lives of those who have
21 made the ultimate sacrifice so that others could
22 continue to enjoy life, liberty, and the pursuit
23 of happiness.

1 **SEC. 597. REPORT ON CERTAIN WAIVERS RECEIVED BY**
2 **TRANSGENDER INDIVIDUALS.**

3 (a) IN GENERAL.—Not later than 120 days after the
4 date of the enactment of this Act, and annually thereafter
5 during the two subsequent calendar years, the Secretary
6 of Defense shall submit to the Committees on Armed Serv-
7 ices of the House of Representatives and the Senate a re-
8 port identifying the number of individuals (disaggregated
9 by the status of the individuals as exempt individuals or
10 nonexempt individuals) to whom the following applied dur-
11 ing the reporting period for such report:

12 (1) Diagnosed with a covered medical condi-
13 tion—

14 (A) prior to accession into the Armed
15 Forces; or

16 (B) as a member of the Armed Forces.

17 (2) Presumptively denied accession into the
18 Armed Forces as a result of a covered medical con-
19 dition.

20 (3) Applied for a service waiver as a result of
21 a covered medical condition.

22 (4) Received a service waiver for a covered med-
23 ical condition.

24 (5) Denied a service waiver for a covered med-
25 ical condition.

1 (6) Separated from the Armed Forces as a re-
2 sult of a covered medical condition.

3 (b) DEFINITIONS.—In this section:

4 (1) EXEMPT AND NONEXEMPT INDIVIDUALS.—
5 The terms “exempt individuals” and “nonexempt in-
6 dividuals” have the meanings given those terms in
7 attachment 3 of the memorandum—

8 (A) issued by the Office of the Deputy Sec-
9 retary of Defense;

10 (B) dated March 12, 2019; and

11 (C) with the subject heading “Directive-
12 type Memorandum (DTM)–19–004–Military
13 Service by Transgender Persons and Persons
14 with Gender Dysphoria”.

15 (2) COVERED MEDICAL CONDITION.—The term
16 “covered medical condition” means—

17 (A) gender dysphoria;

18 (B) gender transition treatment; or

19 (C) any other condition related to gender
20 dysphoria or gender transition treatment.

21 (3) REPORTING PERIOD.—The term “reporting
22 period” means, with respect to a report submitted
23 under subsection (a), the calendar year most re-
24 cently completed before the date on which such re-
25 port is to be submitted.

1 (4) SERVICE WAIVER.—The term “service waiver”
2 includes a waiver—

3 (A) for accession into the Armed Forces;

4 (B) to continue service in the Armed
5 Forces; or

6 (C) to otherwise permit service in the
7 Armed Forces.

8 **SEC. 598. STUDY ON BEST PRACTICES FOR PROVIDING FI-**
9 **NANCIAL LITERACY EDUCATION FOR VET-**
10 **ERANS.**

11 (a) STUDY REQUIRED.—The Secretary of Defense
12 and the Secretary of Veterans Affairs, and with respect
13 to members of the Coast Guard, in coordination with the
14 Secretary of the Department in which the Coast Guard
15 is operating when it is not operating as a service in the
16 Navy, shall conduct a study on the best practices to pro-
17 vide financial literacy education for separating members
18 of the Armed Forces and veterans.

19 (b) ELEMENTS.—The study required by subsection
20 (a) shall include—

21 (1) an examination, recommendations, and re-
22 porting on best practices for providing financial lit-
23 eracy education to veterans and separating members
24 of the Armed Forces;

1 (2) detailed current financial literacy programs
2 for separating members of the Armed Forces, and
3 an examination of linkages between these programs
4 and those for veterans provided by the Department
5 of Veterans Affairs; and

6 (3) steps to improve coordination between the
7 Department of Defense and Department of Veterans
8 Affairs for the provision of these services.

9 (c) CONSULTATION.—In conducting the study re-
10 quired by subsection (a), the Secretaries shall consult with
11 the Financial Literacy and Education Commission of the
12 Department of the Treasury.

13 (d) REPORT.—Not later than 120 days after the date
14 of the enactment of this Act, the Secretary of Defense
15 shall submit to the appropriate congressional committees
16 a report on the study under subsection (a).

17 (e) DEFINITION.— In this section:

18 (1) The term “financial literacy” means edu-
19 cation of personal finance including the insurance,
20 credit, loan, banking, career training and education
21 benefits available to veterans.

22 (2) The term “appropriate congressional com-
23 mittees” means the Committees on Armed Services
24 of the Senate and House of Representatives, and the

1 Committees on Veterans' Affairs of the Senate and
2 House of Representatives.

3 **SEC. 599. HONORARY PROMOTION OF COLONEL CHARLES**
4 **E. MCGEE TO BRIGADIER GENERAL IN THE**
5 **AIR FORCE.**

6 The President is authorized to issue an honorary
7 commission promoting, to brigadier general in the Air
8 Force, Colonel Charles E. McGee, United States Air Force
9 (retired), a distinguished Tuskegee Airman whose hon-
10 orary promotion has the recommendation of the Secretary
11 of the Air Force under section 1563 of title 10, United
12 States Code.

13 **SEC. 599A. RECOMMENDING THAT THE PRESIDENT GRANT**
14 **LIEUTENANT COLONEL RICHARD COLE,**
15 **UNITED STATES AIR FORCE (RET.), AN HON-**
16 **ORARY AND POSTHUMOUS PROMOTION TO**
17 **THE GRADE OF COLONEL.**

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

19 (1) Richard E. Cole (in this section referred to
20 as “Cole”) graduated from Steele High School in
21 Dayton, Ohio, and completed two years at Ohio Uni-
22 versity before enlisting in the Army Air Corps in No-
23 vember, 1940.

24 (2) Cole completed pilot training and was com-
25 missioned as a Second Lieutenant in July, 1941.

1 (3) On April 18, 1942, the United States con-
2 ducted air raids on Tokyo led by Lieutenant Colonel
3 James “Jimmy” Doolittle, which later became
4 known as “the Doolittle Raid”.

5 (4) Cole flew in the Doolittle Raid as Lieuten-
6 ant Colonel Doolittle’s co-pilot in aircraft number 1.

7 (5) For their outstanding heroism, valor, skill,
8 and service to the United States, the Doolittle Raid-
9 ers, including Cole, were awarded the Congressional
10 Gold Medal in 2014.

11 (b) RECOMMENDATION OF HONORARY PROMOTION
12 FOR RICHARD E. COLE.—Pursuant to section 1563 of
13 title 10, United States Code, Congress recommends that
14 the President grant Lieutenant Colonel Richard E. Cole,
15 United States Air Force (retired), an honorary and post-
16 humous promotion to the grade of colonel.

17 (c) ADDITIONAL BENEFITS NOT TO ACCRUE.—The
18 advancement of Richard E. Cole on the retired list of the
19 Air Force under subsection (b) shall not affect the retired
20 pay or other benefits from the United States to which
21 Richard E. Cole would have been entitled based upon his
22 military service, or affect any benefits to which any other
23 person may become entitled based on such military service.

1 **SEC. 599B. INCLUSION OF CERTAIN VETERANS ON TEM-**
2 **PORARY DISABILITY OR PERMANENT DIS-**
3 **ABLED RETIREMENT LISTS IN MILITARY**
4 **ADAPTIVE SPORTS PROGRAMS.**

5 (a) INCLUSION OF CERTAIN VETERANS.—Subsection
6 (a)(1) of section 2564a of title 10, United States Code,
7 is amended by striking “for members of the armed forces
8 who” and all that follows through the period at the end
9 and inserting the following: “for—

10 “(A) any member of the armed forces who
11 is eligible to participate in adaptive sports be-
12 cause of an injury, illness, or wound incurred in
13 the line of duty in the armed forces; and

14 “(B) any veteran (as defined in section
15 101 of title 38), during the one-year period fol-
16 lowing the veteran’s date of separation, who—

17 “(i) is on the Temporary Disability
18 Retirement List or Permanently Disabled
19 Retirement List;

20 “(ii) is eligible to participate in adapt-
21 ive sports because of an injury, illness, or
22 wound incurred in the line of duty in the
23 armed forces; and

24 “(iii) was enrolled in the program au-
25 thorized under this section prior to the vet-
26 eran’s date of separation.”.

1 (b) CONFORMING AMENDMENT.—Subsection (b) of
 2 such section is amended by inserting “and veterans” after
 3 “members”.

4 (c) CLERICAL AMENDMENTS.—

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

7 **“§ 2564a. Provision of assistance for adaptive sports**
 8 **programs: members of the armed forces;**
 9 **certain veterans”.**

10 (2) TABLE OF SECTIONS.—The table of sections
 11 at the beginning of chapter 152 of such title is
 12 amended by striking the item relating to section
 13 2564a and inserting the following new item:

“2564a. Provision of assistance for adaptive sports programs: members of the
 armed forces; certain veterans.”.

14 **SEC. 599C. SENSE OF CONGRESS REGARDING THE HIGH-AL-**
 15 **TITUDE ARMY NATIONAL GUARD AVIATION**
 16 **TRAINING SITE.**

17 (a) FINDING.—Congress finds that the High-Altitude
 18 Army National Guard Aviation Training Site is the lone
 19 school of the Department of Defense where rotary-wing
 20 aviators in the Armed Forces and the militaries of foreign
 21 allies learn how to safely fly rotary-wing aircraft in moun-
 22 tainous, high-altitude environments.

23 (b) SENSE OF CONGRESS.—It is the sense of Con-
 24 gress that military aviation training in Colorado, including

1 the training conducted at the High-Altitude Army Na-
2 tional Guard Aviation Training Site, is critical to the na-
3 tional security of the United States and the readiness of
4 the Armed Forces.

5 **TITLE VI—COMPENSATION AND**
6 **OTHER PERSONNEL BENEFITS**
7 **Subtitle A—Pay and Allowances**

8 **SEC. 601. CLARIFICATION OF CONTINUATION OF PAYS DUR-**
9 **ING HOSPITALIZATION AND REHABILITATION**
10 **RESULTING FROM WOUNDS, INJURY, OR ILL-**
11 **NESS INCURRED WHILE ON DUTY IN A HOS-**
12 **TILE FIRE AREA OR EXPOSED TO AN EVENT**
13 **OF HOSTILE FIRE OR OTHER HOSTILE AC-**
14 **TION.**

15 Section 372(b)(1) of title 37, United States Code, is
16 amended to read as follows:

17 “(1) The date on which the member is returned
18 for assignment to other than a medical or patient
19 unit for duty; however, in the case of a member
20 under the jurisdiction of a Secretary of a military
21 department, the date on which the member is deter-
22 mined fit for duty.”.

1 **SEC. 602. BASIC NEEDS ALLOWANCE FOR LOW-INCOME**
2 **REGULAR MEMBERS.**

3 (a) IN GENERAL.—Chapter 7 of title 37, United
4 States Code, is amended by inserting after section 402a
5 the following new section:

6 **“§ 402b. Basic needs allowance for low-income reg-**
7 **ular members**

8 “(a) ALLOWANCE REQUIRED.—(1) Subject to para-
9 graph (2), the Secretary of Defense shall pay to each cov-
10 ered member a basic needs allowance in the amount deter-
11 mined for such member under subsection (b).

12 “(2) In the event a household contains two or more
13 covered members entitled to receive the allowance under
14 this section in a given year, only one allowance may be
15 paid for that year to a covered member among such cov-
16 ered members whom such covered members shall jointly
17 elect.

18 “(b) AMOUNT OF ALLOWANCE FOR A COVERED
19 MEMBER.—(1) The amount of the monthly allowance pay-
20 able to a covered member under subsection (a) for a year
21 shall be the aggregate amount equal to—

22 “(A) the aggregate amount equal to—

23 “(i) 130 percent of the Federal poverty guide-
24 lines of the Department of Health and Human Serv-
25 ices for the location and number of persons in the

1 household of the covered member for such year;
2 minus

3 “(ii) the gross household income of the covered
4 member during the preceding year; and
5 “(B) divided by 12.

6 “(2) The monthly allowance payable to a covered
7 member for a year shall be payable for each of the 12
8 months following March of such year.

9 “(c) NOTICE OF ELIGIBILITY.—(1)(A) Not later than
10 December 31 each year, the Director of the Defense Fi-
11 nance and Accounting Service shall notify, in writing, each
12 individual whom the Director estimates will be a covered
13 member during the following year of the potential entitle-
14 ment of that individual to the allowance described in sub-
15 section (a) for that following year.

16 “(B) The preliminary notice under subparagraph (A)
17 shall include information regarding financial management
18 and assistance programs administered by the Secretary of
19 Defense for which a covered member is eligible.

20 “(2) Not later than January 31 each year, each indi-
21 vidual who seeks to receive the allowance for such year
22 (whether or not subject to a notice for such year under
23 paragraph (1)) shall submit to the Director such informa-
24 tion as the Director shall require for purposes of this sec-

1 tion in order to determine whether or not such individual
2 is a covered member for such year.

3 “(3) Not later than February 28 each year, the Di-
4 rector shall notify, in writing, each individual the Director
5 determines to be a covered member for such year.

6 “(d) ELECTION NOT TO RECEIVE ALLOWANCE.—(1)
7 A covered member otherwise entitled to receive the allow-
8 ance under subsection (a) for a year may elect, in writing,
9 not to receive the allowance for such year. Any election
10 under this subsection shall be effective only for the year
11 for which made. Any election for a year under this sub-
12 section is irrevocable.

13 “(2) A covered member who does not submit informa-
14 tion described in subsection (d)(2) for a year as otherwise
15 required by that subsection shall be deemed to have elect-
16 ed not to receive the allowance for such year.

17 “(e) DEFINITIONS.—In this section:

18 “(1) The term ‘covered member’ means a reg-
19 ular member of the Army, Navy, Marine Corps, or
20 Air Force—

21 “(A) who has completed initial entry train-
22 ing;

23 “(B) whose gross household income during
24 the most recent year did not exceed an amount
25 equal to 130 percent of the Federal poverty

1 guidelines of the Department of Health and
2 Human Services for the location and number of
3 persons in the household of the covered member
4 for such year; and

5 “(C) who does not elect under subsection
6 (d) not to receive the allowance for such year.

7 “(2) The term ‘gross household income’ of a
8 covered member for a year for purposes of para-
9 graph (1)(B) does not include any basic allowance
10 for housing received by the covered member (and
11 any dependents of the covered member in the house-
12 hold of the covered member) during such year under
13 section 403 of this title.

14 “(f) REGULATIONS.—The Secretary of Defense shall
15 prescribe regulations for the administration of this section.
16 Subject to subsection (e)(2), such regulations shall specify
17 the income to be included in, and excluded from, the gross
18 household income of individuals for purposes of this sec-
19 tion.”.

20 (b) CLERICAL AMENDMENT.—The table of sections
21 at the beginning of chapter 7 of such title is amended by
22 inserting after the item relating to section 402a the fol-
23 lowing new item:

“402b. Basic needs allowance for low-income regular members.”.

1 **SEC. 603. TEMPORARY INCREASE OF RATES OF BASIC AL-**
2 **LOWANCE FOR HOUSING FOLLOWING DETER-**
3 **MINATION THAT LOCAL CIVILIAN HOUSING**
4 **COSTS SIGNIFICANTLY EXCEED SUCH RATES.**

5 Section 403(b) of title 37, United States Code, is
6 amended by adding at the end the following new para-
7 graph:

8 “(8)(A) The Secretary of Defense may prescribe a
9 temporary increase in the current rates of basic allowance
10 for housing for a military housing area or a portion there-
11 of (in this paragraph, ‘BAH rates’) if the Secretary deter-
12 mines that the actual costs of adequate housing for civil-
13 ians in that military housing area or portion thereof ex-
14 ceed the current BAH rates by more than 20 percent.

15 “(B) Any temporary increase in BAH rates under
16 this paragraph shall remain in effect only until the effec-
17 tive date of the first adjustment of BAH rates for the af-
18 fected military housing area that occurs after the date of
19 the increase under this paragraph.

20 “(C) This paragraph shall cease to be effective on
21 September 30, 2022.”.

1 **SEC. 604. BASIC ALLOWANCE FOR HOUSING FOR A MEMBER**
2 **WITHOUT DEPENDENTS WHEN RELOCATION**
3 **WOULD FINANCIALLY DISADVANTAGE THE**
4 **MEMBER.**

5 Section 403(o) of title 37, United States Code, is
6 amended—

7 (1) by inserting “(1)” before “In”; and

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

10 “(2)(A) In the case of a member described in sub-
11 paragraph (B), the member may be treated for the pur-
12 poses of this section as if the unit to which the member
13 is assigned did not undergo a change of home port or a
14 change of permanent duty station if the Secretary con-
15 cerned determines that it would be inequitable to base the
16 member’s entitlement to, and amount of, a basic allowance
17 for housing on the new home port or permanent duty sta-
18 tion.

19 “(B) A member described in this subparagraph—

20 “(i) has no dependents;

21 “(ii) is assigned to a unit that undergoes a
22 change of home port or a change of permanent duty
23 station; and

24 “(iii) is in receipt of orders to return to the pre-
25 vious home port or duty station.”.

1 **SEC. 605. PARTIAL DISLOCATION ALLOWANCE.**

2 (a) CURRENT AUTHORITY.—Section 477(f)(1) of title
3 37, United States Code, is amended by striking “family”.

4 (b) FUTURE AUTHORITY.—Section 452(c) of title 37,
5 United States Code, is amended—

6 (1) by redesignating paragraph (3) as para-
7 graph (4); and

8 (2) by inserting after paragraph (2) the fol-
9 lowing new paragraph (3):

10 “(3)(A) A partial dislocation allowance paid to
11 a member ordered to occupy or vacate housing pro-
12 vided by the United States.

13 “(B) Beginning on January 1, 2022, the partial
14 dislocation allowance under subparagraph (A) shall,
15 subject to subparagraph (C), be equal in value to the
16 allowance under section 477(f) of this title on De-
17 cember 31, 2021, as adjusted in regulations pre-
18 scribed by the Secretary concerned under the au-
19 thority established by that section.

20 “(C) Effective on the same date in 2022 and
21 any subsequent year that the monthly rates of basic
22 pay for all members are increased under section
23 1009 of this title or another provision of law, the
24 Secretary of Defense shall adjust the rate of the
25 partial dislocation allowance under this paragraph

1 by the percentage equal to the average percentage
2 increase in the rates of basic pay.”.

3 **SEC. 606. INCREASE IN BASIC PAY.**

4 Effective on January 1, 2020, the rates of monthly
5 basic pay for members of the uniformed services are in-
6 creased by 3.1 percent.

7 **SEC. 607. ANNUAL ADJUSTMENT OF BASIC PAY.**

8 The adjustment in the rates of monthly basic pay re-
9 quired by subsection (a) of section 1009 of title 37, United
10 States Code, to be made on January 1, 2020, shall take
11 effect, notwithstanding any determination made by the
12 President under subsection (e) of such section with respect
13 to an alternative pay adjustment to be made on such date.

14 **SEC. 608. STUDY REGARDING RECOUPMENT OF SEPARA-**
15 **TION PAY, SPECIAL SEPARATION BENEFITS,**
16 **AND VOLUNTARY SEPARATION INCENTIVE**
17 **PAYMENTS FROM MEMBERS OF THE ARMED**
18 **FORCES AND VETERANS WHO RECEIVE DIS-**
19 **ABILITY COMPENSATION UNDER LAWS AD-**
20 **MINISTERED BY THE SECRETARY OF VET-**
21 **ERANS AFFAIRS.**

22 (a) STUDY.—The Secretaries of Defense and Vet-
23 erans Affairs shall conduct a joint study to determine,
24 with regards to members of the Armed Forces and vet-
25 erans whose separation pay, special separation benefits,

1 and voluntary separation incentive payments either Sec-
2 retary recoups because such members and veterans subse-
3 quently receive disability compensation under laws admin-
4 istered by the Secretary of Veterans Affairs—

5 (1) how many such members and veterans are
6 affected by such recoupment; and

7 (2) the aggregated amount of additional money
8 such members and veterans would receive but for
9 such recoupment.

10 (b) REPORT REQUIRED.—Not later than September
11 30, 2020, the Secretaries shall submit to the Committees
12 on Armed Services and Veterans’ Affairs of the Senate
13 and House of Representatives a report regarding the re-
14 sults of the study under subsection (a).

15 **SEC. 609. ANNUAL REPORTS ON APPROVAL OF EMPLOY-**
16 **MENT OR COMPENSATION OF RETIRED GEN-**
17 **ERAL OR FLAG OFFICERS BY FOREIGN GOV-**
18 **ERNMENTS FOR EMOLUMENTS CLAUSE PUR-**
19 **POSES.**

20 (a) ANNUAL REPORTS.—Section 908 of title 37,
21 United States Code is amended—

22 (1) by redesignating subsection (c) as sub-
23 section (d); and

24 (2) by inserting after subsection (b) the fol-
25 lowing new subsection (c):

1 “(c) ANNUAL REPORTS ON APPROVALS FOR RE-
2 TIRED GENERAL AND FLAG OFFICERS.—(1) Not later
3 than January 31 each year, the Secretaries of the military
4 departments shall jointly submit to the appropriate com-
5 mittees and Members of Congress a report on each ap-
6 proval under subsection (b) for employment or compensa-
7 tion described in subsection (a) for a retired member of
8 the armed forces in general or flag officer grade that was
9 issued during the preceding year. The report shall be post-
10 ed on a publicly available Internet website of the Depart-
11 ment of Defense no later than 30 days after it has been
12 submitted to Congress.

13 “(2) In this subsection, the appropriate committees
14 and Members of Congress are—

15 “(A) the Committee on Armed Services, the
16 Committee on Foreign Relations, and the Committee
17 on Appropriations of the Senate;

18 “(B) the Committee on Armed Services, the
19 Committee on Foreign Relations, and the Committee
20 on Appropriations of the House of Representatives;

21 “(C) the Majority Leader and the Minority
22 Leader of the Senate; and

23 “(D) the Speaker of the House of Representa-
24 tives and the Minority Leader of the House of Rep-
25 resentatives.”.

1 (b) SCOPE OF FIRST REPORT.—The first report sub-
2 mitted pursuant to subsection (c) of section 908 of title
3 37, United States Code (as amended by subsection (a) of
4 this section), after the date of the enactment of this Act
5 shall cover the five-year period ending with the year before
6 the year in which such report is submitted.

7 **SEC. 610. CONTINUED ENTITLEMENTS WHILE A MEMBER**
8 **OF THE ARMED FORCES PARTICIPATES IN A**
9 **CAREER INTERMISSION PROGRAM.**

10 Section 710(h) of title 10, United States Code, is
11 amended—

12 (1) in paragraph (1), by striking “; and” and
13 inserting a semicolon;

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

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

18 “(3) the entitlement of the member and of the
19 survivors of the member to all death benefits under
20 the provisions of chapter 75 of this title;

21 “(4) the provision of all travel and transpor-
22 tation allowances for the survivors of deceased mem-
23 bers to attend burial ceremonies under section 481f
24 of title 37; and

1 “(5) the eligibility of the member for general
2 benefits as provided in part II of title 38.”.

3 **SEC. 610A. REPORT REGARDING TRANSITION FROM OVER-**
4 **SEAS HOUSING ALLOWANCE TO BASIC AL-**
5 **LOWANCE FOR HOUSING FOR**
6 **SERVICEMEMBERS IN THE TERRITORIES.**

7 Not later than February 1, 2020, the Secretary of
8 Defense shall submit a report to the congressional defense
9 committees regarding the recommendation of the Sec-
10 retary whether members of the uniformed services located
11 in the territories of the United States and who receive the
12 overseas housing allowance should instead receive the
13 basic allowance for housing to ensure the most appropriate
14 housing compensation for such members and their fami-
15 lies.

16 **SEC. 610B. EXEMPTION FROM REPAYMENT OF VOLUNTARY**
17 **SEPARATION PAY.**

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

20 (1) in paragraph (1), by striking “paragraphs
21 (2) and (3)” and inserting “paragraphs (2), (3), and
22 (4)”;

23 (2) by redesignating paragraph (4) as para-
24 graph (5); and

1 (3) by inserting after paragraph (3) the fol-
 2 lowing new paragraph:

3 “(4) This subsection shall not apply to a member
 4 who—

5 “(A) is involuntarily recalled to active duty or
 6 full-time National Guard duty; and

7 “(B) in the course of such duty, incurs a serv-
 8 ice-connected disability rated as total under section
 9 1155 of title 38.”.

10 **Subtitle B—Bonuses and Special** 11 **Incentive Pays**

12 **SEC. 611. ONE-YEAR EXTENSION OF CERTAIN EXPIRING** 13 **BONUS AND SPECIAL PAY AUTHORITIES.**

14 (a) AUTHORITIES RELATING TO RESERVE
 15 FORCES.—Section 910(g) of title 37, United States Code,
 16 relating to income replacement payments for reserve com-
 17 ponent members experiencing extended and frequent mo-
 18 bilization for active duty service, is amended by striking
 19 “December 31, 2019” and inserting “December 31,
 20 2020”.

21 (b) TITLE 10 AUTHORITIES RELATING TO HEALTH
 22 CARE PROFESSIONALS.—The following sections of title
 23 10, United States Code, are amended by striking “Decem-
 24 ber 31, 2019” and inserting “December 31, 2020”:

1 (1) Section 2130a(a)(1), relating to nurse offi-
2 cer candidate accession program.

3 (2) Section 16302(d), relating to repayment of
4 education loans for certain health professionals who
5 serve in the Selected Reserve.

6 (c) AUTHORITIES RELATING TO NUCLEAR OFFI-
7 CERS.—Section 333(i) of title 37, United States Code, is
8 amended by striking “December 31, 2019” and inserting
9 “December 31, 2020”.

10 (d) AUTHORITIES RELATING TO TITLE 37 CONSOLI-
11 DATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AU-
12 THORITIES.—The following sections of title 37, United
13 States Code, are amended by striking “December 31,
14 2019” and inserting “December 31, 2020”:

15 (1) Section 331(h), relating to general bonus
16 authority for enlisted members.

17 (2) Section 332(g), relating to general bonus
18 authority for officers.

19 (3) Section 334(i), relating to special aviation
20 incentive pay and bonus authorities for officers.

21 (4) Section 335(k), relating to special bonus
22 and incentive pay authorities for officers in health
23 professions.

1 (5) Section 336(g), relating to contracting
 2 bonus for cadets and midshipmen enrolled in the
 3 Senior Reserve Officers' Training Corps.

4 (6) Section 351(h), relating to hazardous duty
 5 pay.

6 (7) Section 352(g), relating to assignment pay
 7 or special duty pay.

8 (8) Section 353(i), relating to skill incentive
 9 pay or proficiency bonus.

10 (9) Section 355(h), relating to retention incen-
 11 tives for members qualified in critical military skills
 12 or assigned to high priority units.

13 (e) AUTHORITY TO PROVIDE TEMPORARY INCREASE
 14 IN RATES OF BASIC ALLOWANCE FOR HOUSING.—Section
 15 403(b)(7)(E) of title 37, United States Code, is amended
 16 by striking “December 31, 2019” and inserting “Decem-
 17 ber 31, 2020”.

18 **Subtitle C—Family and Survivor** 19 **Benefits**

20 **SEC. 621. PAYMENT OF TRANSITIONAL COMPENSATION** 21 **FOR CERTAIN DEPENDENTS.**

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

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

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

3 (3) by amending paragraph (3) to read as fol-
4 lows:

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

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

10 “(B) the date the court-martial sentence is ad-
11 judged if the sentence, as adjudged, includes a dis-
12 missal, dishonorable discharge, bad conduct dis-
13 charge, or forfeiture of all pay and allowances; or

14 “(C) the date the member’s term of service ex-
15 pires.”.

16 **SEC. 622. DEATH GRATUITY FOR ROTC GRADUATES.**

17 (a) IN GENERAL.—Section 1475(a)(4) of title 10,
18 United States Code, is amended by adding “; or a grad-
19 uate of a reserve officers’ training corps who has yet to
20 receive a first duty assignment; or” at the end.

21 (b) EFFECTIVE DATE.—The amendment under sub-
22 section (a) applies to deaths that occur on or after the
23 date of the enactment of this Act.

1 **SEC. 623. CONTINUED ELIGIBILITY FOR EDUCATION AND**
2 **TRAINING OPPORTUNITIES FOR SPOUSES OF**
3 **PROMOTED MEMBERS.**

4 Section 1784a(b) of title 10, United States Code, is
5 amended—

6 (1) by inserting “(1)” before “Assistance”; and

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

9 “(2) A spouse who is eligible for a program under
10 this section and begins a course of education or training
11 for a degree, license, or credential described in subsection
12 (a) may not become ineligible to complete such course of
13 education or training solely because the member to whom
14 the spouse is married is promoted to a higher grade.”.

15 **SEC. 624. OCCUPATIONAL IMPROVEMENTS FOR RELO-**
16 **CATED SPOUSES OF MEMBERS OF THE UNI-**
17 **FORMED SERVICES.**

18 (a) IMPROVEMENT OF OCCUPATIONAL LICENSE
19 PORTABILITY FOR MILITARY SPOUSES THROUGH INTER-
20 STATE COMPACTS.—Section 1784 of title 10, United
21 States Code, is amended by adding at the end the fol-
22 lowing new subsection:

23 “(h) IMPROVEMENT OF OCCUPATIONAL LICENSE
24 PORTABILITY THROUGH INTERSTATE COMPACTS.—

25 “(1) IN GENERAL.—The Secretary of Defense
26 may enter into a cooperative agreement with the

1 Council of State Governments to assist with funding
2 of the development of interstate compacts on li-
3 censed occupations in order to alleviate the burden
4 associated with relicensing in such an occupation by
5 spouse of a members of the armed forces in connec-
6 tion with a permanent change of duty station of
7 members to another State.

8 “(2) LIMITATION.—The amount provided under
9 paragraph (1) as assistance for the development of
10 any particular interstate compact may not exceed
11 \$1,000,000.

12 “(3) ANNUAL REPORT.—Not later than Feb-
13 ruary 28 each year, the Secretary shall submit to
14 the Committees on Armed Services of the Senate
15 and the House of Representatives a report on inter-
16 state compacts described in paragraph (1) developed
17 through assistance provided under that paragraph.
18 Each report shall set forth the following:

19 “(A) Any interstate compact developed
20 during the preceding calendar year, including
21 the occupational licenses covered by such com-
22 pact and the States agreeing to enter into such
23 compact.

24 “(B) Any interstate compact developed
25 during a prior calendar year into which one or

1 more additional States agreed to enter during
2 the preceding calendar year.

3 “(4) EXPIRATION.—The authority to enter into
4 a cooperative agreement under paragraph (1), and
5 to provide assistance described in that paragraph
6 pursuant to such cooperative agreement, shall expire
7 on September 30, 2024.”.

8 (b) GUARANTEE OF RESIDENCY FOR REGISTRATION
9 OF BUSINESSES OF SPOUSES OF MEMBERS OF UNI-
10 FORMED SERVICES.—

11 (1) IN GENERAL.—Title VI of the
12 Servicemembers Civil Relief Act (50 U.S.C. 4021 et
13 seq.) is amended by adding at the end the following
14 new section:

15 **“SEC. 707. GUARANTEE OF RESIDENCY FOR BUSINESSES OF**
16 **SPOUSES OF SERVICEMEMBERS.**

17 “For the purposes of registering a business—

18 “(1) a person who is absent from a State be-
19 cause the person is accompanying the person’s
20 spouse who is absent from that same State in com-
21 pliance with military or naval orders shall not, solely
22 by reason of that absence—

23 “(A) be deemed to have lost a residence or
24 domicile in that State, without regard to wheth-

1 er or not the person intends to return to that
2 State;

3 “(B) be deemed to have acquired a resi-
4 dence or domicile in any other State; or

5 “(C) be deemed to have become a resident
6 in or a resident of any other State; and

7 “(2) the spouse of a servicemember may elect
8 to use the same residence as the servicemember re-
9 gardless of the date on which the marriage of the
10 spouse and the servicemember occurred.”.

11 (2) CLERICAL AMENDMENT.—The table of con-
12 tents in section 1(b) of such Act is amended by in-
13 serting after the item relating to section 706 the fol-
14 lowing new item:

“Sec. 707. Guarantee of residency for businesses of spouses of
servicemembers.”.

15 **SEC. 625. EXPANSION OF AUTHORITY TO PROVIDE FINAN-**
16 **CIAL ASSISTANCE TO CIVILIAN PROVIDERS**
17 **OF CHILD CARE SERVICES OR YOUTH PRO-**
18 **GRAM SERVICES WHO PROVIDE SUCH SERV-**
19 **ICES TO SURVIVORS OF MEMBERS OF THE**
20 **ARMED FORCES WHO DIE IN LINE OF DUTY.**

21 Section 1798(a) of title 10, United States Code, is
22 amended by inserting “, survivors of members of the
23 armed forces who die in line of duty while on active duty,

1 active duty for training, or inactive duty for training,”
2 after “armed forces”.

3 **SEC. 626. SPACE-AVAILABLE TRAVEL ON MILITARY AIR-**
4 **CRAFT FOR CHILDREN AND SURVIVING**
5 **SPOUSES OF MEMBERS WHO DIE OF HOSTILE**
6 **ACTION OR TRAINING DUTY.**

7 Section 2641b(c) of title 10, United States Code, is
8 amended—

9 (1) by redesignating paragraph (6) as para-
10 graph (7); and

11 (2) by inserting after paragraph (5) the fol-
12 lowing new paragraph (6):

13 “(6) Children (as described by section
14 1072(2)(D) or section 1110b(b) of this title, as the
15 case may be) and surviving spouses of members of
16 the armed forces who die as a result of hostile action
17 or training duty.”.

18 **SEC. 627. CONSIDERATION OF SERVICE ON ACTIVE DUTY**
19 **TO REDUCE AGE OF ELIGIBILITY FOR RE-**
20 **TIRED PAY FOR NON-REGULAR SERVICE.**

21 Section 12731(f)(2)(B)(i) of title 10, United States
22 Code, is amended by striking “under a provision of law
23 referred to in section 101(a)(13)(B) or under section
24 12301(d)” and inserting “under section 12301(d) or

1 12304b of this title, or under a provision of law referred
2 to in section 101(a)(13)(B)”.

3 **SEC. 628. MODIFICATION TO AUTHORITY TO REIMBURSE**
4 **FOR STATE LICENSURE AND CERTIFICATION**
5 **COSTS OF A SPOUSE OF A MEMBER ARISING**
6 **FROM RELOCATION.**

7 Section 476(p) of title 37, United States Code, is
8 amended—

9 (1) in paragraph (1), by striking “armed
10 forces” and inserting “uniformed services”;

11 (2) in paragraph (2), by striking “\$500” and
12 inserting “\$1,000”;

13 (3) in paragraph (3)—

14 (A) in subparagraph (A), by striking
15 “and”;

16 (B) in subparagraph (B), by striking the
17 period and inserting “; and”; and

18 (C) by adding at the end the following new
19 subparagraph:

20 “(C) an analysis of whether the maximum reim-
21 bursement amount under paragraph (2) is sufficient
22 to cover the average costs of relicensing described in
23 paragraph (1).”; and

24 (4) in paragraph (4), by striking “December
25 31, 2022” and inserting “December 31, 2024”.

1 **SEC. 629. IMPROVEMENTS TO CHILD CARE FOR MEMBERS**
2 **OF THE ARMED FORCES.**

3 (a) EXPANSION OF AUTHORITY TO PROVIDE FINAN-
4 CIAL ASSISTANCE TO CIVILIAN PROVIDERS OF CHILD
5 CARE SERVICES OR YOUTH PROGRAM SERVICES WHO
6 PROVIDE SUCH SERVICES TO SURVIVORS OF MEMBERS
7 OF THE ARMED FORCES WHO DIE IN THE LINE OF
8 DUTY.—Section 1798(a) of title 10, United States Code,
9 is amended by inserting “, survivors of members of the
10 armed forces who die in the line of duty while on active
11 military, naval, or air service (as that term is defined in
12 section 101 of title 38),” after “armed forces”.

13 (b) EXPANSION OF DIRECT HIRING AUTHORITY FOR
14 CHILD CARE SERVICE PROVIDERS.—Section 559 of the
15 National Defense Authorization Act for Fiscal Year 2018
16 (Public Law 115–91; 10 U.S.C. 1792 note) is amended—

17 (1) in the section heading, by striking “**FOR**
18 **DEPARTMENT CHILD DEVELOPMENT CEN-**
19 **TERS**”;

20 (2) in subsection (a)(1), by striking for “De-
21 partment of Defense child development centers” and
22 inserting “for the Department of Defense”; and

23 (3) in subsection (e), by striking “in child de-
24 velopment centers”.

25 (c) ASSESSMENT OF FINANCIAL ASSISTANCE PRO-
26 VIDED TO CIVILIAN CHILD CARE PROVIDERS.—

1 (1) ASSESSMENT.—The Secretary of Defense
2 shall assess the maximum amount of financial as-
3 sistance provided to eligible civilian providers of
4 child care services or youth program services that
5 furnish such service for members of the armed
6 forces and employees of the United States under sec-
7 tion 1798 of title 10, United States Code, as amend-
8 ed by subsection (a). Such assessment shall include
9 the following:

10 (A) The determination of the Secretary
11 whether the maximum allowable financial as-
12 sistance should be standardized across the
13 Armed Forces.

14 (B) Whether the maximum allowable
15 amount adequately accounts for high-cost duty
16 stations.

17 (2) REPORT.—No later than June 1, 2020, the
18 Secretary of Defense shall submit a report to the
19 Committees on Armed Services of the Senate and
20 the House of Representatives regarding the results
21 of the assessment under paragraph (1) and any ac-
22 tions taken by the Secretary to remedy identified
23 shortfalls in assistance described in that paragraph.

24 (d) ASSESSMENT OF CHILD CARE CAPACITY ON
25 MILITARY INSTALLATIONS.—

1 (1) ASSESSMENT.—The Secretary of Defense
2 shall assess the capacity for child care at all military
3 installations to ensure that members of the Armed
4 Forces have meaningful access to child care during
5 tours of duty.

6 (2) REMEDIAL ACTION.—The Secretary of De-
7 fense shall take steps the Secretary determines nec-
8 essary to alleviate the waiting lists for child care de-
9 scribed in paragraph (1).

10 (3) REPORT.—Not later than June 1, 2020, the
11 Secretary of Defense shall provide a report to the
12 Committees on Armed Forces of the Senate and the
13 House of Representative regarding—

14 (A) the assessment under paragraph (1);
15 (B) action taken under paragraph (2); and
16 (C) any additional resources (including ad-
17 ditional funding for and child care facilities and
18 workers) the Secretary determines necessary to
19 increase access described in paragraph (1).

20 (e) ASSESSMENT OF ACCESSIBILITY OF WEBSITES
21 OF THE DEPARTMENT OF DEFENSE RELATED TO CHILD
22 CARE AND SPOUSAL EMPLOYMENT.—

23 (1) ASSESSMENT.—The Secretary of Defense
24 shall review the functions and accessibility of
25 websites of the Department of Defense designed for

1 members of the Armed Forces and the families of
2 such members to access information and services of-
3 fered by the Department regarding child care,
4 spousal employment, and other family matters.

5 (2) REPORT.—Not later than March 1, 2020,
6 the Secretary of Defense shall provide a briefing to
7 the Committees on Armed Services of the Senate
8 and the House of Representatives regarding the re-
9 sults of the assessment under paragraph (1) and ac-
10 tions taken to enhance accessibility of the websites.

11 (f) PORTABILITY OF BACKGROUND INVESTIGATIONS
12 FOR CHILD CARE PROVIDERS.—Not later than 180 days
13 after the date of the enactment of this Act, the Secretary
14 of Defense shall ensure that the background investigation
15 and training certification for a child care provider em-
16 ployed by the Department of Defense in a facility of the
17 Department may be transferred to another facility of the
18 Department, without regard to which Secretary of a mili-
19 tary department has jurisdiction over either such facility.

20 **SEC. 630. CASUALTY ASSISTANCE FOR SURVIVORS OF DE-**
21 **CEASED ROTC GRADUATES.**

22 Section 633 of the National Defense Authorization
23 Act for Fiscal Year 2014 (10 U.S.C. 1475 note) is amend-
24 ed by adding at the end the following new subsection:

25 “(c) ROTC GRADUATES.—

1 “(1) TREATED AS MEMBERS.—For purposes of
 2 this section, a graduate of a reserve officers’ train-
 3 ing corps who dies before receiving a first duty as-
 4 signment shall be treated as a member of the Armed
 5 Forces who dies while on active duty.

6 “(2) EFFECTIVE DATE.—This subsection ap-
 7 plies to deaths on or after the date of the enactment
 8 of the National Defense Authorization Act for Fiscal
 9 Year 2020.”.

10 **SEC. 630A. REPEAL OF REQUIREMENT OF REDUCTION OF**
 11 **SURVIVOR BENEFIT PLAN SURVIVOR ANNU-**
 12 **ITIES BY AMOUNT OF DEPENDENCY AND IN-**
 13 **DEMNITY COMPENSATION.**

14 (a) REPEAL.—

15 (1) REPEAL.—Subchapter II of chapter 73 of
 16 title 10, United States Code, is amended as follows:

17 (A) In section 1450, by striking subsection

18 (c).

19 (B) In section 1451(c)—

20 (i) by striking paragraph (2); and

21 (ii) by redesignating paragraphs (3)

22 and (4) as paragraphs (2) and (3), respec-
 23 tively.

24 (2) CONFORMING AMENDMENTS.—Such sub-
 25 chapter is further amended as follows:

1 (A) In section 1450—

2 (i) by striking subsection (e); and

3 (ii) by striking subsection (k).

4 (B) In section 1451(g)(1), by striking sub-
5 paragraph (C).

6 (C) In section 1452—

7 (i) in subsection (f)(2), by striking
8 “does not apply—” and all that follows
9 and inserting “does not apply in the case
10 of a deduction made through administra-
11 tive error.”; and

12 (ii) by striking subsection (g).

13 (D) In section 1455(c), by striking “,
14 1450(k)(2),”.

15 (b) PROHIBITION ON RETROACTIVE BENEFITS.—No
16 benefits may be paid to any person for any period before
17 the effective date provided under subsection (f) by reason
18 of the amendments made by subsection (a).

19 (c) PROHIBITION ON RECOUPMENT OF CERTAIN
20 AMOUNTS PREVIOUSLY REFUNDED TO SBP RECIPI-
21 ENTS.—A surviving spouse who is or has been in receipt
22 of an annuity under the Survivor Benefit Plan under sub-
23 chapter II of chapter 73 of title 10, United States Code,
24 that is in effect before the effective date provided under
25 subsection (f) and that is adjusted by reason of the

1 amendments made by subsection (a) and who has received
2 a refund of retired pay under section 1450(e) of title 10,
3 United States Code, shall not be required to repay such
4 refund to the United States.

5 (d) REPEAL OF AUTHORITY FOR OPTIONAL ANNUITY
6 FOR DEPENDENT CHILDREN.—Section 1448(d)(2) of
7 such title is amended—

8 (1) by striking “DEPENDENT CHILDREN.—”
9 and all that follows through “In the case of a mem-
10 ber described in paragraph (1),” and inserting “DE-
11 PENDENT CHILDREN.—In the case of a member de-
12 scribed in paragraph (1),”; and

13 (2) by striking subparagraph (B).

14 (e) RESTORATION OF ELIGIBILITY FOR PREVIOUSLY
15 ELIGIBLE SPOUSES.—The Secretary of the military de-
16 partment concerned shall restore annuity eligibility to any
17 eligible surviving spouse who, in consultation with the Sec-
18 retary, previously elected to transfer payment of such an-
19 nuity to a surviving child or children under the provisions
20 of section 1448(d)(2)(B) of title 10, United States Code,
21 as in effect on the day before the effective date provided
22 under subsection (f). Such eligibility shall be restored
23 whether or not payment to such child or children subse-
24 quently was terminated due to loss of dependent status
25 or death. For the purposes of this subsection, an eligible

1 spouse includes a spouse who was previously eligible for
2 payment of such annuity and is not remarried, or remar-
3 ried after having attained age 55, or whose second or sub-
4 sequent marriage has been terminated by death, divorce
5 or annulment.

6 (f) EFFECTIVE DATE.—This section and the amend-
7 ments made by this section shall take effect on the later
8 of—

9 (1) October 1, 2019; and

10 (2) the first day of the first month that begins
11 after the date of the enactment of this Act.

12 **Subtitle D—Defense Resale Matters**

13 **SEC. 631. GAO REVIEW OF DEFENSE RESALE OPTIMIZATION** 14 **STUDY.**

15 (a) REVIEW.—The Comptroller General of the United
16 States shall conduct a review of the business case analysis
17 performed as part of the defense resale optimization study
18 conducted by the Reform Management Group, titled
19 “Study to Determine the Feasibility of Consolidation of
20 the Defense Resale Entities” and dated December 4,
21 2018.

22 (b) REPORT REQUIRED; ELEMENTS.—Not later than
23 April 1, 2020, the Comptroller General shall submit to the
24 Committees on Armed Services of the Senate and the
25 House of Representatives a report regarding the review

1 performed under this section. The report shall include
2 evaluations of the following:

3 (1) The descriptions and justifications for the
4 assumptions, analytical choices and data used by the
5 Reform Management Group to calculate:

6 (A) Pricing.

7 (B) Sales assumptions.

8 (C) Accuracy of methods employed to
9 measure patron savings levels.

10 (2) The timetable for consolidation of military
11 exchanges and commissaries.

12 (3) The recommendations for consolidation de-
13 veloped as part of the business case analysis, includ-
14 ing the overall cost of consolidation.

15 (4) The budget and oversight implications of
16 merging non-appropriated funds and appropriated
17 funds to implement the recommended reforms.

18 (5) The extent to which the Reform Manage-
19 ment Group coordinated with the Secretaries of the
20 military departments and the chiefs of the Armed
21 Forces in preparing the study.

22 (6) The extent to which the Reform Manage-
23 ment Group addressed concerns of the Secretaries of
24 the military departments and the chiefs of the
25 Armed Forces in the study.

3 (A) the ability of military exchanges and
4 commissaries to provide earnings to support on-
5 base morale, welfare, and recreation programs;
6 and

7 (B) the financial viability of the military
8 exchanges and commissaries.

9 (c) DELAY ON CONSOLIDATION.—The Secretary of
10 Defense may not take any action to consolidate military
11 exchanges and commissaries until the Committees on
12 Armed Services of the Senate and the House of Represent-
13 atives notify the Secretary in writing of receipt and accept-
14 ance of the findings of the Comptroller General in the re-
15 port required under this section.

16 SEC. 632. REPORT REGARDING MANAGEMENT OF MILITARY
17 COMMISSARIES AND EXCHANGES.

(a) REPORT REQUIRED.—Not later than 180 days after 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 (1) reducing the costs of operating military
2 commissaries and exchanges by \$2,000,000,000 dur-
3 ing fiscal years 2020 through 2024; and

4 (2) not raising costs for patrons of military
5 commissaries and exchanges.

6 **SEC. 633. REDUCTIONS ON ACCOUNT OF EARNINGS FROM**
7 **WORK PERFORMED WHILE ENTITLED TO AN**
8 **ANNUITY SUPPLEMENT.**

9 Section 8421a of title 5, United States Code, is
10 amended in subsection (c)—

11 (1) by striking “full-time as an air traffic con-
12 trol instructor” and inserting “as an air traffic con-
13 trol instructor, or supervisor thereof,”; and

14 (2) by inserting “or supervisor” after “an in-
15 structor”.

16 **SEC. 634. EXTENSION OF CERTAIN MORALE, WELFARE, AND**
17 **RECREATION PRIVILEGES TO FOREIGN SERV-**
18 **ICE OFFICERS ON MANDATORY HOME LEAVE.**

19 (a) IN GENERAL.—Section 1065 of title 10, United
20 States Code, as added by section 621 of the John S.
21 McCain National Defense Authorization Act for Fiscal
22 Year 2019 (Public Law 115–232), is amended—

23 (1) in the heading, by striking “**veterans**
24 **and caregivers for veterans**” and inserting

1 **“veterans, caregivers for veterans, and**
2 **Foreign Service officers”;**

3 (2) by redesignating subsections (f) and (g) as
4 subsections (g) and (h), respectively;

5 (3) by inserting after subsection (e) the fol-
6 lowing new subsection (f):

7 **“(f) ELIGIBILITY OF FOREIGN SERVICE OFFICERS**
8 **ON MANDATORY HOME LEAVE.—**A Foreign Service offi-
9 cer on mandatory home leave may be permitted to use
10 military lodging referred to in subsection (h).”;

11 (4) in subsection (h), as redesignated by para-
12 graph (2), by adding at the end the following new
13 paragraphs:

14 “(5) The term ‘Foreign Service officer’ has the
15 meaning given that term in section 103 of the For-
16 eign Service Act of 1980 (22 U.S.C. 3903).

17 “(6) The term ‘mandatory home leave’ means
18 leave under section 903 of the Foreign Service Act
19 of 1980 (22 U.S.C. 4083).”.

20 (b) **EFFECTIVE DATE.**—The amendments made by
21 this section shall take effect on January 1, 2020, as if
22 originally incorporated in section 621 of Public Law 115–
23 232.

1 **TITLE VII—HEALTH CARE**
2 **PROVISIONS**
3 **Subtitle A—TRICARE and Other**
4 **Health Care Benefits**

5 **SEC. 701. CONTRACEPTION COVERAGE PARITY UNDER THE**
6 **TRICARE PROGRAM.**

7 (a) IN GENERAL.—Section 1074d of title 10, United
8 States Code, is amended—

9 (1) in subsection (a), by inserting “FOR MEM-
10 BERS AND FORMER MEMBERS” after “SERVICES
11 AVAILABLE”;

12 (2) by redesignating subsection (b) as sub-
13 section (d); and

14 (3) by inserting after subsection (a) the fol-
15 lowing new subsections:

16 “(b) CARE RELATED TO PREVENTION OF PREG-
17 NANCY.—Female covered beneficiaries shall be entitled to
18 care related to the prevention of pregnancy described by
19 subsection (d)(3).

20 “(c) PROHIBITION ON COST SHARING FOR CERTAIN
21 SERVICES.—Notwithstanding section 1074g(a)(6), section
22 1075, or section 1075a of this title, or any other provision
23 of law, cost sharing may not be imposed or collected for
24 care related to the prevention of pregnancy provided pur-
25 suant to subsection (a) or (b), including for any method

1 of contraception provided, whether provided through a fa-
2 cility of the uniformed services, the TRICARE retail phar-
3 macy program, or the national mail-order pharmacy pro-
4 gram.”.

5 (b) CONFORMING AMENDMENT.—Section
6 1077(a)(13) of such title is amended by striking “section
7 1074d(b)” and inserting “section 1074d(d)”.

8 (c) CARE RELATED TO PREVENTION OF PREG-
9 NANCY.—Subsection (d)(3) of such section 1074d, as re-
10 designated by subsection (a)(2) of this section, is further
11 amended by inserting before the period at the end the fol-
12 lowing: “(including all methods of contraception approved
13 by the Food and Drug Administration, contraceptive care
14 (including with respect to insertion, removal, and follow
15 up), sterilization procedures, and patient education and
16 counseling in connection therewith)”.

17 **SEC. 702. PREGNANCY PREVENTION ASSISTANCE AT MILI-**
18 **TARY MEDICAL TREATMENT FACILITIES FOR**
19 **SEXUAL ASSAULT SURVIVORS.**

20 (a) IN GENERAL.—Chapter 55 of title 10, United
21 States Code, is amended by inserting after section 1074o
22 the following new section:

1 **“§ 1074p. Provision of pregnancy prevention assist-**
2 **ance at military medical treatment facili-**
3 **ties**

4 “(a) INFORMATION AND ASSISTANCE.—The Sec-
5 retary of Defense shall promptly furnish to sexual assault
6 survivors at each military medical treatment facility the
7 following:

8 “(1) Comprehensive, medically and factually ac-
9 curate, and unbiased written and oral information
10 about all methods of emergency contraception ap-
11 proved by the Food and Drug Administration.

12 “(2) Notification of the right of the sexual as-
13 sault survivor to confidentiality with respect to the
14 information and care and services furnished under
15 this section.

16 “(3) Upon request by the sexual assault sur-
17 vivor, emergency contraception or, if applicable, a
18 prescription for emergency contraception.

19 “(b) INFORMATION.—The Secretary shall ensure that
20 information provided pursuant to subsection (a) is pro-
21 vided in language that—

22 “(1) is clear and concise;

23 “(2) is readily comprehensible; and

24 “(3) meets such conditions (including condi-
25 tions regarding the provision of information in lan-

1 guages other than English) as the Secretary may
2 prescribe in regulations to carry out this section.

3 “(c) DEFINITIONS.—In this section:

4 “(1) The term ‘sexual assault survivor’ means
5 any individual who presents at a military medical
6 treatment facility and—

7 “(A) states to personnel of the facility that
8 the individual experienced a sexual assault;

9 “(B) is accompanied by another person
10 who states that the individual experienced a
11 sexual assault; or

12 “(C) whom the personnel of the facility
13 reasonably believes to be a survivor of sexual
14 assault.

15 “(2) The term ‘sexual assault’ means the con-
16 duct described in section 1565b(c) of this title that
17 may result in pregnancy.”.

18 (b) CLERICAL AMENDMENT.—The table of sections
19 at the beginning of such chapter is amended by inserting
20 after the item relating to section 1074o the following new
21 item:

 “1074p. Provision of pregnancy prevention assistance at military medical treat-
 ment facilities.”.

1 **SEC. 703. MODIFICATION OF ELIGIBILITY FOR TRICARE RE-**
2 **SERVE SELECT FOR CERTAIN MEMBERS OF**
3 **THE SELECTED RESERVE.**

4 Section 1076d(a)(2) of title 10, United States Code,
5 is amended by striking “Paragraph (1) does not apply”
6 and inserting “During the period preceding January 1,
7 2030, paragraph (1) does not apply”.

8 **SEC. 704. LEAD LEVEL SCREENINGS AND TESTINGS FOR**
9 **CHILDREN.**

10 (a) TRICARE.—

11 (1) WELL-BABY CARE.—Section 1077 of title
12 10, United States Code, is amended by adding at
13 the end the following new subsection:

14 “(i)(1) Beginning January 1, 2020, in furnishing
15 well-baby care under subsection (a)(8), the Secretary shall
16 ensure that the following care is made available:

17 “(A) With respect to a child who lives in hous-
18 ing built before 1978 at any time during the first 24
19 months of the life of the child—

20 “(i) the first testing of the child for the
21 level of lead in the blood of the child at approxi-
22 mately the age of 12 months; and

23 “(ii) the second such test at approximately
24 the age of 24 months.

25 “(B) With respect to a child not covered by
26 subparagraph (A) whose parent or guardian, at any

1 time during the first 24 months of the life of the
2 child, has a military occupational specialty that the
3 Secretary determines poses an elevated risk of lead
4 exposure—

5 “(i) the first testing of the child for the
6 level of lead in the blood of the child at approxi-
7 mately the age of 12 months; and

8 “(ii) the second such test at approximately
9 the age of 24 months.

10 “(C) With respect to a child not covered by
11 subparagraph (A) or (B)—

12 “(i) the first screening of the child for an
13 elevated risk of lead exposure at approximately
14 the age of 12 months; and

15 “(ii) the second such screening at approxi-
16 mately the age of 24 months.

17 “(D) With respect to a child covered by sub-
18 paragraph (C) whose screening indicates an elevated
19 risk of lead exposure, testing of the child for the
20 level of lead in the blood of the child.

21 “(2) The Secretary shall ensure that any care pro-
22 vided to a child pursuant to this chapter for lead poi-
23 soning, including the care under paragraph (1), is carried
24 out in accordance with applicable advice from the Centers
25 for Disease Control and Prevention.

1 “(3)(A) With respect to a child who receives a test
2 under paragraph (1), the Secretary shall provide the re-
3 sults of the test to the parent or guardian of the child.

4 “(B) With respect to a child who receives a test under
5 paragraph (1), the Secretary shall provide the results of
6 the test and the address at which the child resides to—

7 “(i) the relevant health department of the State
8 in which the child resides if the child resides in the
9 United States; or

10 “(ii) the Centers for Disease Control and Pre-
11 vention if the child resides outside the United
12 States.

13 “(C) In providing information regarding a child to
14 a State or the Centers for Disease Control and Prevention
15 under subparagraph (B), the Secretary may not provide
16 any identifying information or health information of the
17 child that is not specifically authorized in such subpara-
18 graph.

19 “(D) In this paragraph, the term ‘State’ means each
20 of the several States, the District of Columbia, the Com-
21 monwealth of Puerto Rico, and any territory or possession
22 of the United States.”.

23 (2) CONFORMING AMENDMENT.—Subsection
24 (a)(8) of such section is amended by striking “in-
25 cluding well-baby care that includes one screening of

1 an infant for the level of lead in the blood of the in-
2 fant” and inserting “including, in accordance with
3 subsection (i), well-baby care that includes
4 screenings and testings for lead exposure and lead
5 poisoning”.

6 (3) STUDY.—Not later than January 1, 2021,
7 the Secretary of Defense shall submit to the con-
8 gressional defense committees a report detailing the
9 following:

10 (A) The number of children who were test-
11 ed for the level of lead in the blood of the child
12 pursuant to subparagraph (A) of subsection
13 (i)(1) of section 1077 of title 10, United States
14 Code, as added by paragraph (1), and of such
15 number, the number who were found to have
16 elevated blood lead levels.

17 (B) The number of children who were test-
18 ed for the level of lead in the blood of the child
19 pursuant to subparagraph (B) of such sub-
20 section (i)(1), and of such number, the number
21 who were found to have lead poisoning.

22 (C) The number of children who were
23 screened for an elevated risk of lead exposure
24 pursuant to subparagraph (C) of such sub-
25 section (i)(1).

1 (D) The number of children who were test-
2 ed for the level of lead in the blood of the child
3 pursuant to subparagraph (D) of such sub-
4 section, and of such number, the number who
5 were found to have elevated blood lead levels.

6 (E) The treatment provided to children
7 pursuant to chapter 55 of title 10, United
8 States Code, for lead poisoning.

9 (4) GAO REPORT.—Not later than January 1,
10 2022, the Comptroller General of the United States
11 shall submit to the congressional defense committees
12 a report on the effectiveness of screening, testing,
13 and treating children for lead exposure and lead poi-
14 soning pursuant to chapter 55 of title 10, United
15 States Code.

16 (b) NOTIFICATION OF HOUSING.—Section 403 of
17 title 37, United States Code, is amended by adding at the
18 end the following new subsection:

19 “(p) RECORDS REGARDING HOUSING AND LEAD-
20 BASED PAINT.—(1) The Secretary concerned shall keep
21 a record of whether the following housing was built before,
22 during, or after 1978:

23 “(A) Quarters of the United States under the
24 jurisdiction of that Secretary concerned.

1 “(B) A housing facility under the jurisdiction of
2 that Secretary concerned.

3 “(C) Other housing in which a member of the
4 uniformed service of that Secretary concerned re-
5 sides.

6 “(2) As a condition of receipt of a basic allowance
7 for housing under this section, a member of the uniformed
8 services shall notify the Secretary concerned whether the
9 housing in which that member resides was built before,
10 during, or after 1978.”.

11 **SEC. 705. EXPOSURE TO OPEN BURN PITS AND TOXIC AIR-**
12 **BORNE CHEMICALS OR OTHER AIRBORNE**
13 **CONTAMINANTS AS PART OF PERIODIC**
14 **HEALTH ASSESSMENTS AND OTHER PHYS-**
15 **ICAL EXAMINATIONS.**

16 (a) PERIODIC HEALTH ASSESSMENT.—The Sec-
17 retary of Defense shall ensure that any periodic health as-
18 sessment provided to members of the Armed Forces in-
19 cludes an evaluation of whether the member has been—

20 (1) based or stationed at a location where an
21 open burn pit was used; or

22 (2) exposed to toxic airborne chemicals or other
23 airborne contaminants, including any information re-
24 corded as part of the Airborne Hazards and Open
25 Burn Pit Registry.

1 (b) SEPARATION HISTORY AND PHYSICAL EXAMINA-
2 TIONS.—Section 1145(a)(5) of title 10, United States
3 Code, is amended by adding at the end the following new
4 subparagraph:

5 “(C) The Secretary concerned shall ensure that each
6 physical examination of a member under subparagraph
7 (A) includes an assessment of whether the member was—

8 “(i) based or stationed at a location where an
9 open burn pit, as defined in subsection (c) of section
10 201 of the Dignified Burial and Other Veterans’
11 Benefits Improvement Act of 2012 (Public Law
12 112–260; 38 U.S.C. 527 note), was used; or

13 “(ii) exposed to toxic airborne chemicals or
14 other airborne contaminants, including any informa-
15 tion recorded as part of the registry established by
16 the Secretary of Veterans Affairs under such section
17 201.”.

18 (c) DEPLOYMENT ASSESSMENTS.—Section
19 1074f(b)(2) of title 10, United States Code, is amended
20 by adding at the end the following new subparagraph:

21 “(D) An assessment of whether the member
22 was—

23 “(i) based or stationed at a location where
24 an open burn pit, as defined in subsection (c)
25 of section 201 of the Dignified Burial and

1 Other Veterans' Benefits Improvement Act of
2 2012 (Public Law 112–260; 38 U.S.C. 527
3 note), was used; or

4 “(ii) exposed to toxic airborne chemicals or
5 other airborne contaminants, including any in-
6 formation recorded as part of the registry es-
7 tablished by the Secretary of Veterans Affairs
8 under such section 201.”.

9 (d) SHARING OF INFORMATION.—

10 (1) DOD–VA.—The Secretary of Defense and
11 the Secretary of Veterans Affairs shall jointly enter
12 into a memorandum of understanding providing for
13 the sharing by the Department of Defense with the
14 Department of Veterans Affairs of the results of
15 covered evaluations regarding the exposure by a
16 member of the Armed Forces to toxic airborne
17 chemicals or other airborne contaminants.

18 (2) REGISTRY.—If a covered evaluation of a
19 member of the Armed Forces establishes that the
20 member was based or stationed at a location where
21 an open burn pit was used or that the member was
22 exposed to toxic airborne chemicals or other airborne
23 contaminants, the member shall be enrolled in the
24 Airborne Hazards and Open Burn Pit Registry un-
25 less the member elects to not so enroll.

1 (e) RULE OF CONSTRUCTION.—Nothing in this sec-
2 tion may be construed to preclude eligibility for benefits
3 under the laws administered by the Secretary of Veterans
4 Affairs by reason of the open burn pit exposure history
5 of a veteran not being recorded in a covered evaluation.

6 (f) DEFINITIONS.—In this section:

7 (1) The term “Airborne Hazards and Open
8 Burn Pit Registry” means the registry established
9 by the Secretary of Veterans Affairs under section
10 201 of the Dignified Burial and Other Veterans’
11 Benefits Improvement Act of 2012 (Public Law
12 112–260; 38 U.S.C. 527 note).

13 (2) The term “covered evaluation” means—

14 (A) a periodic health assessment conducted
15 in accordance with subsection (a);

16 (B) a separation history and physical ex-
17 amination conducted under section 1145(a)(5)
18 of title 10, United States Code, as amended by
19 this section; and

20 (C) a deployment assessment conducted
21 under section 1074f(b)(2) of such title, as
22 amended by this section.

23 (3) The term “open burn pit” has the meaning
24 given that term in section 201(c) of the Dignified
25 Burial and Other Veterans’ Benefits Improvement

1 Act of 2012 (Public Law 112–260; 38 U.S.C. 527
2 note).

3 **SEC. 706. ENHANCEMENT OF RECORDKEEPING AND**
4 **POSTDEPLOYMENT MEDICAL ASSESSMENT**
5 **REQUIREMENTS RELATED TO OCCUPA-**
6 **TIONAL AND ENVIRONMENTAL HAZARD EX-**
7 **POSURE DURING DEPLOYMENT.**

8 (a) RECORDING OF OCCUPATIONAL AND ENVIRON-
9 MENTAL HEALTH RISKS IN DEPLOYMENT AREA.—

10 (1) ELEMENTS OF MEDICAL TRACKING SYS-
11 TEM.—Subsection (b)(1)(A) of section 1074f of title
12 10, United States Code, is amended—

13 (A) in clause (ii), by striking “and” at the
14 end;

15 (B) in clause (iii), by striking the period at
16 the end and inserting “; and”; and

17 (C) by adding at the end the following new
18 clause:

19 “(iv) accurately record any
20 exposure to occupational and en-
21 vironmental health risks during
22 the course of their deployment.”.

23 (2) RECORDKEEPING.—Subsection (c) of such
24 section is amended by inserting after “deployment
25 area” the following: “(including the results of any

1 assessment performed by the Secretary of occupa-
2 tional and environmental health risks for such
3 area)’’.

4 (3) EFFECTIVE DATE.—The amendments made
5 by this subsection shall take effect on the date of the
6 enactment of this Act.

7 (b) INTEGRATION OF BURN PIT REGISTRY INFORMA-
8 TION INTO ELECTRONIC HEALTH RECORDS.—

9 (1) UPDATES TO ELECTRONIC HEALTH
10 RECORDS.—Beginning not later than one year after
11 the date of the enactment of this Act—

12 (A) the Secretary of Defense shall ensure
13 that the electronic health record maintained by
14 such Secretary of a member of the Armed
15 Forces registered with the burn pit registry is
16 updated with any information contained in such
17 registry; and

18 (B) the Secretary of Veterans Affairs shall
19 ensure that the electronic health record main-
20 tained by such Secretary of a veteran registered
21 with the burn pit registry is updated with any
22 information contained in such registry.

23 (2) BURN PIT REGISTRY DEFINED.—In this
24 subsection, the term “burn pit registry” means the
25 registry established under section 201 of the Dig-

1 unified Burial and Other Veterans' Improvements Act
2 of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

3 (c) POSTDEPLOYMENT MEDICAL EXAMINATION AND
4 REASSESSMENTS.—

5 (1) ADDITIONAL REQUIREMENTS.—Section
6 1074f of title 10, United States Code is further
7 amended by adding at the end the following new
8 subsection:

9 “(g) ADDITIONAL REQUIREMENTS FOR
10 POSTDEPLOYMENT MEDICAL EXAMINATIONS AND
11 HEALTH REASSESSMENTS.—(1) The Secretary of Defense
12 shall—

13 “(A) standardize and make available to a pro-
14 vider that conducts a postdeployment medical exam-
15 ination or reassessment under the system described
16 in subsection (a) questions relating to occupational
17 and environmental health exposure; and

18 “(B) prior to an examination or reassessment
19 of a member of the armed forces, require such pro-
20 vider to review information applicable to such mem-
21 ber—

22 “(i) in a Periodic Occupational and Envi-
23 ronmental Monitoring Summary (or any suc-
24 cessor document); and

1 “(ii) on the Defense Occupational and En-
2 vironmental Health Readiness System (or any
3 successor system).

4 “(2) The Secretary shall ensure that the medical
5 record of a member includes information on the external
6 cause relating to a diagnosis of the member, including by
7 associating an external cause code (as issued under the
8 International Statistical Classification of Diseases, 10th
9 Revision (or any successor revision)).”.

10 (2) EFFECTIVE DATE.—The amendments made
11 by this subsection shall take effect 180 days after
12 the date of the enactment of this Act.

13 (d) REPORT BY COMPTROLLER GENERAL OF THE
14 UNITED STATES.—Not later than two years after the date
15 of the enactment of this Act, the Comptroller General of
16 the United States shall submit to the congressional de-
17 fense committees and the Committees on Veterans’ Affairs
18 of the House of Representatives and the Senate a report
19 containing an evaluation of the implementation of this sec-
20 tion (and the amendments made by this section), including
21 an assessment of the extent to which the Secretary of De-
22 fense and Secretary of Veterans Affairs are in compliance
23 with the applicable requirements of this section (and the
24 amendments made by this section).

1 **SEC. 707. MODIFICATIONS TO POST-DEPLOYMENT MENTAL**
2 **HEALTH ASSESSMENTS FOR MEMBERS OF**
3 **THE ARMED FORCES DEPLOYED IN SUPPORT**
4 **OF A CONTINGENCY OPERATION.**

5 (a) **REQUIRED ASSESSMENTS.**—Section 1074m(a)(1)
6 of title 10, United States Code, is amended by striking
7 subparagraphs (C) and (D) and inserting the following
8 new subparagraphs:

9 “(C) Subject to paragraph (3) and sub-
10 section (d), once during the period beginning on
11 the date of redeployment from the contingency
12 operation and ending 14 days after such rede-
13 ployment date.

14 “(D) Subject to subsection (d), not less
15 than once annually—

16 “(i) beginning 14 days after the date
17 of redeployment from the contingency op-
18 eration; or

19 “(ii) if the assessment required by
20 subparagraph (C) is performed during the
21 period specified in paragraph (3), begin-
22 ning 180 days after the date of redeploy-
23 ment from the contingency operation.”.

24 (b) **EXCEPTIONS.**—Section 1074m(a) of such title, as
25 amended by subsection (a), is further amended by striking
26 paragraph (2) and inserting the following new paragraphs:

1 “(2) A mental health assessment is not required for
2 a member of the armed forces under subparagraphs (C)
3 and (D) of paragraph (1) (including an assessment per-
4 formed pursuant to paragraph (3)) if the Secretary deter-
5 mines that providing such assessment to the member dur-
6 ing the time periods under such subparagraphs would re-
7 move the member from forward deployment or put mem-
8 bers or operational objectives at risk.

9 “(3) A mental health assessment required under sub-
10 paragraph (C) of paragraph (1) may be provided during
11 the period beginning 90 days after the date of redeploy-
12 ment from the contingency operation and ending 180 days
13 after such redeployment date if the Secretary determines
14 that—

15 “(A) an insufficient number of personnel are
16 available to perform the assessment during the time
17 period under such subparagraph; or

18 “(B) an administrative processing issue exists
19 upon the return of the member to the home unit or
20 duty station that would prohibit the effective per-
21 formance of the assessment during such time pe-
22 riod.”.

23 (c) ELIMINATION OF SUNSET FOR ASSESSMENTS
24 DURING DEPLOYMENT.—Section 1074m(a)(1)(B) of such

1 title is amended by striking “Until January 1, 2019,
2 once” and inserting “Once”.

3 (d) EFFECTIVE DATE.—The amendments made by
4 subsections (a) and (b) shall apply with respect to a date
5 of redeployment that is on or after January 1, 2020.

6 **SEC. 708. PROVISION OF BLOOD TESTING FOR FIRE-**
7 **FIGHTERS OF DEPARTMENT OF DEFENSE TO**
8 **DETERMINE EXPOSURE TO**
9 **PERFLUOROALKYL AND POLYFLUOROALKYL**
10 **SUBSTANCES.**

11 The Secretary of Defense shall include, as part of the
12 annual physical examination provided by the Secretary to
13 each firefighter of the Department of Defense, blood test-
14 ing to determine and document the potential exposure of
15 such firefighters to perfluoroalkyl and polyfluoroalkyl sub-
16 stances (commonly known as “PFAS”).

17 **SEC. 709. INCLUSION OF INFERTILITY TREATMENTS FOR**
18 **MEMBERS OF THE UNIFORMED SERVICES.**

19 (a) INCLUSION.—The Secretary of Defense may pro-
20 vide to members of uniformed services under section
21 1074(a) of title 10, United States Code, and spouses of
22 such members, treatment for infertility, including non-
23 experimental assisted reproductive services, including, at
24 a minimum, the following:

1 (1) Services, medications, and supplies for non-
2 coital reproductive technologies.

3 (2) Counseling on such services.

4 (3) Reversal of tubal ligation or vasectomy in
5 conjunction with services furnished under this sec-
6 tion.

7 (4) Cryopreservation, including associated serv-
8 ices, supplies, and storage.

9 (b) PROHIBITION ON COST SHARING.—The Secretary
10 may not require any fees or other cost-sharing require-
11 ments under subsection (a).

12 (c) INFERTILITY DEFINED.—In this section, the
13 term “infertility” means a disease, characterized by the
14 failure to establish a clinical pregnancy—

15 (1) after 12 months of regular, unprotected sex-
16 ual intercourse; or

17 (2) due to a person’s incapacity for reproduc-
18 tion either as an individual or with his or her part-
19 ner, which may be determined after a period of less
20 than 12 months of regular, unprotected sexual inter-
21 course, or based on medical, sexual and reproductive
22 history, age, physical findings, or diagnostic testing.

1 **SEC. 710. AUTHORIZATION OF APPROPRIATIONS FOR**
2 **TRICARE LEAD SCREENING AND TESTING**
3 **FOR CHILDREN.**

4 (a) INCREASE.—Notwithstanding the amounts set
5 forth in the funding tables in division D, the amount au-
6 thorized to be appropriated in section 1405 for the De-
7 fense Health Program, as specified in the corresponding
8 funding table in section 4501, for Undistributed,
9 TRICARE lead level screening and testing for children,
10 is hereby increased by \$5,000,000.

11 (b) OFFSET.—Notwithstanding the amounts set forth
12 in the funding tables in division D, the amount authorized
13 to be appropriated in section 101 for Procurement of
14 Wheeled and Tracked Combat Vehicles, Army, as specified
15 in the corresponding funding table in section 4101, for
16 Bradley Program (Mod) is hereby reduced by \$5,000,000.

17 **Subtitle B—Health Care**
18 **Administration**

19 **SEC. 711. REQUIREMENTS FOR CERTAIN PRESCRIPTION**
20 **DRUG LABELS.**

21 (a) REQUIREMENT.—Section 1074g of title 10,
22 United States Code, is amended—

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

25 (2) by inserting after subsection (g) the fol-
26 lowing new subsection (h):

1 “(h) LABELING.—The Secretary of Defense shall en-
2 sure that drugs made available through the facilities of
3 the armed forces under the jurisdiction of the Secretary
4 include labels that—

5 “(1) are printed and physically located on or
6 within the package from which the drug is to be dis-
7 pensed; and

8 “(2) provide adequate directions for the pur-
9 poses for which the drug is intended.”.

10 (b) CONFORMING AMENDMENT.—Subsection (b)(1)
11 of such section is amended by striking “under subsection
12 (h)” and inserting “under subsection (j)”.

13 (c) IMPLEMENTATION.—Beginning not later than 90
14 days after the date of the enactment of this Act, the Sec-
15 retary of Defense shall implement subsection (h) of section
16 1074g of title 10, United States Code, as added by sub-
17 section (a).

18 **SEC. 712. OFFICERS AUTHORIZED TO COMMAND ARMY**
19 **DENTAL UNITS.**

20 Section 7081(d) of title 10, United States Code, is
21 amended by striking “Dental Corps Officer” and inserting
22 “commissioned officer of the Army Medical Department”.

1 **SEC. 713. IMPROVEMENTS TO INTERAGENCY PROGRAM OF-**
2 **OFFICE OF THE DEPARTMENT OF DEFENSE AND**
3 **THE DEPARTMENT OF VETERANS AFFAIRS.**

4 (a) LEADERSHIP.—Subsection (c) of section 1635 of
5 the Wounded Warrior Act (title XVI of Public Law 110–
6 181; 10 U.S.C. 1071 note) is amended to read as follows:

7 “(c) LEADERSHIP.—

8 “(1) DIRECTOR.—The Director of the Office
9 shall be the head of the Office.

10 “(2) DEPUTY DIRECTOR.—The Deputy Director
11 of the Office shall be the deputy head of the Office
12 and shall assist the Director in carrying out the du-
13 ties of the Director.

14 “(3) REPORTING.—The Director shall report to
15 the Department of Veterans Affairs-Department of
16 Defense Joint Executive Committee established by
17 section 320 of title 38, United States Code.

18 “(4) APPOINTMENTS.—

19 “(A) DIRECTOR.—The Director shall be
20 jointly appointed by the Secretary of Veterans
21 Affairs and the Secretary of Defense for a five-
22 year term. The Director may be reappointed for
23 one or more additional terms.

24 “(B) DEPUTY DIRECTOR.—The Deputy
25 Director shall be jointly appointed by the Sec-
26 retary of Veterans Affairs and the Secretary of

1 Defense for a five-year term. The Deputy Di-
2 rector may be reappointed for one or more ad-
3 ditional terms.

4 “(C) ADVICE.—The Department of Vet-
5 erans Affairs-Department of Defense Joint Ex-
6 ecutive Committee shall provide the Secretary
7 of Veterans Affairs and the Secretary of De-
8 fense with advice regarding potential individuals
9 to be appointed Director and Deputy Director
10 under subparagraphs (A) and (B), respectively.

11 “(D) MINIMUM QUALIFICATIONS.—The
12 Department of Veterans Affairs-Department of
13 Defense Joint Executive Committee shall de-
14 velop qualification requirements for the office of
15 the Director and the Deputy Director. Such re-
16 quirements shall ensure that, at a minimum,
17 the Director and Deputy Director, individually
18 or together, meet the following qualifications:

19 “(i) Significant experience as a clini-
20 cian, at the level of chief medical officer or
21 equivalent.

22 “(ii) Significant experience in health
23 informatics, at the level of chief health
24 informatics officer or equivalent.

1 “(iii) Significant experience leading
2 implementation of enterprise-wide tech-
3 nology in a health care setting in the pub-
4 lic or private sector.

5 “(5) ADDITIONAL GUIDANCE.—In addition to
6 providing direction, supervision, and control of the
7 Office pursuant to paragraph (3), the Department of
8 Veterans Affairs-Department of Defense Joint Exec-
9 utive Committee shall—

10 “(A) provide guidance in the discharge of
11 the functions of the Office under this section;
12 and

13 “(B) facilitate the establishment of a char-
14 ter and mission statement for the Office.

15 “(6) INFORMATION TO CONGRESS.—Upon re-
16 quest by any of the appropriate committees of Con-
17 gress, the Director and the Deputy Director shall
18 testify before such committee, or provide a briefing
19 or otherwise provide requested information to such
20 committee, regarding the discharge of the functions
21 of the Office under this section.”.

22 (b) AUTHORITY.—Paragraph (1) of subsection (b) of
23 such section is amended by adding at the end the following
24 new sentence: “The Office shall carry out decision making
25 authority delegated to the office by the Secretary of De-

1 fense and the Secretary of Veterans Affairs with respect
2 to the definition, coordination, and management of func-
3 tional, technical, and programmatic activities that are
4 jointly used, carried out, and shared by the Depart-
5 ments.”.

6 (c) PURPOSES.—Paragraph (2) of subsection (b) of
7 such section is by adding at the end the following new
8 subparagraphs:

9 “(C) To develop and implement a com-
10 prehensive interoperability strategy, including
11 pursuant to the National Defense Authorization
12 Act for Fiscal Year 2020 or other provision of
13 law requiring such strategy.

14 “(D) To pursue the highest level of inter-
15 operability (as defined in section 713 of the Na-
16 tional Defense Authorization Act for Fiscal
17 Year 2020) for the delivery of health care by
18 the Department of Defense and the Department
19 of Veterans Affairs.

20 “(E) To accelerate the exchange of health
21 care information between the Departments in
22 order to support the delivery of health care by
23 both Departments.

24 “(F) To collect the operational and stra-
25 tegic requirements of the Departments relating

1 to the strategy under subsection (a) and com-
2 municate such requirements and activities to
3 the Office of the National Coordinator for
4 Health Information Technology of the Depart-
5 ment of Health and Human Services for the
6 purpose of implementing title IV of the 21st
7 Century Cures Act (division A of Public Law
8 114–255), and the amendments made by that
9 title, and other objectives of the Office of the
10 National Coordinator for Health Information
11 Technology.

12 “(G) To plan for and effectuate the broad-
13 est possible implementation of standards, spe-
14 cifically with respect to the Fast Healthcare
15 Interoperability Resources standard or suc-
16 cessor standard, the evolution of such stand-
17 ards, and the obsolescence of such standards.

18 “(H) To actively engage with national and
19 international health standards setting organiza-
20 tions, including by taking membership in such
21 organizations, to ensure that standards estab-
22 lished by such organizations meet the needs of
23 the Department of Defense and the Department
24 of Veterans Affairs pursuant to the strategy
25 under subsection (a), and oversee and approve

1 adoption of and mapping to such standards by
2 the Departments.

3 “(I) To express the content and format of
4 health data of the Departments using a com-
5 mon language to improve the exchange of data
6 between the Departments and with the private
7 sector, and to ensure that clinicians of both De-
8 partments have access to integrated, comput-
9 able, comprehensive health records of patients.

10 “(J) To inform each Chief Information Of-
11 ficer of the Department of Defense and the
12 Chief Information Officer of the Department of
13 Veterans Affairs of any activities of the Office
14 affecting or relevant to cybersecurity.”.

15 (d) RESOURCES AND STAFFING.—Subsection (g) of
16 such section is amended—

17 (1) in paragraph (1), by inserting before the pe-
18 riod at the end the following: “, including the as-
19 signment of clinical or technical personnel of the De-
20 partment of Defense or the Department of Veterans
21 Affairs to the Office”; and

22 (2) by adding at the end the following new
23 paragraphs:

24 “(3) COST SHARING.—The Secretary of De-
25 fense and the Secretary of Veterans Affairs, acting

1 through the Department of Veterans Affairs-Depart-
2 ment of Defense Joint Executive Committee, shall
3 enter into an agreement on cost sharing and pro-
4 viding resources for the operations and staffing of
5 the Office.

6 “(4) HIRING AUTHORITY.—The Secretary of
7 Defense and the Secretary of Veterans Affairs shall
8 delegate to the Director the authority under title 5,
9 United States Code, regarding appointments in the
10 competitive service to hire personnel of the Office.”.

11 (e) BUDGET MATTERS.—Such section is amended by
12 adding at the end the following new subsection:

13 “(k) BUDGET AND CONTRACTING MATTERS.—

14 “(1) BUDGET.—The Director may obligate and
15 expend funds allocated to the operations of the Of-
16 fice.

17 “(2) CONTRACT AUTHORITY.—The Director
18 may enter into contracts to carry out this section.”.

19 (f) REPORTS.—Subsection (h) of such section is
20 amended to read as follows:

21 “(h) REPORTS.—

22 “(1) ANNUAL REPORTS.—Not later than Sep-
23 tember 30, 2020, and each year thereafter through
24 2024, the Director shall submit to the Secretary of
25 Defense and the Secretary of Veterans Affairs, and

1 to the appropriate committees of Congress, a report
2 on the activities of the Office during the preceding
3 calendar year. Each report shall include the fol-
4 lowing:

5 “(A) A detailed description of the activities
6 of the Office during the year covered by such
7 report, including a detailed description of the
8 amounts expended and the purposes for which
9 expended.

10 “(B) With respect to the objectives of the
11 strategy under paragraph (2)(C) of subsection
12 (b), and the purposes of the Office under such
13 subsection—

14 “(i) a discussion, description, and as-
15 sessment of the progress made by the De-
16 partment of Defense and the Department
17 of Veterans Affairs during the preceding
18 calendar year; and

19 “(ii) a discussion and description of
20 the goals of the Department of Defense
21 and the Department of Veterans Affairs
22 for the following calendar year.

23 “(2) QUARTERLY REPORTS.—On a quarterly
24 basis, the Director shall submit to the appropriate
25 committees of Congress a detailed financial sum-

1 mary of the activities of the Office, including the
2 funds allocated to the Office by each Department,
3 the expenditures made, and an assessment as to
4 whether the current funding is sufficient to carry
5 out the activities of the Office.

6 “(3) AVAILABILITY.—Each report under this
7 subsection shall be made publicly available.”.

8 (g) CONFORMING REPEAL.—Section 713 of the Na-
9 tional Defense Authorization Act for Fiscal Year 2014
10 (Public Law 113–66; 10 U.S.C. 1071 note) is repealed.

11 **SEC. 714. COMPREHENSIVE ENTERPRISE INTEROPER-**
12 **ABILITY STRATEGY FOR THE ARMED FORCES**
13 **AND THE DEPARTMENT OF VETERANS AF-**
14 **FAIRS.**

15 (a) IN GENERAL.—The Secretary of Defense and the
16 Secretary of Veterans Affairs, acting through the office
17 established by section 1635(b) of the Wounded Warrior
18 Act (title XVI of Public Law 110–181; 10 U.S.C. 1071
19 note), shall jointly develop and implement a comprehensive
20 interoperability strategy to—

21 (1) improve the delivery of health care by the
22 Armed Forces and the Department of Veterans Af-
23 fairs by taking advantage of advances in the health
24 information technology marketplace;

1 (2) achieve interoperability capabilities that are
2 more adaptable and farther reaching than those
3 achievable through bidirectional information ex-
4 change between electronic health records or the ex-
5 change of read-only data alone;

6 (3) establish an environment that will enable
7 and encourage the adoption of innovative tech-
8 nologies for health care delivery;

9 (4) leverage data integration to advance health
10 research and develop an evidence base for the health
11 care programs of both Departments;

12 (5) prioritize open systems architecture;

13 (6) ensure ownership and control by patients of
14 their health data;

15 (7) protect patient privacy and enhance oppor-
16 tunities for innovation by preventing contractors of
17 the Departments or other non-Department entities
18 from owning or exclusively controlling patient health
19 data;

20 (8) make maximum use of open-application pro-
21 gram interfaces and the Fast Healthcare Interoper-
22 ability Resources standard, or successor standard;
23 and

24 (9) achieve—

1 (A) a single lifetime longitudinal personal
2 health record between the Armed Forces and
3 the Department of Veterans Affairs; and

4 (B) interoperability capabilities sufficient
5 to enable the provision of seamless health care
6 relating to—

7 (i) the Armed Forces and private-sec-
8 tor health care providers under the
9 TRICARE program; and

10 (ii) the Department of Veterans Af-
11 fairs and community health care providers
12 pursuant to sections 1703 and 1703A of
13 title 38, United States Code, and other
14 provisions of law administered by the Sec-
15 retary of Veterans Affairs.

16 (b) CONTENT.—The strategy under subsection (a)
17 shall—

18 (1) include, but shall not be limited to, the
19 Electronic Health Record Modernization Program
20 and the Healthcare Management System Moderniza-
21 tion Program of the Armed Forces; and

22 (2) consist of—

23 (A) elements formulated and implemented
24 jointly by the Secretary of Defense and the Sec-
25 retary of Veterans Affairs; and

1 (B) elements that are unique to either De-
2 partment and are formulated and implemented
3 separately by either Secretary.

4 (c) SUBMISSION OF STRATEGY.—

5 (1) STRATEGY.—Not later than 180 days after
6 the date of the enactment of this Act, the Director
7 shall submit to each Secretary concerned, and to the
8 appropriate congressional committees, the strategy
9 under subsection (a), including any accompanying or
10 associated implementation plans and supporting in-
11 formation.

12 (2) UPDATED STRATEGY.—Not later than De-
13 cember 31, 2024, the Director shall submit to each
14 Secretary concerned, and to the appropriate congres-
15 sional committees, an update to the strategy under
16 subsection (a), including any accompanying or asso-
17 ciated implementation plans and supporting infor-
18 mation.

19 (3) AVAILABILITY.—The Secretaries concerned
20 shall make available to the public the strategy sub-
21 mitted under paragraphs (1) and (2), including by
22 posting such strategy on the internet websites of the
23 Secretaries that is available to the public.

24 (d) DEFINITIONS.—In this section:

1 (1) The term “appropriate congressional com-
2 mittees” means the following:

3 (A) The congressional defense committees.

4 (B) The Committees on Veterans’ Affairs
5 of the House of Representatives and the Sen-
6 ate.

7 (2) The term “Director” means the Director of
8 the office established by section 1635(b) of the
9 Wounded Warrior Act (title XVI of Public Law
10 110–181; 10 U.S.C. 1071 note).

11 (3) The term “Electronic Health Record Mod-
12 ernization Program” has the meaning given that
13 term in section 503 of the Veterans Benefits and
14 Transition Act of 2018 (Public Law 115–407; 132
15 Stat. 5376).

16 (4) The term “interoperability” means the abil-
17 ity of different information systems, devices, or ap-
18 plications to connect in a coordinated and secure
19 manner, within and across organizational bound-
20 aries, across the complete spectrum of care, includ-
21 ing all applicable care settings, and with relevant
22 stakeholders, including the person whose information
23 is being shared, to access, exchange, integrate, and
24 use computable data regardless of the data’s origin
25 or destination or the applications employed, and

1 without additional intervention by the end user, in-
2 cluding—

3 (A) the capability to reliably exchange in-
4 formation without error;

5 (B) the ability to interpret and to make ef-
6 fective use of the information so exchanged; and

7 (C) the ability for information that can be
8 used to advance patient care to move between
9 health care entities, regardless of the technology
10 platform in place or the location where care was
11 provided.

12 (5) The term “seamless health care” means
13 health care which is optimized through access by pa-
14 tients and clinicians to integrated, relevant, and
15 complete information about the patient’s clinical ex-
16 periences, social and environmental determinants of
17 health, and health trends over time in order to en-
18 able patients and clinicians to move from task to
19 task and encounter to encounter, within and across
20 organizational boundaries, such that high-quality de-
21 cisions may be formed easily and complete plans of
22 care may be carried out smoothly.

23 (6) The term “Secretary concerned” means—

1 (A) the Secretary of Defense, with respect
2 to matters concerning the Department of De-
3 fense;

4 (B) the Secretary of Veterans Affairs, with
5 respect to matters concerning the Department
6 of Veterans Affairs; and

7 (C) the Secretary of Homeland Security,
8 with respect to matters concerning the Coast
9 Guard when it is not operating as a service in
10 the Department of the Navy.

11 (7) The term “TRICARE program” has the
12 meaning given that term in section 1072 of title 10,
13 United States Code.

14 **SEC. 715. DEMONSTRATION OF INTEROPERABILITY MILE-**
15 **STONES.**

16 (a) MILESTONES.—

17 (1) EVALUATION.—To demonstrate increasing
18 levels of interoperability, functionality, and seamless
19 health care within the electronic health record sys-
20 tems of the Department of Defense and the Depart-
21 ment of Veterans Affairs, the Office shall seek to
22 enter into an agreement with an independent entity
23 to conduct an evaluation of the following use cases
24 of such systems:

1 (A) By not later than 18 months after the
2 date of the enactment of this Act, whether a cli-
3 nician of the Department of Defense can access
4 and meaningfully interact with a complete vet-
5 eran patient health record from a military med-
6 ical treatment facility.

7 (B) By not later than 18 months after the
8 date of the enactment of this Act, whether a cli-
9 nician of the Department of Veterans Affairs
10 can access and meaningfully interact with a
11 complete patient health record of a member of
12 the Armed Forces serving on active duty from
13 a medical center of the Department of Veterans
14 Affairs.

15 (C) By not later than two years after the
16 date of the enactment of this Act, whether a cli-
17 nician in the Department of Defense and the
18 Department of Veterans Affairs can access and
19 meaningfully interact with the data elements of
20 the health record of a veteran patient or mem-
21 ber of the Armed Forces which are generated
22 when the veteran patient or member of the
23 Armed Forces receives health care from a com-
24 munity care provider of the Department of Vet-

1 erans Affairs or a TRICARE provider of the
2 Department of Defense

3 (D) By not later than two years after the
4 date of the enactment of this Act, whether a
5 community care provider of the Department of
6 the Veterans Affairs and a TRICARE provider
7 on a Health Information Exchange-supported
8 electronic health record can access a veteran
9 and active-duty member patient health record
10 from the provider's system.

11 (E) By not later than two years after the
12 enactment of this Act, and subsequently after
13 each significant implementation wave, an as-
14 sessment of interoperability between the legacy
15 electronic health record systems and the future
16 electronic health record systems of the Depart-
17 ment of Veterans Affairs and the Department
18 of Defense.

19 (F) By not later than two years after the
20 enactment of this Act, and subsequently after
21 each significant implementation wave, an as-
22 sessment of the use of interoperable content be-
23 tween the legacy electronic health record sys-
24 tems and the future electronic health record
25 systems of the Department of Veterans Affairs

1 and the Department of Defense, and third-
2 party applications.

3 (2) SUBMISSION.—The Office shall submit to
4 the appropriate congressional committees a report
5 detailing the evaluation, methodology for testing,
6 and findings for each milestone demonstration under
7 paragraph (1) by not later than the date specified
8 under such paragraph.

9 (b) SYSTEM CONFIGURATION MANAGEMENT.—The
10 Office shall—

11 (1) maintain the common configuration baseline
12 for the electronic health record systems of the De-
13 partment of Defense and the Department of Vet-
14 erans Affairs; and

15 (2) continually evaluate the state of configura-
16 tion, the impacts on interoperability, and shall pro-
17 mote the enhancement of such electronic health
18 records systems.

19 (c) REGULAR CLINICAL CONSULTATION.—The Office
20 shall convene at least annually a clinical workshop to in-
21 clude clinical staff from the Department of Defense, the
22 Department of Veterans Affairs, the Coast Guard, com-
23 munity providers, and other leading clinical experts to as-
24 sess the state of clinical use of the electronic health record
25 systems and whether the systems are meeting clinical and

1 patient needs. The clinical workshop shall make rec-
2 ommendations to the Office on the need for any improve-
3 ments or concerns with the electronic health record sys-
4 tems.

5 (d) CLINICIAN AND PATIENT SATISFACTION SUR-
6 VEY.—Beginning October 1, 2021, on at least a biannual
7 basis, the Office shall undertake a clinician and patient
8 satisfaction survey regarding clinical use and patient expe-
9 rience with the electronic health record systems of the De-
10 partment of Defense and the Department of Veterans Af-
11 fairs.

12 (e) ANNUAL REPORTS.—Not later than September
13 30, 2020, and annually thereafter, the Office shall submit
14 to the appropriate congressional committees a report on—

15 (1) the state of the configuration baseline under
16 subsection (b) and any activities which decremented
17 or enhanced the state of configuration; and

18 (2) the activities, assessments and recommenda-
19 tions of the clinical workshop under subsection (c)
20 and the response of the Office to the workshop rec-
21 ommendations and any action plans to implement
22 the recommendations.

23 (f) DEFINITIONS.—In this section:

24 (1) The term “appropriate congressional com-
25 mittees” means the following:

1 (A) The congressional defense committees.

2 (B) The Committees on Veterans' Affairs
3 of the House of Representatives and the Sen-
4 ate.

5 (2) The term “configuration baseline” means a
6 fixed reference in the development cycle or an
7 agreed-upon specification of a product at a point in
8 time. It serves as a documented basis for defining
9 incremental change in all aspects of an information
10 technology product.

11 (3) The term “interoperability” means the abil-
12 ity of different information systems, devices, or ap-
13 plications to connect in a coordinated and secure
14 manner, within and across organizational bound-
15 aries, across the complete spectrum of care, includ-
16 ing all applicable care settings, and with relevant
17 stakeholders, including the person whose information
18 is being shared, to access, exchange, integrate, and
19 use computable data regardless of the data's origin
20 or destination or the applications employed, and
21 without additional intervention by the end user, in-
22 cluding—

23 (A) the capability to reliably exchange in-
24 formation without error;

1 (B) the ability to interpret and to make ef-
2 fective use of the information so exchanged; and

3 (C) the ability for information that can be
4 used to advance patient care to move between
5 health care entities, regardless of the technology
6 platform in place or the location where care was
7 provided.

8 (4) The term “meaningfully interact” means
9 that information can be viewed, consumed, acted
10 upon, and edited in a clinical setting to facilitate
11 high quality clinical decision making in a clinical set-
12 ting.

13 (5) The term “Office” means the office estab-
14 lished by section 1635(b) of the Wounded Warrior
15 Act (title XVI of Public Law 110–181; 10 U.S.C.
16 1071 note).

17 (6) The term “seamless health care” means
18 health care which is optimized through access by pa-
19 tients and clinicians to integrated, relevant, and
20 complete information about the patient’s clinical ex-
21 periences, social and environmental determinants of
22 health, and health trends over time in order to en-
23 able patients and clinicians to move from task to
24 task and encounter to encounter, within and across
25 organizational boundaries, such that high-quality de-

1 cisions may be formed easily and complete plans of
2 care may be carried out smoothly.

3 (7) The term “TRICARE program” has the
4 meaning given that term in section 1072 of title 10,
5 United States Code.

6 **SEC. 716. INCLUSION OF BLAST EXPOSURE HISTORY IN**
7 **MEDICAL RECORDS OF MEMBERS OF THE**
8 **ARMED FORCES.**

9 (a) REQUIREMENT.—The Secretary of Defense, in
10 coordination with the Secretaries of the military depart-
11 ments, shall document blast exposure history in the med-
12 ical record of a member of the Armed Forces to—

13 (1) assist in determining whether a future ill-
14 ness or injury of the member is service-connected;
15 and

16 (2) inform future blast exposure risk mitigation
17 efforts of the Department of Defense.

18 (b) ELEMENTS.—A blast exposure history under sub-
19 section (a) shall include, at a minimum, the following:

20 (1) The date of the exposure.

21 (2) The duration of the exposure, and, if
22 known, the measured blast pressure experienced by
23 the individual during such exposure.

24 (3) Whether the exposure occurred during com-
25 bat or training.

1 (4) Such other information relating to the expo-
2 sure as the Secretary of Defense may specify pursu-
3 ant to the guidance described in subsection (c)(1).

4 (c) COLLECTION OF EXPOSURE INFORMATION.—The
5 Secretary of Defense shall collect blast exposure informa-
6 tion with respect to a member of the Armed Forces in
7 a manner—

8 (1) consistent with blast exposure measurement
9 training guidance of the Department, including any
10 new guidance developed pursuant to—

11 (A) the study on blast pressure exposure
12 required by section 734 of the National Defense
13 Authorization Act for Fiscal Year 2018 (Public
14 Law 115–91; 131 Stat. 1444); and

15 (B) the review of guidance on blast expo-
16 sure during training required by section 253 of
17 the John S. McCain National Defense Author-
18 ization Act for Fiscal Year 2019 (Public Law
19 115–232; 132 Stat. 1704, 10 U.S.C. 2001
20 note);

21 (2) compatible with training and operational ob-
22 jectives; and

23 (3) that is automated, to the extent practicable,
24 to minimize the reporting burden of unit com-
25 manders.

1 (d) REPORT.—Not later than one year after the date
2 of the enactment of this Act, the Secretary of Defense
3 shall submit to the Committees on Armed Services of the
4 Senate and the House of Representatives a report on the
5 types of information included in a blast exposure history
6 under subsection (a).

7 **SEC. 717. COMPREHENSIVE POLICY FOR PROVISION OF**
8 **MENTAL HEALTH CARE TO MEMBERS OF THE**
9 **ARMED FORCES.**

10 (a) POLICY REQUIRED.—Not later than 180 days
11 after the date of the enactment of this Act, the Secretary
12 of Defense, acting through the Under Secretary of De-
13 fense for Personnel and Readiness, shall develop and im-
14 plement a comprehensive policy for the provision of mental
15 health care to members of the Armed Forces.

16 (b) ELEMENTS.—The policy under subsection (a)
17 shall address each of the following:

18 (1) The compliance of health professionals in
19 the military health system engaged in the provision
20 of health care services to members with clinical prac-
21 tice guidelines for—

22 (A) suicide prevention;

23 (B) medication-assisted therapy for alcohol
24 use disorders; and

1 (C) medication-assisted therapy for opioid
2 use disorders.

3 (2) The access and availability of mental health
4 care services to members who are victims of sexual
5 assault or domestic violence.

6 (3) The availability of naloxone reversal capa-
7 bility on military installations.

8 (4) The promotion of referrals of members by
9 civilian health care providers to military medical
10 treatment facilities when such members are—

11 (A) at high risk for suicide and diagnosed
12 with a psychiatric disorder; or

13 (B) receiving treatment for opioid use dis-
14 orders.

15 (5) The provision of comprehensive behavioral
16 health treatment to members of the reserve compo-
17 nents that takes into account the unique challenges
18 associated with the deployment pattern of such
19 members and the difficulty such members encounter
20 post-deployment with respect to accessing such
21 treatment in civilian communities.

22 (c) CONSIDERATION.—In developing the policy under
23 subsection (a), the Secretary of Defense shall solicit and
24 consider recommendations from the Secretaries of the
25 military departments and the Chairman of the Joint

1 Chiefs of Staff regarding the feasibility of implementation
2 and execution of particular elements of the policy.

3 (d) REPORT.—Not later than 18 months after the
4 date of the enactment of this Act, the Secretary of Defense
5 shall submit to the Committees on Armed Services of the
6 Senate and the House of Representatives a report on the
7 implementation of the policy under subsection (a).

8 **SEC. 718. LIMITATION ON THE REALIGNMENT OR REDUC-**
9 **TION OF MILITARY MEDICAL MANNING END**
10 **STRENGTH.**

11 (a) LIMITATION.—Except as provided by subsection
12 (d), the Secretary of Defense and the Secretaries con-
13 cerned may not realign or reduce military medical end
14 strength authorizations until—

15 (1) each review is conducted under paragraph
16 (1) of subsection (b);

17 (2) each analysis is conducted under paragraph
18 (2) of such subsection;

19 (3) the measurement is developed under para-
20 graph (3) of such subsection;

21 (4) each plan and forum is provided under
22 paragraph (4) of such subsection; and

23 (5) a period of 90 days elapses following the
24 date on which the Secretary submits the report
25 under subsection (c).

1 (b) REVIEWS, ANALYSES, AND OTHER INFORMA-
2 TION.—

3 (1) REVIEW.—Each Secretary concerned, in co-
4 ordination with the Chairman of the Joint Chiefs of
5 Staff, shall conduct a review of the medical man-
6 power requirements of the military department of
7 the Secretary that accounts for all national defense
8 strategy scenarios.

9 (2) ANALYSES.—With respect to each military
10 medical treatment facility that would be affected by
11 a proposed military medical end strength realign-
12 ment or reduction, the Secretary concerned shall
13 conduct an analysis that—

14 (A) identifies affected billets; and

15 (B) includes a plan for mitigating any po-
16 tential gap in health care services caused by
17 such realignment or reduction.

18 (3) MEASUREMENT.—The Secretary of Defense
19 shall—

20 (A) develop a standard measurement for
21 network adequacy to determine the capacity of
22 the local health care network to provide care for
23 covered beneficiaries in the area of a military
24 medical treatment facility that would be af-

1 fected by a proposed military medical end
2 strength realignment or reduction; and

3 (B) use such measurement in carrying out
4 this section and otherwise evaluating proposed
5 military medical end strength realignment or
6 reductions.

7 (4) OUTREACH.—The Secretary of Defense
8 shall provide to each member of the Armed Forces
9 and covered beneficiary located in the area of a mili-
10 tary medical treatment facility that would be af-
11 fected by a proposed military medical end strength
12 realignment or reduction the following:

13 (A) A transition plan for continuity of
14 health care services.

15 (B) A public forum to discuss the concerns
16 of the member and covered beneficiary regard-
17 ing such proposed realignment or reduction.

18 (c) REPORT.—Not later than 180 days after the date
19 of the enactment of this Act, the Secretary of Defense
20 shall submit to the Committees on Armed Services of the
21 House of Representatives and the Senate a report on the
22 proposed military medical end strength realignments or
23 reductions, including—

24 (1) the reviews, analyses, and other information
25 developed under subsection (b); and

1 (2) a description of the actions the Secretary
2 plans to take with respect to such proposed realign-
3 ments or reductions.

4 (d) EXCEPTION.—The limitation in subsection (a)
5 shall not apply to billets of a medical department of a mili-
6 tary department that have remained unfilled since at least
7 October 1, 2018. The Secretary concerned may realign or
8 reduce such a billet if the Secretary determines that such
9 realignment or reduction does not affect the provision of
10 health care services to members of the Armed Forces or
11 covered beneficiaries.

12 (e) DEFINITIONS.—In this section:

13 (1) The term “covered beneficiary” has the
14 meaning given that term in section 1072 of title 10,
15 United States Code.

16 (2) The term “proposed military medical end
17 strength realignment or reduction” means a realign-
18 ment or reduction of military medical end strength
19 authorizations as proposed by the budget of the
20 President for fiscal year 2020 submitted to Congress
21 pursuant to section 1105 of title 31, United States
22 Code.

23 (3) The term “Secretary concerned” means—

24 (A) the Secretary of the Army, with re-
25 spect to matters concerning the Army;

1 (B) the Secretary of the Navy, with re-
2 spect to matters concerning the Navy, the Ma-
3 rine Corps, and the Coast Guard when it is op-
4 erating as a service in the Department of the
5 Navy; and

6 (C) the Secretary of the Air Force, with
7 respect to matters concerning the Air Force.

8 **SEC. 719. STRATEGY TO RECRUIT AND RETAIN MENTAL**
9 **HEALTH PROVIDERS.**

10 Not later than 180 days after the date of the enact-
11 ment of this Act, the Secretary of Defense shall submit
12 to the congressional defense committees a report that—

13 (1) describes the shortage of mental health pro-
14 viders of the Department of Defense;

15 (2) explains the reasons for such shortage;

16 (3) explains the effect of such shortage on
17 members of the Armed Forces; and

18 (4) contains a strategy to better recruit and re-
19 tain mental health providers, including with respect
20 to psychiatrists, psychologists, mental health nurse
21 practitioners, licensed social workers, and other li-
22 censed providers of the military health system, in a
23 manner that addresses the need for cultural com-
24 petence and diversity among such mental health pro-
25 viders.

1 **SEC. 720. MONITORING MEDICATION PRESCRIBING PRAC-**
2 **TICES FOR THE TREATMENT OF POST-TRAU-**
3 **MATIC STRESS DISORDER.**

4 (a) REPORT.—

5 (1) IN GENERAL.—Not later than 180 days
6 after the date of enactment of this Act, the Sec-
7 retary of Defense shall submit to the Committees on
8 Armed Services of the House of Representatives and
9 the Senate a report on the practices for prescribing
10 medication during the period beginning January 1,
11 2012, and ending December 31, 2017, that were in-
12 consistent with the post-traumatic stress disorder
13 medication guidelines developed by the Department
14 of Defense and the Veterans Health Administration.

15 (2) CONTENTS.—The report under this sub-
16 section shall include the following:

17 (A) A summary of the practices of the
18 Army, Navy, and the Air Force, for prescribing
19 medication during the period referred to in
20 paragraph (1) that were inconsistent with the
21 post-traumatic stress disorder medication guide-
22 lines developed by the Department of Defense
23 and the Veterans Health Administration.

24 (B) Identification of medical centers serv-
25 ing members of the Armed Forces found to
26 having higher than average incidences of pre-

1 scribing medication during the period referred
2 to in paragraph (1) that were inconsistent with
3 the post-traumatic stress disorder guidelines.

4 (C) A plan for such medical centers to re-
5 duce the prescribing of medications that are in-
6 consistent with the post-traumatic stress dis-
7 order guidelines.

8 (D) A plan for ongoing monitoring of med-
9 ical centers found to have higher than average
10 incidences of prescribing medication that were
11 inconsistent with the post-traumatic stress dis-
12 order guidelines by the Department of Defense
13 and the Veterans Health Administration.

14 (b) MONITORING PROGRAM.—Based on the findings
15 of the report under subsection (a), the Secretaries of the
16 Army, the Navy, and the Air Force shall each establish
17 a monitoring program carried out with respect to such
18 branch of the Armed Forces that shall provide as follows:

19 (1) The monitoring program shall provide for
20 the conduct of periodic reviews, beginning October 1,
21 2019, of medication prescribing practices of its own
22 providers.

23 (2) The monitoring program shall provide for
24 regular reports, beginning October 1, 2020, to the
25 Department of Defense and the Veterans Health Ad-

1 ministration, of the results of the periodic reviews
2 pursuant to paragraph (1) of this subsection.

3 (3) The monitoring program shall establish in-
4 ternal procedures, not later than October 1, 2020, to
5 address practices for prescribing medication that are
6 inconsistent with the post-traumatic stress disorder
7 medication guidelines developed by the Department
8 of Defense and the Veterans Health Administration.

9 (c) REPORT ON IMPLEMENTATION OF GUIDANCE ON
10 OPIOID PRESCRIPTIONS FOR PAIN FROM MINOR OUT-
11 PATIENT PROCEDURES.—Not later than 6 months after
12 the date of enactment of this Act, the Secretary of De-
13 fense, acting in conjunction with the Director of the De-
14 fense Health Agency, shall submit to the Committees on
15 Armed Services of the House of Representatives and the
16 Senate a report on the implementation and results of the
17 Defense Health Agency’s guidance on opioid prescriptions
18 for pain from minor outpatient procedures in Guidance
19 Report entitled “Pain Management and Opioid Safety in
20 the Military Health System (MHS)” (DHA–PI 6025.04,
21 issued on June 8, 2018).

1 **SEC. 720A. MAINTENANCE OF CERTAIN MEDICAL SERVICES**
2 **AT MILITARY MEDICAL TREATMENT FACILI-**
3 **TIES AT SERVICE ACADEMIES.**

4 Section 1073d of title 10, United States Code, is
5 amended by adding at the end the following new sub-
6 section:

7 “(f) MAINTENANCE OF CERTAIN MEDICAL SERVICES
8 AT SERVICE ACADEMIES.—(1) In carrying out subsection
9 (a), the Secretary of Defense shall ensure that each mili-
10 tary medical treatment facility located at a Service Acad-
11 emy (as defined in section 347 of this title) provides each
12 covered medical service unless the Secretary determines
13 that a civilian health care facility located not fewer than
14 five miles from the Service Academy provides the covered
15 medical service.

16 “(2) In this subsection, the term ‘covered medical
17 service’ means the following:

18 “(A) Emergency room services.

19 “(B) Orthopedic services.

20 “(C) General surgery services.

21 “(D) Ear, nose, and throat services.

22 “(E) Gynecological services.

23 “(F) Ophthalmology services.

24 “(G) In-patient services.

25 “(H) Any other medical services that the rel-
26 evant Superintendent of the Service Academy deter-

1 mines necessary to maintain the readiness and
2 health of the cadets or midshipmen and members of
3 the armed forces at the Service Academy.”.

4 **SEC. 720B. DEVELOPMENT OF PARTNERSHIPS TO IMPROVE**
5 **COMBAT CASUALTY CARE FOR PERSONNEL**
6 **OF THE ARMED FORCES.**

7 (a) PARTNERSHIPS.—

8 (1) IN GENERAL.—The Secretary of Defense
9 shall, through the Joint Trauma Education and
10 Training Directorate established under section 708
11 of the National Defense Authorization Act for Fiscal
12 Year 2017 (Public Law 114–328; 10 U.S.C. 1071
13 note), develop partnerships with civilian academic
14 medical centers and large metropolitan teaching hos-
15 pitals to improve combat casualty care for personnel
16 of the Armed Forces.

17 (2) PARTNERSHIPS WITH LEVEL I TRAUMA
18 CENTERS.—In carrying out partnerships under para-
19 graph (1), trauma surgeons and physicians of the
20 Department of Defense shall partner with level I ci-
21 vilian trauma centers to provide adequate training
22 and readiness for the next generation of medical
23 providers to treat critically injured burn patients.

24 (b) SUPPORT OF PARTNERSHIPS.—The Secretary of
25 Defense shall make every effort to support partnerships

1 under the Joint Trauma Education and Training Direc-
2 torate with academic institutions that have level I civilian
3 trauma centers, specifically those centers with a burn cen-
4 ter, that offer burn rotations and clinical experience to
5 provide adequate training and readiness for the next gen-
6 eration of medical providers to treat critically injured burn
7 patients.

8 (c) LEVEL I CIVILIAN TRAUMA CENTER DEFINED.—
9 In this section, the term “level I civilian trauma center”
10 has the meaning given that term in section 708 of the
11 National Defense Authorization Act for Fiscal Year 2017
12 (Public Law 114–328; 10 U.S.C. 1071 note).

13 (d) EFFECTIVE DATE.—This section shall take effect
14 on October 1, 2020.

15 **SEC. 720C. MODIFICATION TO REFERRALS FOR MENTAL**
16 **HEALTH SERVICES.**

17 If the Secretary of Defense is unable to provide men-
18 tal health services in a military medical treatment facility
19 to a member of the Armed Forces within 15 days of the
20 date on which such services are first requested by the
21 member, the Secretary may refer the member to a pro-
22 vider under the TRICARE program (as that term is de-
23 fined in section 1072 of title 10, United States Code) to
24 receive such services.

1 **Subtitle C—Reports and Other**
2 **Matters**

3 **SEC. 721. ESTABLISHMENT OF MILITARY DENTAL RE-**
4 **SEARCH PROGRAM.**

5 (a) IN GENERAL.—Chapter 104 of title 10, United
6 States Code, is amended by inserting after section 2116
7 the following new section:

8 **“§ 2116a. Military dental research**

9 “(a) DEFINITIONS.—In this section:

10 “(1) The term ‘military dental research’ means
11 research on the furnishing of dental care and serv-
12 ices by dentists in the armed forces.

13 “(2) The term ‘TriService Dental Research
14 Program’ means the program of military dental re-
15 search authorized under this section.

16 “(b) PROGRAM AUTHORIZED.—The Secretary of De-
17 fense may establish at the University a program of mili-
18 tary dental research.

19 “(c) TRISERVICE RESEARCH GROUP.—The
20 TriService Dental Research Program shall be adminis-
21 tered by a TriService Dental Research Group composed
22 of Army, Navy, and Air Force dentists who are involved
23 in military dental research and are designated by the Sec-
24 retary concerned to serve as members of the group.

1 “(d) DUTIES OF GROUP.—The TriService Dental Re-
2 search Group described in subsection (c) shall—

3 “(1) develop for the Department of Defense
4 recommended guidelines for requesting, reviewing,
5 and funding proposed military dental research
6 projects; and

7 “(2) make available to Army, Navy, and Air
8 Force dentists and officials of the Department of
9 Defense who conduct military dental research—

10 “(A) information about dental research
11 projects that are being developed or carried out
12 in the Army, Navy, and Air Force; and

13 “(B) expertise and information beneficial
14 to the encouragement of meaningful dental re-
15 search.

16 “(e) RESEARCH TOPICS.—For purposes of this sec-
17 tion, military dental research includes research on the fol-
18 lowing issues:

19 “(1) Issues regarding how to ensure the readi-
20 ness of members of the armed forces on active duty
21 and in the reserve components with respect to the
22 provision of dental care and services.

23 “(2) Issues regarding preventive dentistry and
24 disease management, including early detection of
25 needs.

1 “(3) Issues regarding how to improve the re-
2 sults of dental care and services provided in the
3 armed forces in time of peace.

4 “(4) Issues regarding how to improve the re-
5 sults of dental care and services provided in the
6 armed forces in time of war.

7 “(5) Issues regarding minimizing or eliminating
8 emergent dental conditions and dental disease and
9 non-battle injuries in deployed settings.

10 “(6) Issues regarding how to prevent complica-
11 tions associated with dental-related battle injuries.

12 “(7) Issues regarding how to prevent complica-
13 tions associated with the transportation of dental pa-
14 tients in the military medical evacuation system.

15 “(8) Issues regarding the use of technological
16 advances, including teledentistry.

17 “(9) Issues regarding psychological distress in
18 receiving dental care and services.

19 “(10) Issues regarding how to improve methods
20 of training dental personnel, including dental assist-
21 ants and dental extenders.

22 “(11) Wellness issues relating to dental care
23 and services.

24 “(12) Case management issues relating to den-
25 tal care and services.

1 “(13) Issues regarding the use of alternate den-
2 tal care delivery systems, including the employment
3 of interprofessional practice models incorporating
4 multiple health professions.”.

5 (b) CLERICAL AMENDMENT.—The table of sections
6 at the beginning of chapter 104 of such title is amended
7 by inserting after the item relating to section 2116 the
8 following new item:

 “2116a. Military dental research.”.

9 **SEC. 722. PILOT PROGRAM ON CRYOPRESERVATION AND**
10 **STORAGE.**

11 (a) PILOT PROGRAM.—The Secretary of Defense
12 shall establish a pilot program to provide not more than
13 1,000 members of the Armed Forces serving on active
14 duty with the opportunity to cryopreserve and store their
15 gametes prior to deployment to a combat zone.

16 (b) PERIOD.—

17 (1) IN GENERAL.—The Secretary shall provide
18 for the cryopreservation and storage of gametes of
19 a participating member of the Armed Forces under
20 subsection (a), at no cost to the member, in a facil-
21 ity of the Department of Defense or at a private en-
22 tity pursuant to a contract under subsection (d)
23 until the date that is one year after the retirement,
24 separation, or release of the member from the
25 Armed Forces.

1 (2) CONTINUED CRYOPRESERVATION AND
2 STORAGE.—At the end of the one-year period speci-
3 fied in paragraph (1), the Secretary shall authorize
4 an individual whose gametes were cryopreserved and
5 stored in a facility of the Department as described
6 in that paragraph to select, including pursuant to an
7 advance medical directive or military testamentary
8 instrument completed under subsection (c), one of
9 the following options:

10 (A) To continue such cryopreservation and
11 storage in such facility with the cost of such
12 cryopreservation and storage borne by the indi-
13 vidual.

14 (B) To transfer the gametes to a private
15 cryopreservation and storage facility selected by
16 the individual.

17 (C) To authorize the Secretary to dispose
18 of the gametes of the individual not earlier than
19 the date that is 90 days after the end of the
20 one-year period specified in paragraph (1) with
21 respect to the individual.

22 (c) ADVANCE MEDICAL DIRECTIVE AND MILITARY
23 TESTAMENTARY INSTRUMENT.—A member of the Armed
24 Forces who elects to cryopreserve and store their gametes
25 under this section shall complete an advance medical di-

1 rective described in section 1044c(b) of title 10, United
2 States Code, and a military testamentary instrument de-
3 scribed in section 1044d(b) of such title, that explicitly
4 specifies the use of their cryopreserved and stored gametes
5 if such member dies or otherwise loses the capacity to con-
6 sent to the use of their cryopreserved and stored gametes.

7 (d) AGREEMENTS.—To carry out this section, the
8 Secretary may enter into agreements with private entities
9 that provide cryopreservation and storage services for
10 gametes.

11 **SEC. 723. ENCOURAGEMENT OF PARTICIPATION IN WOM-**
12 **EN'S HEALTH TRANSITION TRAINING PILOT**
13 **PROGRAM.**

14 (a) ENCOURAGEMENT OF PARTICIPATION.—The Sec-
15 retaries of the military departments shall encourage fe-
16 male members of the Armed Forces who are separating
17 or retiring from the Armed Forces during fiscal year 2020
18 to participate in the Women's Health Transition Training
19 pilot program (in this section referred to as the “pilot pro-
20 gram”) administered by the Secretary of Veterans Affairs.

21 (b) SELECTION.—Each Secretary of a military de-
22 partment shall select at least one location at which the
23 pilot program is offered and encourage participation in the
24 pilot program at such location.

1 (c) REPORT.—Not later than September 30, 2020,
2 the Secretary of Defense, in consultation with the Sec-
3 retary of Veterans Affairs, shall submit to the Committees
4 on Armed Services of the Senate and the House of Rep-
5 resentatives and the Committees on Veterans' Affairs of
6 the Senate and House of Representatives a report on the
7 pilot program that includes the following:

8 (1) For the period since the commencement of
9 the pilot program—

10 (A) the number of courses held under the
11 pilot program;

12 (B) the locations at which such courses
13 were held; and

14 (C) for each location identified in subpara-
15 graph (B)—

16 (i) the number of female members by
17 military department (with respect to De-
18 partment of the Navy, separately for the
19 Navy and Marine Corps) who participated
20 in the pilot program; and

21 (ii) the number of seats available
22 under the pilot program.

23 (2) Data relating to—

24 (A) satisfaction with courses held under
25 the pilot program;

1 (B) improved awareness of health care
2 services administered by the Secretary of Vet-
3 erans Affairs; and

4 (C) any other available statistics regarding
5 the pilot program.

6 (3) A discussion of regulatory, legal, or resource
7 barriers to—

8 (A) making the pilot program permanent
9 to enable access by a greater number of female
10 members at locations throughout the United
11 States;

12 (B) offering the pilot program online for
13 female members who are unable to attend
14 courses held under the pilot program in person;
15 and

16 (C) providing for automatic enrollment of
17 participants in the pilot program in the patient
18 enrollment system of the Department of Vet-
19 erans Affairs established and operated under
20 section 1705 of title 38, United States Code.

21 **SEC. 724. NATIONAL GUARD SUICIDE PREVENTION PILOT**
22 **PROGRAM.**

23 (a) PILOT PROGRAM AUTHORIZED.—The Chief of
24 the National Guard Bureau may carry out a pilot program
25 to expand suicide prevention and intervention efforts at

1 the community level through the use of a mobile applica-
2 tion that provides the capability for a member of the Na-
3 tional Guard to receive prompt support, including access
4 to a behavioral health professional, on a smartphone, tab-
5 let computer, or other handheld mobile device.

6 (b) ELEMENTS.—The pilot program shall include,
7 subject to such conditions as the Secretary may pre-
8 scribe—

9 (1) the use by members of the National Guard
10 of an existing mobile application that provides the
11 capability described in subsection (a); or

12 (2) the development and use of a new mobile
13 application that provides such capability.

14 (c) ELIGIBILITY AND PARTICIPATION REQUIRE-
15 MENTS.—The Chief of the National Guard Bureau shall
16 establish requirements with respect to eligibility and par-
17 ticipation in the pilot program.

18 (d) ASSESSMENT PRIOR TO PILOT PROGRAM COM-
19 MENCEMENT.—Prior to commencement of the pilot pro-
20 gram, the Chief of the National Guard Bureau shall—

21 (1) conduct an assessment of existing preven-
22 tion and intervention efforts of the National Guard
23 in each State that include the use of mobile applica-
24 tions that provide the capability described in sub-
25 section (a) to determine best practices for providing

1 immediate and localized care through the use of
2 such mobile applications; and

3 (2) determine the feasibility of expanding exist-
4 ing programs on a national scale.

5 (e) RESPONSIBILITIES OF ENTITIES PARTICIPATING
6 IN PILOT PROGRAM.—Each entity that participates in the
7 pilot program shall—

8 (1) share best practices with other entities par-
9 ticipating in the program; and

10 (2) annually assess outcomes with respect to
11 members of the National Guard.

12 (f) TERM.—The pilot program shall terminate on the
13 date that is three years after the date on which the pilot
14 program commenced.

15 (g) REPORTS.—

16 (1) INITIAL REPORT.—If the Chief of the Na-
17 tional Guard Bureau commences the pilot program
18 authorized under subsection (a), not later than 180
19 days after the date of the commencement of such
20 program, the Chief shall submit to the Committees
21 on Armed Services of the Senate and the House of
22 Representatives a report containing a description of
23 the pilot program and such other matters as the
24 Chief considers appropriate.

25 (2) FINAL REPORT.—

1 (A) IN GENERAL.—Not later than 180
2 days after the termination of the pilot program,
3 the Chief of the National Guard Bureau shall
4 submit to the Committees on Armed Services of
5 the Senate and the House of Representatives a
6 report on such pilot program.

7 (B) MATTERS INCLUDED.—The report
8 under subparagraph (A) shall include the fol-
9 lowing:

10 (i) A description of the pilot program,
11 including any partnerships entered into by
12 the Chief of the National Guard Bureau
13 under the program.

14 (ii) An assessment of the effectiveness
15 of the pilot program.

16 (iii) A description of costs associated
17 with the implementation of the pilot pro-
18 gram.

19 (iv) The estimated costs of making
20 the pilot program permanent.

21 (v) A recommendation as to whether
22 the pilot program should be extended or
23 made permanent.

24 (vi) Such other recommendations for
25 legislative or administrative action as the

1 Chief of the National Guard Bureau con-
2 siders appropriate.

3 (h) FUNDING.—

4 (1) INCREASE.—Notwithstanding the amounts
5 set forth in the funding tables in division D, the
6 amount authorized to be appropriated in section 301
7 for operation and maintenance, as specified in the
8 corresponding funding table in section 4301, for op-
9 eration and maintenance, Defense-wide, administra-
10 tive and service-wide activities, Office of the Sec-
11 retary of Defense, line 460 is hereby increased by
12 \$5,000,000 (with the amount of such increase to be
13 made available for the Defense Suicide Prevention
14 Office and National Guard suicide prevention pilot
15 program under this section).

16 (2) OFFSET.—Notwithstanding the amounts set
17 forth in the funding tables in division D, the amount
18 authorized to be appropriated in section 101 for pro-
19 curement, as specified in the corresponding funding
20 table in section 4101, for shipbuilding and conver-
21 sion, Navy, ship to shore connector, line 024 is here-
22 by reduced by \$5,000,000.

23 (i) STATE DEFINED.—In this section, the term
24 “State” means each of the several States, the District of
25 Columbia, the Commonwealth of Puerto Rico, American

1 Samoa, Guam, the United States Virgin Islands, and the
2 Commonwealth of the Northern Mariana Islands.

3 **SEC. 725. REPORTS ON SUICIDE AMONG MEMBERS OF THE**
4 **ARMED FORCES.**

5 (a) REPORTS.—Not later than 90 days after the date
6 of the enactment of this Act, and annually thereafter
7 through January 31, 2021, the Secretary of Defense shall
8 submit to the Committees on Armed Services of the House
9 of Representatives and the Senate a report on suicide
10 among members of the Armed Forces during the year pre-
11 ceding the date of the report.

12 (b) MATTERS INCLUDED.—Each report under sub-
13 section (a) shall include the following with respect to the
14 year covered by the report:

15 (1) The number of suicides, attempted suicides,
16 and occurrences of suicidal ideation involving a
17 member of the Armed Forces, including the reserve
18 components thereof, listed by Armed Force.

19 (2) The number of suicides, attempted suicides,
20 or suicidal ideation identified under paragraph (1)
21 that occurred during each of the following periods:

22 (A) The first 180 days of the member
23 serving in the Armed Forces.

24 (B) The period in which the member is de-
25 ployed in support of a contingency operation.

1 (3) With respect to the number of suicides, at-
2 tempted suicides, or suicidal ideation identified
3 under paragraph (2)(A), the initial recruit training
4 location of the member.

5 (4) The number of suicides involving a depend-
6 ent of a member.

7 (5) A description of any research collaborations
8 and data sharing by the Department of Defense with
9 the Department of Veterans Affairs, other depart-
10 ments or agencies of the Federal Government, aca-
11 demic institutions, or nongovernmental organiza-
12 tions.

13 (6) Identification of a research agenda for the
14 Department of Defense to improve the evidence base
15 on effective suicide prevention treatment and risk
16 communication.

17 (7) The availability and usage of the assistance
18 of chaplains, houses of worship, and other spiritual
19 resources for members of the Armed Forces who
20 identify as religiously affiliated and have attempted
21 suicide, have suicidal ideation, or are at risk of sui-
22 cide, and metrics on the impact these resources have
23 in assisting religiously-affiliated members who have
24 access to and utilize them compared to religiously-
25 affiliated members who do not.

1 (8) A description of the effectiveness of the
2 policies developed pursuant to section 567 of the
3 Carl Levin and Howard P. “Buck” McKeon Na-
4 tional Defense Authorization Act for Fiscal Year
5 2015 (Public Law 113–291; 10 U.S.C. 1071 note)
6 and section 582 of the National Defense Authoriza-
7 tion Act for Fiscal Year 2013 (Public Law 112–239;
8 10 U.S.C. 1071 note), including with respect to—

9 (A) metrics identifying effective treatment
10 modalities for members of the Armed Forces
11 who are at risk for suicide (including any clin-
12 ical interventions involving early identification
13 and treatment of such members);

14 (B) metrics for the rate of integration of
15 mental health screenings and suicide risk and
16 prevention for members during the delivery of
17 primary care for such members;

18 (C) metrics relating to the effectiveness of
19 suicide prevention and resilience programs and
20 preventative behavioral health programs of the
21 Department of Defense (including those of the
22 military departments and the Armed Forces);
23 and

24 (D) metrics evaluating the training stand-
25 ards for behavioral health care providers to en-

1 sure that such providers have received training
2 on clinical best practices and evidence-based
3 treatments.

4 **SEC. 726. STUDY ON MILITARY-CIVILIAN INTEGRATED**
5 **HEALTH DELIVERY SYSTEMS.**

6 (a) STUDY.—The Secretary of Defense shall conduct
7 a study on the use of local integrated military-civilian inte-
8 grated health delivery systems pursuant to section 706 of
9 the National Defense Authorization Act for Fiscal Year
10 2017 (Public Law 114–328; 10 U.S.C. 1096 note). The
11 study shall examine the following:

12 (1) Geographic locations where military medical
13 treatment facilities have existing contractual rela-
14 tionships with local civilian health care networks, in-
15 cluding Fort Drum, New York, Joint Base McGuire-
16 Dix-Lakehurst, New Jersey, Joint Base Lewis-
17 McCord, Washington, Fort Leonard Wood, Missouri,
18 Elmendorf Air Force Base, Alaska, Fort Sill, Okla-
19 homa, Tripler Army Medical Center, Hawaii, the
20 National Capital Region, and similar locations.

21 (2) Health care activities that promote value-
22 based care, measurable health outcomes, patient
23 safety, timeliness of referrals, and transparent com-
24 munication with covered beneficiaries.

1 (3) Locations where health care providers of the
2 Department of Defense may be able to attain critical
3 wartime readiness skills in a local integrated mili-
4 tary-civilian integrated health delivery system.

5 (4) The cost of providing care under an inte-
6 grated military-civilian integrated health delivery
7 system as compared to health care provided by a
8 managed care support contractor.

9 (b) SUBMISSION.—Not later than 180 days after the
10 date of the enactment of this Act, the Secretary of Defense
11 shall submit to the Committees on Armed Services of the
12 House of Representatives and the Senate a report on the
13 results of the study under subsection (a).

14 (c) DEFINITIONS.—In this section:

15 (1) The term “covered beneficiaries” has the
16 meaning given that term in section 1072 of title 10,
17 United States Code.

18 (2) The term “National Capital Region” has
19 the meaning given that term in section 2674 of title
20 10, United States Code.

21 **SEC. 727. STUDY ON CASE MANAGEMENT AT MILITARY**
22 **MEDICAL TREATMENT FACILITIES.**

23 (a) STUDY.—The Secretary of Defense shall conduct
24 a study on the effectiveness of case management practices

1 at military medical treatment facilities. The study shall
2 include the following:

3 (1) A standardized definition of case manage-
4 ment.

5 (2) An evaluation of case management practices
6 provided by the military departments before and
7 during the transition of the administration of mili-
8 tary medical treatment facilities to the Defense
9 Health Agency pursuant to section 1073c of title 10,
10 United States Code.

11 (3) A discussion of the metrics involved with
12 determining the effectiveness of case management
13 and the cost of case management.

14 (4) A review of case management best practices
15 in the private sector, including with respect to—

16 (A) the intervals at which patients should
17 be contacted;

18 (B) the role of the case manager in coordi-
19 nation;

20 (C) the approximate number of patients
21 managed by a case manager; and

22 (D) any other best practices relating to
23 case management that would improve the expe-
24 rience of care within the military health system.

1 (5) The results of a discussion with covered
2 beneficiaries (as defined in section 1072 of title 10,
3 United States Code) in a public forum on case man-
4 agement in military medical treatment facilities ad-
5 ministered by the Defense Health Agency.

6 (b) REPORT.—Not later than 180 days after the date
7 of the enactment of this Act, the Secretary of Defense
8 shall submit to the Committees on Armed Services of the
9 House of Representatives and the Senate a report on the
10 results of the study under subsection (a).

11 **SEC. 728. STUDY ON INFERTILITY AMONG MEMBERS OF**
12 **THE ARMED FORCES.**

13 (a) STUDY.—Not later than 180 days after the date
14 of the enactment of this Act, the Secretary of Defense
15 shall submit to the Committees on Armed Services of the
16 House of Representatives and the Senate a study on the
17 incidence of infertility among members of the Armed
18 Forces, including the reserve components thereof.

19 (b) MATTERS INCLUDED.—The study shall include
20 the following:

21 (1) The number of members of the Armed
22 Forces serving as of the date of the study who are
23 diagnosed with common causes of infertility, such as
24 polycystic ovary syndrome, pelvic inflammatory dis-
25 ease, uterine fibroids, endometriosis, sexually trans-

1 mitted disease, testicular disorders, and male endo-
2 crine disorders.

3 (2) The number of members serving as of the
4 date of the study whose infertility has no known
5 cause.

6 (3) The incidence of miscarriage among women
7 members, listed by Armed Force and military occu-
8 pation.

9 (4) A comparison of the rates of infertility and
10 miscarriage in the Armed Forces to such rates in
11 the civilian population, as reported by the Centers
12 for Disease Control and Prevention.

13 (5) Demographic information of the members
14 described in paragraphs (1), (2), and (3), include
15 with respect to race, ethnicity, sex, age, military oc-
16 cupation, and possible exposures during military
17 service to hazardous elements such as chemical and
18 biologic agents.

19 (6) An assessment of the ease or delay for
20 members in obtaining treatment for infertility, in-
21 cluding in vitro fertilization, including—

22 (A) the wait times at each military medical
23 treatment facility that has community partner-
24 ships to provide in vitro fertilization;

1 (B) the number of members described in
2 paragraph (1) who are candidates for in vitro
3 fertilization or other infertility treatments but
4 cannot obtain such treatments because of the
5 location at which the member is stationed or
6 the duties of the member; and

7 (C) a discussion of the reasons members
8 cease seeking such treatments through the mili-
9 tary health system.

10 (7) Criteria used by the Secretary to determine
11 service connection for infertility, including whether
12 screenings for levels of toxins are undertaken when
13 the cause of infertility cannot be determined.

14 (8) The policy of the Department of Defense,
15 as of the date of the study, for ensuring geographic
16 stability during treatment of women members under-
17 going in vitro fertilization for either service-con-
18 nected or non-service-connected infertility.

19 **SEC. 729. ALLOWING CLAIMS AGAINST THE UNITED STATES**
20 **FOR INJURY AND DEATH OF MEMBERS OF**
21 **THE ARMED FORCES CAUSED BY IMPROPER**
22 **MEDICAL CARE.**

23 (a) IN GENERAL.—Chapter 171 of title 28, United
24 States Code, is amended by adding at the end the fol-
25 lowing:

1 **“§ 2681. Claims against the United States for injury**
2 **and death of members of the Armed**
3 **Forces of the United States**

4 “(a) A claim may be brought against the United
5 States under this chapter for damages relating to the per-
6 sonal injury or death of a member of the Armed Forces
7 of the United States arising out of a negligent or wrongful
8 act or omission in the performance of medical, dental, or
9 related health care functions (including clinical studies
10 and investigations) that is provided at a covered military
11 medical treatment facility by a person acting within the
12 scope of the office or employment of that person by or
13 at the direction of the Government of the United States.

14 “(b) A claim under this section shall not be reduced
15 by the amount of any benefit received under subchapter
16 III (relating to Servicemembers’ Group Life Insurance) of
17 chapter 19 of title 38.

18 “(c) Notwithstanding section 2401(b), a claim
19 brought under this section shall have a three-year statute
20 of limitations beginning on the date the claimant discov-
21 ered or by reasonable diligence should have discovered the
22 injury and the cause of the injury.

23 “(d) For purposes of claims brought under this sec-
24 tion—

25 “(1) subsections (j) and (k) of section 2680 do
26 not apply; and

1 “(2) in the case of an act or omission occurring
 2 outside the United States, the law of the place where
 3 the act or omission occurred shall be deemed to be
 4 the law of the State of domicile of the claimant.

5 “(e) In this section, the term ‘covered military med-
 6 ical treatment facility’ means the facilities described in
 7 subsections (b), (c), and (d) of section 1073d of title 10,
 8 regardless of whether the facility is located in or outside
 9 the United States. The term does not include battalion
 10 aid stations or other medical treatment locations deployed
 11 in an area of armed conflict.

12 “(f) Not later than two years after the date of the
 13 enactment of this section, and every two years thereafter,
 14 the Secretary of Defense shall submit to Congress a report
 15 on the number of claims filed under this section.”.

16 (b) CLERICAL AMENDMENT.—The table of sections
 17 for chapter 171 of title 28, United States Code, is amend-
 18 ed by adding at the end the following:

“2681. Claims against the United States for injury and death of members of
 the Armed Forces of the United States.”.

19 (c) EFFECTIVE DATE.—This Act and the amend-
 20 ments made by this Act shall apply to—

21 (1) a claim filed on or after the date of the en-
 22 actment of this Act; and

23 (2) a claim that—

1 (A) is pending as of the date of the enact-
2 ment of this Act; and

3 (B) arises from an incident occurring not
4 more than two years before the claim was filed.

5 (d) RULE OF CONSTRUCTION.—Nothing in this Act
6 or the amendments made by this Act shall be construed
7 to limit the application of the administrative process and
8 procedures of chapter 171 of title 28, United States Code,
9 to claims permitted under section 2681 of such chapter,
10 as amended by this section.

11 **SEC. 730. STUDY ON EXTENDING PARENT'S LEVEL OF**
12 **TRICARE HEALTH COVERAGE TO NEWBORN**
13 **CHILD.**

14 (a) STUDY.—The Secretary of Defense shall conduct
15 a study on extending a parent's level of TRICARE health
16 coverage to the newborn child of the parent.

17 (b) COORDINATION.—In conducting the study under
18 subsection (a), the Secretary shall, with respect to mem-
19 bers of the Coast Guard, coordinate with the Secretary
20 of the Department in which the Coast Guard is operating
21 when it is not operating as a service in the Department
22 of the Navy.

23 (c) ELEMENTS.—In conducting the study under sub-
24 section (a), the Secretary shall study—

1 (1) the feasibility and the cost of automatically
2 extending the parent's level of TRICARE coverage
3 to the newborn child for the remainder of the first
4 year of the child's life after the first 90 days; and

5 (2) the current notification system for parents
6 to change their children's health care plan during
7 the first 90 days of the newborn's life.

8 (d) SUBMISSION.—Not later than 120 days after the
9 date of the enactment of this Act, the Secretary shall sub-
10 mit to the congressional defense committees a report on
11 the study conducted under subsection (a).

12 **SEC. 731. REPORT ON GLOBAL HEALTH SECURITY STRAT-**
13 **EGY AND THE NATIONAL BIODEFENSE SECU-**
14 **RITY.**

15 (a) REPORT.—Not later than 180 days after the date
16 on which the Comptroller General of the United States
17 publishes a review of the National Biodefense Strategy,
18 the Secretary of Defense shall submit to the appropriate
19 congressional committees a report on the implementation
20 of the Global Health Security Strategy and the National
21 Biodefense Strategy.

22 (b) ELEMENTS.—The report under subsection (a)
23 shall, at a minimum—

24 (1) designate the individual and offices respon-
25 sible for overseeing the implementation of each

1 strategy referred to in subsection (a) within the De-
2 partment of Defense;

3 (2) detail actions that the Department is taking
4 to support implementation of the Global Health Se-
5 curity Agenda;

6 (3) detail actions taken to coordinate the efforts
7 of the Department with the other agencies respon-
8 sible for the Global Health Security Strategy and
9 National Biodefense Strategy; and

10 (4) with respect to the review of the National
11 Biodefense Strategy conducted by the Comptroller
12 General—

13 (A) detail the recommendations in the re-
14 view that the Secretary plans on or is currently
15 implementing;

16 (B) specify the official implementing such
17 recommendations and the actions the official is
18 taking to implement the recommendations;

19 (C) specify the recommendations in the re-
20 view that the Secretary has determined not to
21 implement; and

22 (D) explain the rationale of the Secretary
23 with respect to not implementing such rec-
24 ommendations.

1 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
2 FINED.—In this section, the term “appropriate congres-
3 sional committees” means—

4 (1) the congressional defense committees;

5 (2) the Committee on Foreign Affairs and the
6 Committee on Energy and Commerce of the House
7 of Representatives; and

8 (3) the Committee on Foreign Relations and
9 the Committee on Health, Education, Labor, and
10 Pensions of the Senate.

11 **SEC. 732. REPORT ON MENTAL HEALTH ASSESSMENTS.**

12 (a) REPORT.—Not later than one year after the date
13 of the enactment of this Act, the Comptroller General of
14 the United States shall submit to the Committee on
15 Armed Services and the Committee on Veterans’ Affairs
16 of the Senate and the Committee on Armed Services and
17 the Committee on Veterans’ Affairs of the House of Rep-
18 resentatives a publicly available report on the Department
19 of Defense’s implementation section 1074n of title 10,
20 United States Code. The report shall include the following:

21 (1) An evaluation of the implementation of such
22 section across the Armed Forces.

23 (2) An evaluation of the efficacy of the mental
24 health assessments under such section in helping to

1 identify mental health conditions among members of
2 the Armed Forces in order to prevent suicide.

3 (3) An evaluation of the tools and processes
4 used to provide the annual mental health assess-
5 ments of members of the Armed Forces conducted
6 pursuant to such section.

7 (4) An analysis of how lessons learned from the
8 annual mental health assessments can be used with-
9 in the Department of Veterans Affairs to prevent
10 veteran suicide.

11 (5) An analysis of potential policy options to
12 improve the monitoring and reporting required and
13 to achieve a more robust implementation of such
14 section.

15 (6) Such other information as the Comptroller
16 General determines appropriate.

17 (b) INTERIM BRIEFING.—Not later than March 1,
18 2020, the Comptroller General shall provide to the Com-
19 mittee on Armed Services of the Senate and the Com-
20 mittee on Armed Services of the House of Representatives
21 a briefing on the topics to be covered by the report under
22 subsection (a), including and preliminary data and any
23 issues or concerns of the Comptroller General relating to
24 the report.

1 (c) ACCESS TO RELEVANT DATA.—For purposes of
2 this section, the Secretary of Defense shall ensure that
3 the Comptroller General has access to all relevant data.

4 **SEC. 733. STUDY AND REPORT ON MENTAL HEALTH AS-**
5 **SESSMENTS FOR MEMBERS OF THE ARMED**
6 **FORCES DEPLOYED IN SUPPORT OF A CON-**
7 **TINGENCY OPERATION.**

8 (a) STUDY.—Each Secretary concerned, with respect
9 to the military department concerned, shall conduct a
10 study on the mental health assessments provided to mem-
11 bers of the Armed Forces deployed in connection with a
12 contingency operation.

13 (b) ELEMENTS.—The study under subsection (a)
14 shall include a discussion and evaluation of the following:

15 (1) The mental health assessments provided
16 under section 1074m of title 10, United States
17 Code, including any written guidance prescribed by
18 the Secretary of Defense or the Secretaries con-
19 cerned with respect to such mental health assess-
20 ments.

21 (2) The extent to which waivers for mental
22 health assessments are granted by the Secretary of
23 Defense under subsection (a)(2) and (a)(3) of such
24 section (as amended by this Act), and the most com-
25 mon reasons why such waivers are granted.

1 (3) For each mental health assessment specified
2 in subsection (a)(1) of such section, the effectiveness
3 of such assessment with respect to the detection and
4 initiation of treatment, when appropriate, of mem-
5 bers for behavioral health conditions.

6 (4) With respect to a mental health assessment
7 provided to members that is determined by the Sec-
8 retary concerned under paragraph (3) to have low
9 effectiveness, the medical evidence supporting such
10 determination.

11 (5) The health impacts on members provided
12 mental health assessments under such section, in-
13 cluding the extent to which such members—

14 (A) are prescribed medication as a result
15 of an assessment;

16 (B) seek post-deployment treatment, other
17 than treatment required under such section, for
18 a behavioral health condition; and

19 (C) commit suicide or engage in other
20 harmful activities.

21 (c) REPORT.—Not later than 180 days after the date
22 of the enactment of this Act, each Secretary concerned
23 shall submit to the congressional defense committees a re-
24 port containing the results of the study conducted under
25 subsection (a).

1 (d) SECRETARY CONCERNED.—In this section, the
2 term “Secretary concerned” has the meaning given that
3 term in section 101(a)(9) of title 10, United States Code.

4 **SEC. 734. EDUCATION ON FAMILY PLANNING FOR MEM-**
5 **BERS OF THE ARMED FORCES.**

6 (a) EDUCATION PROGRAMS.—

7 (1) IN GENERAL.—Not later than one year
8 after the date of the enactment of this Act, the Sec-
9 retary of Defense, in consultation with the Secretary
10 of the Department in which the Coast Guard is op-
11 erating, shall establish a uniform standard cur-
12 riculum to be used in education programs on family
13 planning for all members of the Armed Forces, in-
14 cluding both men and women members. Such edu-
15 cation programs shall be provided to members as fol-
16 lows:

17 (A) During the first year of service of the
18 member.

19 (B) At such other times as each Secretary
20 of a military department determines appro-
21 priate.

22 (2) SENSE OF CONGRESS.—It is the sense of
23 Congress that the education programs under para-
24 graph (1) should be evidence-informed and use the
25 latest technology available to efficiently and effec-

1 tively deliver information to members of the Armed
2 Forces.

3 (b) ELEMENTS.—The uniform standard curriculum
4 under subsection (a) shall include the following:

5 (1) Information for members of the Armed
6 Forces on active duty to make informed decisions re-
7 garding family planning.

8 (2) Information about the prevention of unin-
9 tended pregnancy and sexually transmitted infec-
10 tions, including human immunodeficiency virus
11 (commonly known as “HIV”).

12 (3) Information on—

13 (A) the importance of providing com-
14 prehensive family planning for members, includ-
15 ing commanding officers; and

16 (B) the positive impact family planning
17 can have on the health and readiness of the
18 Armed Forces.

19 (4) Current, medically accurate information.

20 (5) Clear, user-friendly information on—

21 (A) the full range of methods of contracep-
22 tion approved by the Food and Drug Adminis-
23 tration; and

24 (B) where members can access their cho-
25 sen method of contraception.

1 (6) Information on all applicable laws and poli-
2 cies so that members are informed of their rights
3 and obligations.

4 (7) Information on patients' rights to confiden-
5 tiality.

6 (8) Information on the unique circumstances
7 encountered by members and the effects of such cir-
8 cumstances on the use of contraception.

9 **SEC. 735. FUNDING FOR CDC ATSDR PFAS HEALTH STUDY**
10 **INCREMENT.**

11 (a) INCREASE.—Notwithstanding the amounts set
12 forth in the funding tables in division D, the amount au-
13 thorized to be appropriated in section 1405 for the De-
14 fense Health Program, as specified in the corresponding
15 funding table in section 4501, for the CDC ATSDR PFAS
16 health study increment is hereby increased by \$5,000,000.

17 (b) OFFSET.—Notwithstanding the amounts set forth
18 in the funding tables in division D, the amount authorized
19 to be appropriated in section 301 for Operation and Main-
20 tenance, Admin and Service-wide Activities, line 460, Of-
21 fice of the Secretary of Defense, as specified in the cor-
22 responding funding table in section 4301, is hereby re-
23 duced by \$5,000,000.

1 **SEC. 736. SENSE OF THE HOUSE OF REPRESENTATIVES ON**
2 **INCREASING RESEARCH AND DEVELOPMENT**
3 **IN BIOPRINTING AND FABRICATION IN AUS-**
4 **TERE MILITARY ENVIRONMENTS.**

5 It is the sense of the House of Representatives that
6 the Defense Health Agency should take appropriate ac-
7 tions to increase efforts focused on research and develop-
8 ment in the areas of bioprinting and fabrication in austere
9 military environments.

10 **SEC. 737. INCREASED COLLABORATION WITH NIH TO COM-**
11 **BAT TRIPLE NEGATIVE BREAST CANCER.**

12 (a) IN GENERAL.—The Office of Health of the De-
13 partment of Defense shall work in collaboration with the
14 National Institutes of Health to—

15 (1) identify specific genetic and molecular tar-
16 gets and biomarkers for triple negative breast can-
17 cer; and

18 (2) provide information useful in biomarker se-
19 lection, drug discovery, and clinical trials design that
20 will enable both—

21 (A) triple negative breast cancer patients
22 to be identified earlier in the progression of
23 their disease; and

24 (B) the development of multiple targeted
25 therapies for the disease.

1 (b) FUNDING.—Notwithstanding the amounts set
2 forth in the funding tables in division D, the amount au-
3 thorized to be appropriated by section 1405 for the De-
4 fense Health Program, as specified in the corresponding
5 funding tables in division D, is hereby increased by
6 \$10,000,000 to carry out subsection (a).

7 (c) OFFSET.—Notwithstanding the amounts set forth
8 in the funding tables in division D, the amount authorized
9 to be appropriated for operation and maintenance, De-
10 fense-wide, as specified in the corresponding funding table
11 in section 4301, for Operation and Maintenance, Defense-
12 wide is hereby reduced by \$10,000,000.

13 **SEC. 738. FUNDING FOR POST-TRAUMATIC STRESS DIS-**
14 **ORDER.**

15 (a) FUNDING.—Notwithstanding the amounts set
16 forth in the funding tables in division D, the amount au-
17 thorized to be appropriated by section 1405 for the De-
18 fense Health Program, as specified in the corresponding
19 funding table in such division, is hereby increased by
20 \$2,500,000 for post-traumatic stress disorder.

21 (b) OFFSET.—Notwithstanding the amounts set forth
22 in the funding tables in division D, the amount authorized
23 to be appropriated for operation and maintenance, De-
24 fense-wide, as specified in the corresponding funding table

1 in section 4301, for Operation and Maintenance, Defense-
2 wide is hereby reduced by \$2,500,000.

3 **SEC. 739. STUDY ON READINESS CONTRACTS AND THE PRE-**
4 **VENTION OF DRUG SHORTAGES.**

5 (a) STUDY.—The Secretary of Defense shall conduct
6 a study on the effectiveness of readiness contracts man-
7 aged by the Customer Pharmacy Operations Center of the
8 Defense Logistics Agency in meeting the military’s drug
9 supply needs. The study shall include an analysis of how
10 the contractual approach to manage drug shortages for
11 military health care can be a model for responding to drug
12 shortages in the civilian health care market in the United
13 States.

14 (b) CONSULTATION.—In conducting the study under
15 subsection (a), the Secretary of Defense shall consult
16 with—

- 17 (1) the Secretary of Veterans Affairs;
- 18 (2) the Commissioner of Food and Drugs and
19 the Administrator of the Drug Enforcement Admin-
20 istration; and
- 21 (3) physician organizations, drug manufactur-
22 ers, pharmacy benefit management organizations,
23 and such other entities as the Secretary determines
24 appropriate.

1 (c) REPORT.—Not later than 1 year after the date
2 of the enactment of this Act, the Secretary of Defense
3 shall submit to Congress a report on the results of the
4 study under subsection (a) and any conclusions and rec-
5 ommendations of the Secretary relating to such study.

6 **SEC. 740. UPDATE OF DEPARTMENT OF DEFENSE REGULA-**
7 **TIONS, INSTRUCTIONS, AND OTHER GUID-**
8 **ANCE TO INCLUDE GAMBLING DISORDER.**

9 (a) IN GENERAL.—Not later than 180 days after the
10 date of the enactment of this Act, the Secretary of De-
11 fense, in consultation with the Secretaries of the military
12 departments, shall update all regulations, instructions,
13 and other guidance of the Department of Defense and the
14 military departments with respect to behavioral health to
15 explicitly include gambling disorder. In carrying out this
16 subsection, the Secretary shall implement the rec-
17 ommendations of the Comptroller General of the United
18 States numbered 2 through 6 in the report by the Comp-
19 troller General titled “Military Personnel: DOD and the
20 Coast Guard Need to Screen for Gambling Disorder Ad-
21 diction and Update Guidance” (numbered GAO–17–114).

22 (b) MILITARY DEPARTMENTS DEFINED.—In this
23 section, the term “military departments” has the meaning
24 given that term in section 101(8) of title 10, United States
25 Code.

1 **SEC. 741. FINDINGS ON MUSCULOSKELETAL INJURIES.**

2 Congress finds the following:

3 (1) Musculoskeletal injuries among active duty
4 soldiers result in over 10 million limited duty days
5 each year and account for over 70% of the medically
6 non-deployable population, extremity injury accounts
7 for 79% of reported trauma cases in theater, and
8 service members experience anterior cruciate liga-
9 ment (ACL) injuries at 10 times the rate of the gen-
10 eral population.

11 (2) Congress recognizes the important work of
12 the Naval Advanced Medical Research Unit in
13 Wound Care Research and encourages continued de-
14 velopment of innovations for the Warfighter, espe-
15 cially regarding these tendon and ligament injuries
16 that prevent return to duty for extended periods of
17 time.

18 **SEC. 742. WOUNDED WARRIOR SERVICE DOG PROGRAM.**

19 (a) GRANTS AUTHORIZED.—Subject to the avail-
20 ability of appropriations provided for such purpose, the
21 Secretary of Defense shall establish a program, to be
22 known as the “Wounded Warrior Service Dog Program”,
23 to award competitive grants to nonprofit organizations to
24 assist such organizations in the planning, designing, estab-
25 lishing, or operating (or any combination thereof) of pro-
26 grams to provide assistance dogs to covered members.

1 (b) USE OF FUNDS.—

2 (1) IN GENERAL.—The recipient of a grant
3 under this section shall use the grant to carry out
4 programs that provide assistance dogs to covered
5 members who have a disability described in para-
6 graph (2).

7 (2) DISABILITY.—A disability described in this
8 paragraph is any of the following:

9 (A) Blindness or visual impairment.

10 (B) Loss of use of a limb, paralysis, or
11 other significant mobility issues.

12 (C) Loss of hearing.

13 (D) Traumatic brain injury.

14 (E) Post-traumatic stress disorder.

15 (F) Any other disability that the Secretary
16 of Defense considers appropriate.

17 (3) TIMING OF AWARD.—The Secretary of De-
18 fense may not award a grant under this section to
19 reimburse a recipient for costs previously incurred
20 by the recipient in carrying out a program to provide
21 assistance dogs to covered members unless the re-
22 cipient elects for the award to be such a reimburse-
23 ment.

24 (c) ELIGIBILITY.—To be eligible to receive a grant
25 under this section, a nonprofit organization shall submit

1 an application to the Secretary of Defense at such time,
2 in such manner, and containing such information as the
3 Secretary may require. Such application shall include—

4 (1) a proposal for the evaluation required by
5 subsection (d); and

6 (2) a description of—

7 (A) the training that will be provided by
8 the organization to covered members;

9 (B) the training of dogs that will serve as
10 assistance dogs;

11 (C) the aftercare services that the organi-
12 zation will provide for such dogs and covered
13 members;

14 (D) the plan for publicizing the availability
15 of such dogs through a targeted marketing
16 campaign to covered members;

17 (E) the recognized expertise of the organi-
18 zation in breeding and training such dogs;

19 (F) the commitment of the organization to
20 humane standards for animals; and

21 (G) the experience of the organization with
22 working with military medical treatment facili-
23 ties; and

24 (3) a statement certifying that the organiza-
25 tion—

1 (A) is accredited by Assistance Dogs Inter-
2 national, the International Guide Dog Federa-
3 tion, or another similar widely recognized ac-
4 creditation organization that the Secretaries de-
5 termine has accreditation standards that meet
6 or exceed the standards of Assistance Dogs
7 International and the International Guide Dog
8 Federation; or

9 (B) is a candidate for such accreditation or
10 otherwise meets or exceeds such standards, as
11 determined by the Secretary of Defense.

12 (d) EVALUATION.—The Secretary of Defense shall
13 require each recipient of a grant to use a portion of the
14 funds made available through the grant to conduct an
15 evaluation of the effectiveness of the activities carried out
16 through the grant by such recipient.

17 (e) DEFINITIONS.—In this section:

18 (1) ASSISTANCE DOG.—The term “assistance
19 dog” means a dog specifically trained to perform
20 physical tasks to mitigate the effects of a disability
21 described in subsection (b)(2), except that the term
22 does not include a dog specifically trained for com-
23 fort or personal defense.

1 (2) COVERED MEMBER.—The term “covered
2 member” means a member of the Armed Forces who
3 is—

4 (A) receiving medical treatment, recuper-
5 ation, or therapy under chapter 55 of title 10,
6 United States Code;

7 (B) in medical hold or medical holdover
8 status; or

9 (C) covered under section 1202 or 1205 of
10 title 10, United States Code.

11 (f) INCREASE.—Notwithstanding the amounts set
12 forth in the funding tables in division D, the amount au-
13 thorized to be appropriated in section 1405 for Other Au-
14 thorizations, Defense Health Program, as specified in the
15 corresponding funding table in section 4501, for Consoli-
16 dated Health Support is hereby increased by \$11,000,000.

17 (g) OFFSET.—Notwithstanding the amounts set forth
18 in the funding tables in division D, the amount authorized
19 to be appropriated in section 301 for Operations and
20 Maintenance, as specified in the corresponding funding
21 table in section 4301, for Operations and Maintenance,
22 Defense-Wide, Line 460, Office of the Secretary of De-
23 fense is hereby reduced by \$11,000,000.

1 **SEC. 743. NATIONAL CAPITAL CONSORTIUM PSYCHIATRY**
2 **RESIDENCY PROGRAM.**

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

5 (1) racial, gender, or other forms of discrimina-
6 tion or harassment should not be tolerated within
7 the PRP; and

8 (2) that PRP leadership should—

9 (A) set the tone that such conduct is not
10 acceptable;

11 (B) ensure that all such complains are
12 thoroughly investigated;

13 (C) ensure that violators are held account-
14 able;

15 (D) ensure that victims are protected, and
16 not retaliated against;

17 (E) maintain a workplace free from unlaw-
18 ful harassment and discrimination;

19 (F) conduct regular workplace climate as-
20 sessments to assess the extent of discrimination
21 or harassment in the PRP; and

22 (G) provide refresher training, at least an-
23 nually, on acceptable standards of behavior for
24 all involved in the PRP programs, including
25 residents and ways to report or address dis-

1 crimination, harassment, or other inappropriate
2 behavior.

3 (b) PRP DEFINED.—In this section, the term “PRP”
4 means the National Capital Consortium Psychiatry Resi-
5 dency Program.

6 **SEC. 744. REPORT ON MEDICAL PROVIDERS AND MEDICAL**
7 **MALPRACTICE INSURANCE.**

8 The Secretary of Defense shall submit to the congres-
9 sional defense committees a report identifying the number
10 of medical providers employed by the Department of De-
11 fense who, before being employed by the Department, lost
12 medical malpractice insurance coverage by reason of the
13 insurer dropping the coverage.

14 **SEC. 745. INFORMATION FOR MEMBERS OF THE ARMED**
15 **FORCES REGARDING AVAILABILITY OF SERV-**
16 **ICES AT THE DEPARTMENT OF VETERANS AF-**
17 **FAIRS.**

18 (a) IN GENERAL.—The Secretary of Defense shall in-
19 form members of the Armed Forces, using mechanisms
20 available to the Secretary, of the eligibility of such mem-
21 bers for services of the Department of Veterans Affairs.

22 (b) INFORMATION FROM SEXUAL ASSAULT RE-
23 SPONSE COORDINATORS.—The Secretary shall insure that
24 Sexual Assault Response Coordinators and uniformed vic-
25 tims advocates of the Department of Defense advise mem-

1 bers of the Armed Forces who report instances of military
2 sexual trauma regarding the eligibility of such members
3 for services at the Department of Veterans Affairs and
4 that this information be included in mandatory training
5 materials.

6 (c) **MILITARY SEXUAL TRAUMA DEFINED.**—In this
7 section, the term “military sexual trauma” means psycho-
8 logical trauma described in section 1720D(a)(1) of title
9 38, United States Code.

10 **SEC. 746. PILOT PROGRAM ON PARTNERSHIPS WITH CIVIL-**
11 **IAN ORGANIZATIONS FOR SPECIALIZED SUR-**
12 **GICAL TRAINING.**

13 (a) **IN GENERAL.**—The Secretary of Defense shall
14 carry out a pilot program to establish one or more partner-
15 ships with public, private, and non-profit organizations
16 and institutions to provide short-term specialized surgical
17 training to advance the medical skills and capabilities of
18 military medical providers.

19 (b) **DURATION.**—The Secretary may carry out the
20 pilot program under subsection (a) for a period of not
21 more than three years.

22 (c) **EVALUATION METRICS.**—Before commencing the
23 pilot program under subsection (a), the Secretary shall es-
24 tablish metrics to be used to evaluate the effectiveness of
25 the pilot program.

1 (d) REPORTS.—

2 (1) INITIAL REPORT.—

3 (A) IN GENERAL.—Not later than 180
4 days before the commencement of the pilot pro-
5 gram under subsection (a), the Secretary shall
6 submit to the Committees on Armed Services of
7 the Senate and the House of Representatives a
8 report on the pilot program.

9 (B) ELEMENTS.—The report required by
10 subparagraph (A) shall include a description of
11 the pilot program, the evaluation metrics estab-
12 lished under subsection (c), and such other
13 matters relating to the pilot program as the
14 Secretary considers appropriate.

15 (2) FINAL REPORT.—

16 (A) IN GENERAL.—Not later than 180
17 days after the completion of the pilot program
18 under subsection (a), the Secretary shall submit
19 to the Committees on Armed Services of the
20 Senate and the House of Representatives a re-
21 port on the pilot program.

22 (B) ELEMENTS.—The report required by
23 subparagraph (A) shall include the following:

24 (i) A description of the pilot program,
25 including the partnerships established

1 under the pilot program as described in
2 subsection (a).

3 (ii) An assessment of the effectiveness
4 of the pilot program.

5 (iii) Such recommendations for legis-
6 lative or administrative action as the Sec-
7 retary considers appropriate in light of the
8 pilot program, including recommendations
9 for extending or making permanent the au-
10 thority for the pilot program.

11 (e) FUNDING.—

12 (1) INCREASE.—Notwithstanding the amounts
13 set forth in the funding tables in division D, the
14 amount authorized to be appropriated in section
15 1405 for the Defense Health Program, as specified
16 in the corresponding funding table in section 4501,
17 for education and training is hereby increased by
18 \$2,500,000.

19 (2) OFFSET.—Notwithstanding the amounts set
20 forth in the funding tables in division D, the amount
21 authorized to be appropriated in section 1405 for
22 Defense Health Program, Operation and Mainte-
23 nance, Private Sector Care, Office of the Secretary
24 of Defense, as specified in the corresponding funding

1 table in section 4501, is hereby reduced by
2 \$2,500,000.

3 **SEC. 747. REPORT ON RESEARCH AND STUDIES REGARD-**
4 **ING HEALTH EFFECTS OF BURN PITS.**

5 The Secretary of Defense shall submit to the congres-
6 sional defense committees and the Committees on Vet-
7 erans' Affairs of the House of Representatives and the
8 Senate a detailed report on the status, methodology, and
9 culmination timeline of all the research and studies being
10 conducted to assess the health effects of burn pits.

11 **SEC. 748. TRAINING ON HEALTH EFFECTS OF BURN PITS**
12 **AND OTHER AIRBORNE HAZARDS.**

13 The Secretary of Defense shall provide mandatory
14 training to all medical providers of the Department of De-
15 fense on the potential health effects of burn pits and other
16 airborne hazards (such as PFAS, mold, or depleted ura-
17 nium) and the early detection of such health effects.

18 **SEC. 749. REPORT ON OPERATIONAL MEDICAL AND DEN-**
19 **TAL PERSONNEL REQUIREMENTS.**

20 Not later than January 1, 2021, the Secretary of De-
21 fense shall submit to the congressional defense committees
22 a report containing a discussion of the following:

23 (1) Methods—

24 (A) to establish joint planning assumptions
25 for the development of operational medical and

1 dental personnel, including establishing a defi-
2 nition of which personnel may be identified as
3 “operational”;

4 (B) to assess options to achieve joint effi-
5 ciencies in medical and dental personnel re-
6 quirements, including any associated risks;

7 (C) to apply joint planning assumptions
8 and assess efficiencies and risks, for the pur-
9 pose of determining operational medical and
10 dental requirements;

11 (D) to identify and mitigate limitations in
12 the clinical readiness metric, such as data reli-
13 ability, information on reserve component pro-
14 viders and patient care workload performed out-
15 side of military medical treatment facilities es-
16 tablished under section 1073d of title 10,
17 United States Code, and the linkage between
18 such metric and patient care and retention out-
19 comes; and

20 (E) to determine which critical wartime
21 specialties perform high-risk, high-acuity proce-
22 dures and rely on perishable skill sets, for the
23 purpose of prioritizing such specialties to which
24 the clinical readiness metric may be expanded.

1 (2) Estimates of the costs and benefits relating
2 to—

3 (A) providing additional training for med-
4 ical personnel to achieve clinical readiness
5 thresholds; and

6 (B) hiring additional civilian personnel in
7 military medical treatment facilities to backfill
8 medical providers of the Department of Defense
9 who attend such training.

10 **SEC. 750. ANNUAL REPORTS ON MILLENNIUM COHORT**
11 **STUDY RELATING TO WOMEN MEMBERS OF**
12 **THE ARMED FORCES.**

13 (a) **ANNUAL REPORTS.**—On an annual basis, the
14 Secretary of Defense shall submit to the appropriate con-
15 gressional committees, and make publicly available, a re-
16 port on findings of the Millennium Cohort Study relating
17 to the gynecological and perinatal health of women mem-
18 bers of the Armed Forces participating in the study.

19 (b) **MATTERS INCLUDED.**—Each report under sub-
20 section (a) shall include, at a minimum, the following:

21 (1) A summary of general findings pertaining
22 to gynecological and perinatal health, such as the
23 diseases, disorders, and conditions that affect the
24 functioning of reproductive systems, including re-
25 garding maternal mortality and severe maternal

1 morbidity, birth defects, developmental disorders,
2 low birth weight, preterm birth, reduced fertility,
3 menstrual disorders, and other health concerns.

4 (2) All research projects that have concluded
5 during the year covered by the report and the out-
6 comes of such projects.

7 (3) Abstracts of all ongoing projects.

8 (4) Abstracts of all projects that have been con-
9 sidered for investigation.

10 (c) IDENTIFICATION OF AREAS.—The Secretary shall
11 identify—

12 (1) areas in which the Millennium Cohort Study
13 can increase efforts to capture data and produce
14 studies in the field of gynecological and perinatal
15 health of women members of the Armed Forces; and

16 (2) activities that are currently underway to
17 achieve such efforts.

18 (d) DEFINITIONS.—In this section:

19 (1) The term “appropriate congressional com-
20 mittees” means—

21 (A) the congressional defense committees;

22 and

23 (B) the Committees on Veterans’ Affairs of
24 the House of Representatives and the Senate.

1 (2) The term “Millennium Cohort Study”
2 means the longitudinal study authorized under sec-
3 tion 743 of the Strom Thurmond National Defense
4 Authorization Act for Fiscal Year 1999 (Public Law
5 105–261; 112 Stat. 2074) to evaluate data on the
6 health conditions of members of the Armed Forces
7 upon their return from deployment.

8 **SEC. 751. PARTNERSHIPS WITH ACADEMIC HEALTH CEN-**
9 **TERS.**

10 The Assistant Secretary of Defense for Health Af-
11 fairs shall establish a University Affiliated Research Cen-
12 ter and partner with Academic Health Centers to focus
13 on the unique challenges wounded members of the Armed
14 Forces experience. In carrying out this section, the Assist-
15 ant Secretary shall emphasize research that reduces de-
16 pendency on opioids, develops novel pain management and
17 mental health strategies, and leverages partnerships with
18 industry and medical device manufacturers to advance
19 promising technologies for wounded members.

1 **SEC. 752. STUDY ON USE OF ROUTINE NEUROIMAGING MO-**
2 **DALITIES IN DIAGNOSIS, TREATMENT, AND**
3 **PREVENTION OF BRAIN INJURY DUE TO**
4 **BLAST PRESSURE EXPOSURE DURING COM-**
5 **BAT AND TRAINING.**

6 (a) IN GENERAL.—The Secretary of Defense shall
7 conduct a study on the feasibility and effectiveness of the
8 use of routine neuroimaging modalities in the diagnosis,
9 treatment, and prevention of brain injury among members
10 of the Armed Forces due to one or more blast pressure
11 exposures during combat and training.

12 (b) REPORTS.—

13 (1) INTERIM REPORT.—Not later than one year
14 after the date of the enactment of this Act, the Sec-
15 retary shall submit to the Committees on Armed
16 Services of the Senate and the House of Representa-
17 tives an interim report on the methods and action
18 plan for the study under subsection (a).

19 (2) FINAL REPORT.—Not later than two years
20 after the date on which the Secretary begins the
21 study under subsection (a), the Secretary shall sub-
22 mit to the Committees on Armed Services of the
23 Senate and the House of Representatives a report on
24 the results of such study.

1 **TITLE VIII—ACQUISITION POL-**
2 **ICY, ACQUISITION MANAGE-**
3 **MENT, AND RELATED MAT-**
4 **TERS**

5 **Subtitle A—Acquisition Policy and**
6 **Management**

7 **SEC. 801. ESTABLISHMENT OF ACQUISITION PATHWAYS**
8 **FOR SOFTWARE APPLICATIONS AND SOFT-**
9 **WARE UPGRADES.**

10 (a) GUIDANCE REQUIRED.—Not later than March 1,
11 2020, the Secretary of Defense shall establish guidance
12 authorizing the use of acquisition pathways described in
13 subsection (b) for the rapid acquisition of software appli-
14 cations and software upgrades that are intended to be
15 fielded within one year. A contract awarded under this sec-
16 tion—

17 (1) shall be in an amount equal to or less than
18 \$50,000,000; and

19 (2) may be entered into for a period of not
20 more than one year.

21 (b) SOFTWARE ACQUISITION PATHWAYS.—The guid-
22 ance required by subsection (a) shall provide for the use
23 of the following two acquisition pathways:

24 (1) APPLICATIONS.—The applications pathway
25 shall provide for the use of rapid development and

1 implementation of software applications to be used
2 with commercially available hardware.

3 (2) UPGRADES.—The upgrades pathway shall
4 provide for the rapid development and insertion of
5 software upgrades for embedded weapon systems or
6 another hardware system solely used by the Depart-
7 ment of Defense.

8 (c) GENERAL REQUIREMENTS.—The guidance re-
9 quired by subsection (a) shall provide for—

10 (1) the use of proven technologies and solutions
11 to continuously engineer, update, and deliver capa-
12 bilities in software; and

13 (2) a streamlined and coordinated require-
14 ments, budget, and acquisition process that results
15 in the rapid fielding of software applications and
16 software upgrades.

17 (d) EXPEDITED PROCESS.—

18 (1) IN GENERAL.—An acquisition conducted
19 under the guidance required by subsection (a) shall
20 not be subject to the Joint Capabilities Integration
21 and Development System Manual and Department
22 of Defense Directive 5000.01, except to the extent
23 specifically provided in such guidance.

24 (2) REQUIREMENTS PROCESS.—The guidance
25 required by subsection (a) shall provide that the re-

1 requirements for acquisition of software applications
2 and software upgrades—

3 (A) are developed, refined, and prioritized
4 on an iterative basis through continuous partici-
5 pation and collaboration by users, testers, and
6 requirements authorities;

7 (B) include an identification of the need
8 for, and users of, the software to be acquired
9 and a rationale for how the software will sup-
10 port increased efficiency of the Department of
11 Defense;

12 (C) are stated in the form of a summary-
13 level list of vulnerabilities in existing software
14 systems and desired features or capabilities of
15 the software to be acquired; and

16 (D) consider issues related to lifecycle
17 costs, systems interoperability, and logistics
18 support if the developer of the software to be
19 acquired stops providing support.

20 (4) EXECUTION OF RAPID ACQUISITIONS.—The
21 Secretary shall ensure that—

22 (A) an acquisition conducted under the
23 guidance required by subsection (a) is sup-
24 ported by an entity capable of regular auto-
25 mated testing of the source code of the software

1 to be acquired and that such entity is author-
2 ized to buy storage, bandwidth, and computing
3 capability as necessary;

4 (B) the Department of Defense can collect
5 and analyze the testing data described in sub-
6 paragraph (A) to make decisions regarding soft-
7 ware acquisition and oversight;

8 (C) the Director of Operational Test and
9 Evaluation and the project manager appointed
10 under paragraph (5) design test cases to ensure
11 that the entity described in subparagraph (A)
12 can test the software to be acquired to ensure
13 such software meets the requirements of the
14 contract;

15 (D) the project manager appointed under
16 paragraph (5) closely monitors the progress of
17 an acquisition conducted under the guidance re-
18 quired by subsection (a);

19 (E) an independent cost estimate is con-
20 ducted that considers—

21 (i) the iterative process of the develop-
22 ment of the software to be acquired; and

23 (ii) the long-term value of the soft-
24 ware to be acquired to the Department of

1 Defense, not based on the value of indi-
2 vidual lines of source code of the software;

3 (F) the performance of fielded versions of
4 the software to be acquired are demonstrated
5 and evaluated in an operational environment;

6 (G) performance metrics of the software to
7 be acquired, such as metrics relating to when
8 the software can be fielded, delivery capabilities
9 of the software (including speed of recovery
10 from outages and cybersecurity vulnerabilities),
11 and assessments and estimations of the size
12 and complexity of such software, are automati-
13 cally generated on a continuous basis and made
14 available to the Department of Defense and the
15 congressional defense committees; and

16 (H) cybersecurity metrics of the software
17 to be acquired, such as metrics relating to the
18 density of vulnerabilities within the code, the
19 time from vulnerability identification to patch
20 availability, the existence of common weak-
21 nesses within the code, and other cybersecurity
22 metrics based on widely-recognized standards
23 and industry best practices, are generated and
24 made available to the Department of Defense
25 and the congressional defense committees.

1 (5) ADMINISTRATION OF SOFTWARE ACQUISITION PATHWAYS.—The guidance required by subsection (a) may provide for the use of any of the following streamlined procedures:

2 (A) The service acquisition executive of the
3 military department concerned shall appoint a
4 project manager for each acquisition of software
5 applications and software upgrades, as determined by the service acquisition executive. Such
6 project manager shall be appointed from among
7 civilian employees or members of the Armed
8 Forces who have significant and relevant experience in current software processes.

9 (B) Each project manager shall report
10 with respect to such acquisition directly, and
11 without intervening review or approval, to the
12 service acquisition executive of the military department concerned.

13 (C) The service acquisition executive of the
14 military department concerned shall evaluate
15 the job performance of such manager on an annual basis. In conducting an evaluation under
16 this paragraph, a service acquisition executive
17 shall consider the extent to which the manager
18 has achieved the objectives of the acquisition

1 for which the manager is responsible, including
2 quality, timeliness, and cost objectives.

3 (D) The project manager shall be author-
4 ized staff positions for a technical staff, includ-
5 ing experts in software engineering to enable
6 the manager to manage the acquisition without
7 the technical assistance of another organiza-
8 tional unit of an agency to the maximum extent
9 practicable.

10 (E) The project manager shall be author-
11 ized, in coordination with the users and testers
12 of the software to be acquired, to make trade-
13 offs among lifecycle costs, requirements, and
14 schedules to meet the goals of the acquisition.

15 (F) The service acquisition executive or the
16 Under Secretary of Defense for Acquisition and
17 Sustainment, as applicable, shall serve as the
18 decision authority for the acquisition.

19 (G) The project manager of a defense
20 streamlined acquisition shall be provided a
21 process to expeditiously seek a waiver from
22 Congress from any statutory or regulatory re-
23 quirement that the project manager determines
24 adds little or no value to the management of
25 the acquisition.

1 (6) DELEGATION OF AUTHORITY.—The service
2 acquisition executive may delegate any of the respon-
3 sibilities under this subsection to a program execu-
4 tive officer (or equivalent).

5 (e) CONTRACT TERMS.—

6 (1) IN GENERAL.—A contract entered into pur-
7 suant to the guidance required by subsection (a)—

8 (A) may be awarded within a 90-day pe-
9 riod after solicitation on the basis of—

10 (i) statements of qualifications and
11 past performance data submitted by
12 offerors; and

13 (ii) discussions with two or more
14 qualified offerors without regard to price;

15 (B) may be a time-and-materials contract;

16 (C) shall be treated as a contract for the
17 acquisition of commercial services (as defined in
18 section 103a of title 41, United States Code, as
19 in effect on January 1, 2020);

20 (D) shall identify the individuals to per-
21 form the work of the contract, and such individ-
22 uals may not be replaced without the advance
23 written consent of the contracting officer; and

24 (E) may allow for a contractor performing
25 the work of the contract to review existing soft-

1 ware in consultation with the user community
2 and incorporate user feedback to—

3 (i) define and prioritize software re-
4 quirements; and

5 (ii) design and implement new soft-
6 ware applications and software upgrades.

7 (2) OPTIONS.—A contract entered into pursu-
8 ant to the guidance required by subsection (a) may
9 contain an option to extend the contract once, for a
10 period not to exceed one year, to complete the imple-
11 mentation of one or more specified software applica-
12 tions and software upgrades identified during the
13 period of the initial contract. Such an option may
14 not be in an amount greater than \$100,000,000
15 and—

16 (A) if the option is a time-and-materials
17 contract, it shall be treated as a contract for
18 the acquisition of commercial services (as de-
19 fined in section 103a of title 41, United States
20 Code); and

21 (B) if the option is a fixed-price contract,
22 it shall be treated as a contract for the acqui-
23 sition of commercial products (as defined in sec-
24 tion 103 of title 41, United States Code).

1 (f) RULE OF CONSTRUCTION.—Nothing in this sec-
2 tion shall be deemed to prevent the use of other methods
3 of acquisition to procure software applications and up-
4 grades.

5 (g) CONFORMING AMENDMENT.—Section 2430(a)(2)
6 of title 10, United States Code, is amended—

7 (1) in subparagraph (A), by striking “or” at
8 the end;

9 (2) in subparagraph (B), by striking the period
10 at the end and inserting “; or”; and

11 (3) by adding at the end the following new sub-
12 paragraph:

13 “(C) an acquisition program for software
14 applications and software upgrades carried out
15 using the acquisition guidance issued pursuant
16 to section 801 of the National Defense Author-
17 ization Act for Fiscal Year 2020.”.

18 **SEC. 802. SOFTWARE DEVELOPMENT AND SOFTWARE AC-**
19 **QUISITION TRAINING AND MANAGEMENT**
20 **PROGRAMS.**

21 (a) ESTABLISHMENT OF SOFTWARE DEVELOPMENT
22 AND SOFTWARE ACQUISITION TRAINING AND MANAGE-
23 MENT PROGRAMS.—

24 (1) IN GENERAL.—The Secretary of Defense,
25 acting through the Under Secretary of Defense for

1 Acquisition and Sustainment and in consultation
2 with the Under Secretary of Defense for Research
3 and Engineering and the Chief Information Officer
4 of the Department of Defense, shall establish soft-
5 ware development and software acquisition training
6 and management programs for all software acquisi-
7 tion professionals, software developers, and other ap-
8 propriate individuals, as determined by the Secretary
9 of Defense to earn a certification in software devel-
10 opment and software acquisition.

11 (2) PROGRAM CONTENTS.—The programs es-
12 tablished under paragraph (1) shall—

13 (A) develop and expand the use of special-
14 ized training programs for chief information of-
15 ficers of the military departments and the De-
16 fense Agencies, service acquisition executives,
17 program executive officers, and program man-
18 agers to include training on and experience in—

19 (i) continuous software development;

20 and

21 (ii) acquisition pathways available to
22 acquire software;

23 (B) ensure program managers for major
24 defense acquisition programs, defense business

1 systems, and other software programs of the
2 Department of Defense—

3 (i) have demonstrated competency in
4 current software processes;

5 (ii) have the skills to lead a workforce
6 that can quickly meet challenges, use soft-
7 ware tools that prioritize continuous or fre-
8 quent upgrades as such tools become avail-
9 able, take up opportunities provided by
10 new innovations, and plan software activi-
11 ties in short iterations to learn from risks
12 of software testing; and

13 (iii) have the experience and training
14 to delegate technical oversight and execu-
15 tion decisions; and

16 (C) include continuing education courses
17 and experiential training to help individuals
18 maintain skills learned through the programs.

19 (b) REPORTS.—

20 (1) REPORTS REQUIRED.—The Secretary shall
21 submit to the congressional defense committees—

22 (A) not later than 90 days after the date
23 of the enactment of this Act, an initial report;
24 and

1 (B) not later than one year after the date
2 of the enactment of this Act, a final report.

3 (2) CONTENTS.—Each report required under
4 paragraph (1) shall include—

5 (A) the status of implementing the soft-
6 ware development and software acquisition
7 training and management programs established
8 under subsection (a)(1);

9 (B) a description of the requirements for
10 certification, including the requirements for
11 competencies in current software processes;

12 (C) a description of potential career paths
13 in software development and software acqui-
14 sition within the Department of Defense;

15 (D) an independent assessment conducted
16 by the Defense Innovation Board of the
17 progress made on implementing the programs
18 established under subsection (a)(1); and

19 (E) any recommendations for changes to
20 existing law to facilitate the implementation of
21 the programs established under subsection
22 (a)(1).

23 (c) DEFINITIONS.—In this section:

24 (1) PROGRAM EXECUTIVE OFFICER; PROGRAM
25 MANAGER.—The terms “program executive officer”

1 and “program manager” have the meanings given
2 those terms, respectively, in section 1737 of title 10,
3 United States Code.

4 (2) SERVICE ACQUISITION EXECUTIVE.—The
5 terms “military department”, “Defense Agency”,
6 and “service acquisition executive” have the mean-
7 ings given those terms, respectively, in section 101
8 of title 10, United States Code.

9 (3) MAJOR DEFENSE ACQUISITION PROGRAM.—
10 The term “major defense acquisition program” has
11 the meaning given in section 2430 of title 10,
12 United States Code.

13 (4) DEFENSE BUSINESS SYSTEM.—The term
14 “defense business system” has the meaning given in
15 section 2222(i)(1) of title 10, United States Code.

16 **SEC. 803. MODIFICATIONS TO COST OR PRICING DATA FOR**
17 **CERTAIN PROCUREMENTS.**

18 (a) COST OR PRICING DATA FOR CERTAIN COMMER-
19 CIAL PRODUCTS.—

20 (1) IN GENERAL.—Section 2306a(b)(4) of title
21 10, United States Code, is amended by adding at
22 the end the following new subparagraph:

23 “(D) If the head of contracting activity deter-
24 mines, based on market research, that a commercial
25 item will be solely procured by the Department of

1 Defense, the offeror of such commercial product
2 shall provide cost or pricing data to the contracting
3 officer pursuant to subsection (a).”.

4 (2) CONFORMING AMENDMENT.—Effective Jan-
5 uary 1, 2020, subparagraph (D) of section
6 2306a(b)(4) of title 10, United States Code, as
7 added by paragraph (1), is amended by striking
8 “commercial item” and inserting “commercial prod-
9 uct”.

10 (b) DATA OTHER THAN CERTIFIED COST OR PRIC-
11 ING DATA FOR SOLE SOURCE CONTRACT AWARDS.—

12 (1) IN GENERAL.—Not later than 60 days after
13 the date of the enactment of this Act, the Secretary
14 of Defense shall revise the Defense Supplement to
15 the Federal Acquisition Regulation to require an of-
16 feror for a sole source contract, subcontract, or
17 modification of a sole source contract or subcontract,
18 to submit to the contracting officer data other than
19 certified cost or pricing data under section 2306a(d)
20 of title 10, United States Code, for purposes of de-
21 termining the reasonableness of the price of the con-
22 tract, subcontract, or modification of the contract or
23 subcontract.

24 (2) PENALTY.—With respect to an offeror that
25 fails to comply with the requirements established

1 under paragraph (1), the Secretary of Defense
2 may—

3 (A) suspend or debar such offeror; or

4 (B) include a notation on such offeror in
5 the system used by the Federal Government to
6 monitor or record contractor past performance.

7 (c) SHOULD-COST ANALYSIS FOR COMMERCIAL
8 PRODUCT PROCUREMENTS.—The Director of the Defense
9 Contract Management Agency shall identify which com-
10 mercial products (as defined in section 103 of title 41,
11 United States Code, as in effect on January 1, 2020)
12 should be analyzed under the should-cost review process
13 before the Secretary of Defense enters into a contract to
14 procure such a commercial product.

15 (d) GUIDELINES AND RESOURCES ON THE ACQUISI-
16 TION OR LICENSING OF INTELLECTUAL PROPERTY.—Sec-
17 tion 2322 of title 10, United States Code, is amended by
18 adding at the end the following new subsection:

19 “(c) GUIDELINES AND RESOURCES.—

20 “(1) IN GENERAL.—The Secretary of Defense,
21 acting through the Under Secretary of Defense for
22 Acquisition and Sustainment, shall develop guide-
23 lines and resources on the acquisition or licensing of
24 intellectual property, including—

1 “(A) model forms for specially negotiated
 2 licenses described under section 2320(f) (as ap-
 3 propriate); and

4 “(B) an identification of definitions, key
 5 terms, examples, and case studies that resolve
 6 ambiguities in the differences between—

7 “(i) detailed manufacturing and proc-
 8 ess data;

9 “(ii) form, fit, and function data; and

10 “(iii) data required for operations,
 11 maintenance, installation, and training.

12 “(2) CONSULTATION.—In developing the guide-
 13 lines and resources described in paragraph (1), the
 14 Secretary shall regularly consult with appropriate
 15 stakeholders, including large and small businesses,
 16 traditional and non-traditional contractors (including
 17 subcontractors), and maintenance repair organiza-
 18 tions.”.

19 **SEC. 804. MODIFICATIONS TO COST OR PRICING DATA ON**
 20 **BELOW-THRESHOLD CONTRACTS.**

21 (a) **BELOW-THRESHOLD CIVILIAN CONTRACTS.**—

22 Section 3504 of title 41, United States Code is amended—

23 (1) by striking “head of the procuring activity”
 24 each place it appears and inserting “contracting offi-
 25 cer”;

1 (2) in subsection (b), by striking “or (2)”; and
2 (3) by striking subsection (c).

3 (b) BELOW-THRESHOLD DEFENSE CONTRACTS.—
4 Section 2306a(c) of title 10, United States Code, is
5 amended—

6 (1) by striking “head of the procuring activity”
7 each place it appears and inserting “contracting offi-
8 cer”;

9 (2) in paragraph (2), by striking “or (B)”; and
10 (3) by striking paragraph (3).

11 **SEC. 805. COMPTROLLER GENERAL REPORT ON PRICE REA-**
12 **SONABLENESS.**

13 Not later than March 31, 2021, the Comptroller Gen-
14 eral of the United States shall submit to the congressional
15 defense committees, the Committee on Oversight and Re-
16 form of the House of Representatives, and the Committee
17 on Homeland Security and Governmental Affairs of the
18 Senate a report on the efforts of the Secretary of Defense
19 to secure data relating to the price reasonableness of of-
20 fers from offerors. The report shall include a review of—

21 (1) the number of, and justification for, any
22 waiver of requirements for submission of certified
23 cost or pricing data for sole source contracts for
24 spare parts issued during fiscal years 2015 through

1 2019 pursuant to section 2306a(b)(1)(C) of title 10,
2 United States Code;

3 (2) the number of, and justification for, any ex-
4 ception to the requirements for submission of cer-
5 tified cost or pricing data for sole source contracts
6 for spare parts provided during fiscal years 2015
7 through 2019 pursuant to section 2306a(b)(1)(B) of
8 title 10, United States Code;

9 (3) the number of contracts awarded for which
10 a request for cost or pricing data, including data
11 other than certified cost or pricing data, to deter-
12 mine price reasonableness was denied by an offeror
13 at the time of award;

14 (4) actions taken by the Secretary if an offeror
15 refused to provide request data described in para-
16 graph (2), including—

17 (A) whether the contracting officer in-
18 cluded a notation in the system used by the
19 Federal Government to monitor or record con-
20 tractor past performance regarding the refusal
21 of an offeror to provide such data;

22 (B) any strategies developed by the Sec-
23 retary to acquire the good that was the subject
24 of a contract for which the offeror refused to

1 provide such data in the future without the
2 need for such a waiver.

3 **SEC. 806. REQUIREMENT THAT CERTAIN SHIP COMPO-**
4 **NENTS BE MANUFACTURED IN THE NA-**
5 **TIONAL TECHNOLOGY AND INDUSTRIAL**
6 **BASE.**

7 (a) **ADDITIONAL PROCUREMENT LIMITATION.**—Sec-
8 tion 2534(a) of title 10, United States Code, is amended
9 by adding at the end the following new paragraph:

10 “(6) **COMPONENTS FOR AUXILIARY SHIPS.**—

11 Subject to subsection (k), the following components:

12 “(A) Auxiliary equipment, including
13 pumps, for all shipboard services.

14 “(B) Propulsion system components, in-
15 cluding engines, reduction gears, and propellers.

16 “(C) Shipboard cranes.

17 “(D) Spreaders for shipboard cranes.”.

18 (b) **IMPLEMENTATION.**—Such section is further
19 amended by adding at the end the following new sub-
20 section:

21 “(k) **IMPLEMENTATION OF AUXILIARY SHIP COMPO-**
22 **NENT LIMITATION.**—Subsection (a)(6) applies only with
23 respect to contracts awarded by the Secretary of a military
24 department for new construction of an auxiliary ship after
25 the date of the enactment of the National Defense Author-

1 ization Act for Fiscal Year 2020 using funds available for
2 National Defense Sealift Fund programs or Shipbuilding
3 and Conversion, Navy. For purposes of this subsection,
4 the term ‘auxiliary ship’ does not include an icebreaker.”.

5 **SEC. 807. ACQUISITION AND DISPOSAL OF CERTAIN RARE**
6 **EARTH MATERIALS.**

7 (a) GUIDANCE ON STREAMLINED ACQUISITION OF
8 COVERED RARE EARTH MATERIALS.—

9 (1) IN GENERAL.—Not later than 180 days
10 after the date of the enactment of this Act, the
11 Under Secretary of Defense for Acquisition and
12 Sustainment, in consultation with the Under Sec-
13 retary of Defense (Comptroller), the Vice Chairman
14 of the Joint Chiefs of Staff, the Secretary of En-
15 ergy, and the appropriate Under Secretary of State
16 designated by the Secretary of State shall establish
17 guidance to—

18 (A) enable the acquisition of items con-
19 taining rare earth materials, with a focus on
20 items that contain high concentrations of rare
21 earth materials;

22 (B) establish a secure supply chain for
23 rare earth materials from sources within the
24 United States and covered foreign sources; and

1 (C) ensure that the United States will
2 eliminate dependency on rare earth materials
3 from China by fiscal year 2035.

4 (2) CONTENTS.—The guidance required by
5 paragraph (1) shall encourage the use of rare earth
6 materials mined, refined, processed, melted, or sin-
7 tered in the United States and include—

8 (A) a determination of when best value
9 contracting methods, including use of a sole
10 source contract with a institution of higher edu-
11 cation (as defined in section 101 of the Higher
12 Education Act of 1965 Act (20 U.S.C. 1001))
13 or other entity, should be used to ensure the vi-
14 ability of a rare earth material supplier;

15 (B) a guide to the applicability of relevant
16 statutes, including sections 2533b and 2533c of
17 title 10, United States Code, and other statu-
18 tory or regulatory restrictions to defense con-
19 tracts and subcontracts;

20 (C) information on current sources within
21 the United States and covered foreign sources
22 of rare earth materials along with commonly
23 used commercial documentation and review
24 processes;

1 (D) directives on budgeting and expending
2 funds for the qualification and certification of
3 suppliers of rare earth materials within the
4 United States to meet national security needs;
5 and

6 (E) any exceptions to the Joint Capabili-
7 ties Integration and Development System Man-
8 ual and Department of Defense Directive
9 5000.01.

10 (3) REPORT.—Not later than 180 days after
11 the date of the enactment of this Act, the Under
12 Secretary of Defense for Acquisition and
13 Sustainment, in consultation with the appropriate
14 Under Secretary of State designated by the Sec-
15 retary of State, shall submit to the congressional de-
16 fense committees, the Committee on Foreign Affairs
17 of the House of Representatives, and the Committee
18 on Foreign Relations of the Senate a report on—

19 (A) the guidance required by paragraph
20 (1); and

21 (B) the efforts of the Secretary of Defense
22 to create and maintain secure supply chain for
23 rare earth materials from sources within the
24 United States and covered foreign sources.

25 (4) DEFINITIONS.—In this subsection:

1 (A) COVERED FOREIGN SOURCE.—The
2 term “covered foreign source” means a source
3 located in a foreign country that is not an ad-
4 versary of the United States, as determined by
5 the Secretary of Defense.

6 (B) RARE EARTH MATERIAL.—The term
7 “rare earth material” means a concentrate,
8 oxide, carbonate, fluoride, metal, alloy, magnet,
9 or finished product whose chemical, magnetic,
10 or nuclear properties are largely defined by the
11 presence of—

12 (i) yttrium;

13 (ii) scandium; or

14 (iii) any lanthanide series element.

15 (b) AUTHORITY TO DISPOSE OF AND ACQUIRE MA-
16 TERIALS FOR THE NATIONAL DEFENSE STOCKPILE.—

17 (1) DISPOSAL AUTHORITY.—Pursuant to sec-
18 tion 5(b) of the Strategic and Critical Materials
19 Stock Piling Act (50 U.S.C. 98d(b)), the National
20 Defense Stockpile Manager shall dispose of
21 3,000,000 pounds of tungsten ores and concentrates
22 contained in the National Defense Stockpile (in ad-
23 dition to any amount previously authorized for dis-
24 posal).

25 (2) ACQUISITION AUTHORITY.—

1 (A) AUTHORITY.—Using funds available in
2 the National Defense Stockpile Transaction
3 Fund, the National Defense Stockpile Manager
4 may acquire the following materials determined
5 to be strategic and critical materials required to
6 meet the defense, industrial, and essential civil-
7 ian needs of the United States:

8 (i) Aerospace-grade rayon.

9 (ii) Electrolytic manganese metal.

10 (iii) Pitch-based carbon fiber.

11 (iv) Rare earth cerium compounds.

12 (v) Rare earth lanthanum compounds.

13 (B) AMOUNT OF AUTHORITY.—The Na-
14 tional Defense Stockpile Manager may use up
15 to \$14,420,000 in the National Defense Stock-
16 pile Transaction Fund for acquisition of the
17 materials specified in subsection (b).

18 (C) FISCAL YEAR LIMITATION.—The au-
19 thority under subsection (b) is available for pur-
20 chases during fiscal year 2020 through fiscal
21 year 2024.

22 (c) NATIONAL DEFENSE STOCKPILE SALES.—

23 (1) SENSE OF CONGRESS.—It is the sense of
24 Congress that tantalum should be designated as a
25 strategic and critical material under the Strategic

1 and Critical Materials Stock Piling Act (50 U.S.C.
2 98 et seq.), required to meet the defense, industrial,
3 and essential civilian needs of the United States.

4 (2) NATIONAL DEFENSE STOCKPILE SALES OF
5 TANTALUM.—Section 2533c(d)(1) of title 10, United
6 States code, is amended—

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

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

11 (C) adding at the end the following new
12 subparagraph:

13 “(E) tantalum.”.

14 (3) PROHIBITION ON SALES OF MATERIALS.—
15 Section 2533c(a)(2) of title 10, United States Code,
16 is amended by striking “covered” before “material”.

17 **SEC. 808. PROHIBITION ON ACQUISITION OF TANTALUM**
18 **FROM NON-ALLIED FOREIGN NATIONS.**

19 Subsection (d)(1) of section 2533c of title 10, United
20 States Code, is amended—

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

23 (2) in subparagraph (D), by striking the period
24 at the end and inserting “; and”; and

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

3 “(E) tantalum.”.

4 **SEC. 809. APPLICATION OF MISCELLANEOUS TECHNOLOGY**
5 **BASE POLICIES AND PROGRAMS TO THE CO-**
6 **LUMBIA-CLASS SUBMARINE PROGRAM.**

7 Notwithstanding subchapter V of chapter 148 of title
8 10, United States Code (except for sections 2534, 2533a,
9 and 2533b of such title), for a period of one year begin-
10 ning on the date of the enactment of this Act, the mile-
11 stone decision authority (as defined in section 2366a of
12 title 10, United States Code) for the Columbia-class sub-
13 marine program shall ensure that such program maintains
14 the schedule approved under the Milestone B approval (as
15 defined in such section).

16 **SEC. 810. APPLICATION OF LIMITATION ON PROCUREMENT**
17 **OF GOODS OTHER THAN UNITED STATES**
18 **GOODS TO THE FFG-FRIGATE PROGRAM.**

19 Notwithstanding any other provision of law, amounts
20 authorized to carry out the FFG-Frigate Program may
21 be used to award a new contract that provides for the ac-
22 quisition of the following components regardless of wheth-
23 er those components are manufactured in the United
24 States:

1 (1) Auxiliary equipment (including pumps) for
2 shipboard services.

3 (2) Propulsion equipment (including engines,
4 reduction gears, and propellers).

5 (3) Shipboard cranes.

6 (4) Spreaders for shipboard cranes.

7 **SEC. 811. CONSIDERATION OF PRICE IN PROCUREMENT OF**
8 **THE FFG(X) FRIGATE.**

9 In evaluating proposals for a contract to procure a
10 FFG(X) frigate, the Secretary of the Navy shall ensure
11 price is a critical evaluation factor set forth in the request
12 for proposal (solicitation number N0002419R2300) for
13 the procurement of the frigate.

14 **SEC. 812. REPEAL OF CONTINUATION OF DATA RIGHTS**
15 **DURING CHALLENGES.**

16 (a) REPEAL.—Section 866 of the John S. McCain
17 National Defense Authorization Act for Fiscal Year 2019
18 (Public Law 115–232; 132 Stat. 1901; 10 U.S.C. 2321)
19 is repealed.

20 (b) RESTORATION OF AMENDED PROVISION.—Sub-
21 section (i) of section 2321 of title 10, United States Code,
22 is amended to read as follows:

23 “(i) RIGHTS AND LIABILITY UPON FINAL DISPOSI-
24 TION.—(1) If, upon final disposition, the contracting offi-

1 cer's challenge to the use or release restriction is sus-
2 tained—

3 “(A) the restriction shall be cancelled; and

4 “(B) if the asserted restriction is found not to
5 be substantially justified, the contractor or subcon-
6 tractor asserting the restriction shall be liable to the
7 United States for payment of the cost to the United
8 States of reviewing the asserted restriction and the
9 fees and other expenses (as defined in section
10 2412(d)(2)(A) of title 28) incurred by the United
11 States in challenging the asserted restriction, unless
12 special circumstances would make such payment un-
13 just.

14 “(2) If, upon final disposition, the contracting offi-
15 cer's challenge to the use or release restriction is not sus-
16 tained—

17 “(A) the United States shall continue to be
18 bound by the restriction; and

19 “(B) the United States shall be liable for pay-
20 ment to the party asserting the restriction for fees
21 and other expenses (as defined in section
22 2412(d)(2)(A) of title 28) incurred by the party as-
23 serting the restriction in defending the asserted re-
24 striction if the challenge by the United States is
25 found not to be made in good faith.”.

1 **SEC. 813. REPEAL OF AUTHORITY TO WAIVE ACQUISITION**
2 **LAWS TO ACQUIRE VITAL NATIONAL SECU-**
3 **RITY CAPABILITIES.**

4 Section 806 of the National Defense Authorization
5 Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C.
6 2302 note) is repealed.

7 **SEC. 814. REPEAL OF TRANSFER OF FUNDS RELATED TO**
8 **COST OVERRUNS AND COST UNDERRUNS.**

9 (a) IN GENERAL.—Section 828 of the National De-
10 fense Authorization Act for Fiscal Year 2016 (Public Law
11 114–92; 10 U.S.C. 2430 note) is repealed.

12 (b) CONFORMING AMENDMENT.—Section 825 of the
13 National Defense Authorization Act for Fiscal Year 2018
14 (Public Law 115–91; 131 Stat. 1466) is amended—

15 (1) by repealing subsection (b); and

16 (2) by striking “(a) IN GENERAL.—”.

17 **SEC. 815. ADDITION OF DOMESTICALLY PRODUCED STAIN-**
18 **LESS STEEL FLATWARE AND DINNERWARE**
19 **TO THE BERRY AMENDMENT.**

20 (a) IN GENERAL.—Section 2533a(b) of title 10,
21 United States Code, is amended by adding at the end the
22 following new paragraphs:

23 “(3) Stainless steel flatware.

24 “(4) Dinnerware.”.

25 (b) EFFECTIVE DATE.—Paragraphs (3) and (4) of
26 section 2533a(b) of title 10, United States Code, as added

1 by subsection (a), shall apply with respect to contracts en-
2 tered into on or after the date occurring 1 year after the
3 date of the enactment of this Act.

4 **Subtitle B—Amendments to Gen-**
5 **eral Contracting Authorities,**
6 **Procedures, and Limitations**

7 **SEC. 821. MODIFICATIONS TO THE MIDDLE TIER OF ACQUI-**
8 **SITION PROGRAMS.**

9 (a) ACCESS TO TECHNICAL DATA, RECORDS, AND IN-
10 FORMATION.—Section 804 of the National Defense Au-
11 thorization Act for Fiscal Year 2016 (Public Law 114–
12 92; 10 U.S.C. 2302 note) is amended by adding at the
13 end the following new subsection:

14 “(e) ACCESS TO TECHNICAL DATA, RECORDS, AND
15 INFORMATION.—The Secretary of Defense shall develop a
16 process to provide the Director of Operational Test and
17 Evaluation, the Director of Cost Assessment and Program
18 Evaluation, and the Under Secretary of Defense for Re-
19 search and Engineering access to all technical data,
20 records, and information necessary to evaluate the techno-
21 logical maturity, operational effectiveness, and operational
22 suitability of products and technologies proposed to be ac-
23 quired under the guidance required by subsection (a).”.

24 (b) DOLLAR THRESHOLD FOR ACQUISITION PRO-
25 GRAMS.—Subsection (a) of such section is amended—

1 (1) by striking “Not later than” and inserting
2 the following:

3 “(1) IN GENERAL.—Not later than”;

4 (2) in paragraph (1), as so designated, by strik-
5 ing “acquisition programs that are intended to be
6 completed in a period of two to five years.” and in-
7 serting the following: “acquisition programs—

8 “(A) with an eventual total expenditure for
9 research, development, test, and evaluation or
10 an eventual total expenditure for procurement
11 that is less than those expenditures described in
12 section 2430(a)(1)(B) of this title; and

13 “(B) that are intended to be completed in
14 a period of two to five years.”; and

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

17 “(2) WAIVER.—The Secretary of Defense may
18 waive the requirements of subparagraph (A) of para-
19 graph (1), and may not delegate the authority to
20 make such a waiver.”.

21 **SEC. 822. BRIEFING RELATING TO THE “MIDDLE TIER” OF**
22 **ACQUISITION PROGRAMS.**

23 (a) IN GENERAL.—Not later than December 1, 2019,
24 the Secretary of Defense shall provide a briefing to the
25 congressional defense committees on lessons learned and

1 best practices identified through the use of the “middle
2 tier” of acquisition programs described under section 804
3 of the National Defense Authorization Act for Fiscal Year
4 2016 (Public Law 114–92; 10 U.S.C. 2302 note). The
5 briefing shall be accompanied by a written analysis—

6 (1) identifying which lessons learned can be ap-
7 plied to—

8 (A) “middle tier” acquisition programs;
9 and

10 (B) any major defense acquisition program
11 (as defined under section 2430 of title 10,
12 United States Code);

13 (2) describing the extent to which covered risk
14 should be a factor in determining which acquisition
15 authority to use, including—

16 (A) an acquisition pathway as described
17 under subsection (b) of section 804 of the Na-
18 tional Defense Authorization Act for Fiscal
19 Year 2016 (Public Law 114–92; 10 U.S.C.
20 2302 note);

21 (B) the authority described under section
22 2371b of title 10, United States Code;

23 (C) acquisition authority relating to urgent
24 operational needs;

25 (D) a traditional acquisition process; or

1 (E) any other acquisition authority, as de-
2 termined by the Secretary;

3 (3) describing whether any requirements appli-
4 cable to major defense acquisition programs should
5 be applicable to “middle tier” acquisition programs
6 under such section; and

7 (4) recommending amendments or revisions (as
8 applicable) to law or regulation, and including avail-
9 able data to support such recommendations.

10 (b) COVERED RISK DEFINED.—In this section, the
11 term “covered risk” shall have the meaning given by the
12 Secretary of Defense, and shall include a consideration of
13 cost, schedule, performance, risk to operational success.

14 **SEC. 823. RATES FOR PROGRESS PAYMENTS OR PERFORM-**
15 **ANCE-BASED PAYMENTS.**

16 (a) CONSISTENCY IN ESTABLISHMENT OF RATES
17 FOR PROGRESS PAYMENTS OR PERFORMANCE-BASED
18 PAYMENTS.—Section 2307(a) of title 10, United States
19 Code, is amended by inserting the following new para-
20 graph:

21 “(3) Except as provided in subsection (g), the
22 Secretary of Defense shall not establish a rate for
23 progress payments or a rate for performance-based
24 payments that is lower than the rate for progress
25 payments or a rate for performance-based payments,

1 as applicable, established by another head of an
2 agency.”.

3 (b) PAYMENT AUTHORITY.—Section 2307(a)(1) of
4 title 10, United States Code, is amended in the matter
5 preceding subparagraph (A) by striking “The head of any
6 agency may” and inserting “The head of an agency
7 may—”.

8 (c) NOTICE OF REVISION TO RATES FOR PROGRESS
9 PAYMENTS OR PERFORMANCE-BASED PAYMENTS.—

10 (1) TO CONGRESS.—The Secretary of Defense
11 may not issue rules to revise the rate for progress
12 payments or the rate for performance-based pay-
13 ments unless the Secretary provides the congres-
14 sional defense committees with a notice of deter-
15 mination of need for such revision. This notice shall
16 include—

17 (A) a justification, including the data and
18 analysis supporting the justification, for the re-
19 vision; and

20 (B) an assessment of how the revision will
21 create a more effective acquisition process and
22 benefit the defense industrial base.

23 (2) PUBLICATION.—The Secretary shall publish
24 the notice required by paragraph (1) in the Federal
25 Register not later than five business days after pro-

1 viding such notice to the congressional defense com-
2 mittees.

3 **SEC. 824. ADDITIONAL REQUIREMENTS FOR NEGOTIATIONS**
4 **FOR NONCOMMERCIAL COMPUTER SOFT-**
5 **WARE.**

6 Section 2322a of title 10, United States Code, is
7 amended by adding at the end the following new sub-
8 sections:

9 “(c) RIGHTS TO NONCOMMERCIAL COMPUTER SOFT-
10 WARE.—As part of any negotiation for the acquisition of
11 noncommercial computer software, the Secretary of De-
12 fense may not require a contractor to sell or otherwise re-
13 linquish to the Federal Government any rights to non-
14 commercial computer software developed exclusively at
15 private expense, except for rights related to—

16 “(1) corrections or changes to such software or
17 related materials for such software furnished to the
18 contractor by the Department of Defense;

19 “(2) such software or related materials for such
20 software that is otherwise publicly available or that
21 has been released or disclosed by the contractor or
22 subcontractor without restrictions on further use, re-
23 lease, or disclosure, other than a release or disclo-
24 sure resulting from the sale, transfer, or other as-

1 signment of interest in such software or related ma-
2 terials to another party;

3 “(3) such software or related materials for such
4 software obtained with unlimited rights under an-
5 other contract with the Federal Government or as a
6 result of such a negotiation; or

7 “(4) such software or related materials for such
8 software furnished to the Department of Defense
9 under a contract or subcontract that includes—

10 “(A) restricted rights in such software,
11 limited rights in technical data, or government
12 purpose rights, where such restricted rights,
13 limited rights, or government purpose rights
14 have expired; or

15 “(B) government purpose rights, where the
16 contractor’s exclusive right to use such software
17 or related materials for commercial purposes
18 has expired.

19 “(d) CONSIDERATION OF SPECIALLY NEGOTIATED
20 LICENSES.—The Secretary of Defense shall, to the max-
21 imum extent practicable, negotiate and enter into a con-
22 tract with a contractor for a specially negotiated license
23 for noncommercial computer software or related materials
24 for such software necessary to support the product sup-

1 port strategy of a major weapon system or subsystem of
2 a major weapon system.”.

3 **SEC. 825. RESPONSIBILITY FOR DATA ANALYSIS AND RE-**
4 **QUIREMENTS VALIDATION FOR SERVICES**
5 **CONTRACTS.**

6 Section 2329 of title 10, United States Code, is
7 amended—

8 (1) in subsection (a), by inserting “, acting
9 through the Under Secretary of Defense (Comp-
10 troller) and Director of Cost Assessment and Pro-
11 gram Evaluation,” after “Secretary of Defense”;

12 (2) in subsection (b), in the matter preceding
13 paragraph (1), by inserting “, acting through the
14 Under Secretary of Defense (Comptroller) and Di-
15 rector of Cost Assessment and Program Evalua-
16 tion,” after “Secretary of Defense”; and

17 (3) in subsection (c)(2)(A), by inserting “, act-
18 ing through the Under Secretary of Defense (Comp-
19 troller) and Director of Cost Assessment and Pro-
20 gram Evaluation,” after “Secretary of Defense”.

21 **SEC. 826. ANNUAL REPORTS ON AUTHORITY TO CARRY OUT**
22 **CERTAIN PROTOTYPE PROJECTS.**

23 (a) IN GENERAL.—Section 2371b of title 10, United
24 States Code, is amended by adding at the end the fol-
25 lowing new subsections:

1 “(i) DATA COLLECTION AND USE.—(1) The service
2 acquisition executive of each military department shall col-
3 lect data on the use of the authority under this section
4 by the applicable military department, and the Under Sec-
5 retary of Defense for Research and Engineering and the
6 Under Secretary of Defense for Acquisition and
7 Sustainment shall collect data on all other use of such au-
8 thority by the Department of Defense, including use by
9 the Defense Agencies.

10 “(2) The Under Secretary of Defense for Acquisition
11 and Sustainment shall—

12 “(A) maintain a database of information col-
13 lected under this section, which shall be made acces-
14 sible to any official designated by the Secretary of
15 Defense; and

16 “(B) analyze such information to update policy
17 and guidance related to the use of the authority
18 under this section.

19 “(j) REPORT.—(1) Not later than December 31,
20 2019, and each December 31 thereafter the Secretary of
21 Defense shall annually submit to the congressional defense
22 committees a report covering the preceding fiscal year on
23 the use of the authority under this section. Each report
24 shall summarize the data collected under subsection (i) on

1 the nature and extent of each such use of the authority,
2 including a description—

3 “(A) of the participants to an agreement en-
4 tered into pursuant to the authority of subsection
5 (a) or a follow-on contract or transaction entered
6 into pursuant to the authority of subsection (f);

7 “(B) of the quantity of prototype projects to be
8 produced pursuant to such an agreement, follow-on
9 contract, or transaction;

10 “(C) of the amount of payments made pursuant
11 to each such agreement, follow-on contract, or trans-
12 action;

13 “(D) of the purpose, description, and status of
14 prototype projects carried out pursuant to each such
15 agreement, follow-on contract, or transaction; and

16 “(E) including case examples, of the successes
17 and challenges with using the authority of sub-
18 section (a) or (f).

19 “(2) A report required under this subsection shall be
20 submitted in unclassified form without any designation re-
21 lating to dissemination control, but may contain a classi-
22 fied annex.”.

23 (b) CONFORMING AMENDMENT.—Section 873 of the
24 John S. McCain National Defense Authorization Act for

1 Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1905;
2 10 U.S.C. 2371 note) is repealed.

3 **SEC. 827. COMPETITION REQUIREMENTS FOR PURCHASES**
4 **FROM FEDERAL PRISON INDUSTRIES.**

5 (a) COMPETITION REQUIREMENTS FOR PURCHASES
6 FROM FEDERAL PRISON INDUSTRIES.—Subsections (a)
7 and (b) of section 2410n of title 10, United States Code,
8 are amended to read as follows:

9 “(a) MARKET RESEARCH.—Before purchasing a
10 product listed in the latest edition of the Federal Prison
11 Industries catalog published under section 4124(d) of title
12 18, the Secretary of Defense shall conduct market re-
13 search to determine whether such product—

14 “(1) is comparable to products available from
15 the private sector; and

16 “(2) best meets the needs of the Department of
17 Defense in terms of price, quality, and time of deliv-
18 ery.

19 “(b) COMPETITION REQUIREMENT.—If the Secretary
20 determines that a Federal Prison Industries product is not
21 comparable to products available from the private sector
22 and does not best meet the needs of the Department of
23 Defense in terms of price, quality, or time of delivery, the
24 Secretary shall use competitive procedures or make an in-
25 dividual purchase under a multiple award contract for the

1 procurement of the product. In conducting such a competi-
2 tion or making such a purchase, the Secretary shall con-
3 sider a timely offer from Federal Prison Industries.”.

4 (b) EFFECTIVE DATE.—The amendment made by
5 subsection (a) shall take effect 60 days after the date of
6 the enactment of this Act.

7 **SEC. 828. ENHANCED POST-AWARD DEBRIEFING RIGHTS.**

8 Section 818(a)(1) of the National Defense Authoriza-
9 tion Act for Fiscal Year 2018 (Public Law 115–91; 131
10 Stat. 1463; 10 U.S.C. 2305 note) is amended by striking
11 “\$100,000,000” each place it appears and inserting
12 “\$50,000,000”.

13 **SEC. 829. STANDARDIZING DATA COLLECTION AND RE-**
14 **PORTING ON USE OF SOURCE SELECTION**
15 **PROCEDURES BY FEDERAL AGENCIES.**

16 (a) REPEAL OF GOVERNMENT ACCOUNTABILITY OF-
17 FICE REPORTING REQUIREMENTS ON USE OF LOWEST
18 PRICE TECHNICALLY ACCEPTABLE SOURCE SELECTION
19 CRITERIA.—

20 (1) DEPARTMENT OF DEFENSE.—Section 813
21 of the National Defense Authorization Act for Fiscal
22 Year 2017 (10 U.S.C. 2305 note) is amended by
23 striking subsection (d).

24 (2) OTHER AGENCIES.—Section 880 of the
25 John S. McCain National Defense Authorization Act

1 for Fiscal Year 2019 (Public Law 115–232; 132
2 Stat. 1910; 41 U.S.C. 3701 note) is amended by
3 striking subsection (d) and redesignating subsection
4 (e) as subsection (d).

5 (b) REVISION TO THE FEDERAL PROCUREMENT
6 DATA SYSTEM.—Not later than 180 days after the date
7 of the enactment of this Act, the Administrator of General
8 Services, in coordination with the Administrator for Fed-
9 eral Procurement Policy, shall direct appropriate revisions
10 to the Federal procurement data system established pur-
11 suant to section 1122(a)(4) of title 41, United States Code
12 (or any successor system), to facilitate the collection of
13 complete, timely, and reliable data on the source selection
14 processes used by Federal agencies for the contract ac-
15 tions being reported in the system. The Administrator of
16 General Services shall ensure that data is collected—

17 (1) at a minimum, on the usage of the lowest
18 price technically acceptable contracting methods and
19 best value contracting methods process; and

20 (2) on all applicable contracting actions, includ-
21 ing task orders or delivery orders issued under in-
22 definite delivery-indefinite quantity contracts.

1 **SEC. 830. MODIFICATION OF JUSTIFICATION AND AP-**
2 **PROVAL REQUIREMENT FOR CERTAIN DE-**
3 **PARTMENT OF DEFENSE CONTRACTS.**

4 (a) MODIFICATION OF JUSTIFICATION AND AP-
5 PROVAL REQUIREMENT.—Notwithstanding section 811 of
6 the National Defense Authorization Act for Fiscal Year
7 2010 (Public Law 111–84; 123 Stat. 2405)—

8 (1) no justification and approval is required
9 under such section for a sole-source contract award-
10 ed by the Department of Defense in a covered pro-
11 curement for an amount not exceeding
12 \$100,000,000; and

13 (2) for purposes of subsections (a)(2) and
14 (c)(3)(A) of such section, the appropriate official
15 designated to approve the justification for a sole-
16 source contract awarded by the Department of De-
17 fense in a covered procurement exceeding
18 \$100,000,000 is the official designated in section
19 2304(f)(1)(B)(ii) of title 10, United States Code.

20 (b) GUIDANCE.—Not later than 90 days after the
21 date of the enactment of this Act, the Secretary of Defense
22 shall issue guidance to implement the authority under sub-
23 section (a).

24 (c) COMPTROLLER GENERAL REVIEW.—

25 (1) DATA TRACKING AND COLLECTION.—The
26 Department of Defense shall track the use of the au-

1 thority provided pursuant to subsection (a) and
2 make the data available to the Comptroller General
3 for purposes of the report required under paragraph
4 (2).

5 (2) REPORT.—Not later than February 1,
6 2022, the Comptroller General of the United States
7 shall submit a report to the congressional defense
8 committees which shall include the number of con-
9 tracts awarded on the basis of competition restricted
10 to Program Participants in the program established
11 under section 8(a) of the Small Business Act (15
12 U.S.C. 637(a)) to small business concerns that are
13 Native Hawaiian Organizations (as defined in para-
14 graph (15) of such section (15 U.S.C. 637(a)(15)))
15 or economically disadvantaged Indian tribes (or a
16 wholly owned business entity of such a tribe) (as de-
17 fined in paragraph (13) of such section (15 U.S.C.
18 637(a)(13))) or that exceed the dollar amount under
19 paragraph (1)(D) of such section.

20 **SEC. 831. PREFERENCE FOR OFFERORS EMPLOYING VET-**
21 **ERANS.**

22 (a) IN GENERAL.—Chapter 137 of title 10, United
23 States Code, is amended by adding at the end the fol-
24 lowing new section:

1 **“§ 2339b. Preference for offerors employing veterans**

2 “(a) PREFERENCE.—In awarding a contract for the
3 procurement of goods or services for the Department of
4 Defense, the head of an agency may establish a preference
5 for offerors that employ veterans on a full-time basis. The
6 Secretary of Defense shall determine the criteria for use
7 of such preference.

8 “(b) RULE OF CONSTRUCTION.—Nothing in this sec-
9 tion shall be construed to supercede any other provision
10 of law establishing a preference for small business con-
11 cerns owned and controlled by veterans or small business
12 concerns owned and controlled by service-disabled veterans
13 (as defined in section 3(q) of the Small Business Act (15
14 U.S.C. 632(q))).

15 “(c) CONGRESSIONAL NOTIFICATION.—Prior to es-
16 tablishing the preference described in subsection (a), the
17 Secretary of Defense shall provide a briefing to the Com-
18 mittee on Armed Services of the House of Representatives
19 on—

20 “(1) a plan for implementing such preference,
21 including—

22 “(A) penalties for an offeror that willfully
23 and intentionally misrepresents the veteran sta-
24 tus of the employees of the offeror in a bid sub-
25 mitted under subsection (a); and

1 “(B) reporting on use of such preference;

2 and

3 “(2) the process for assessing and verifying of-
4 feror compliance with regulations relating to equal
5 opportunity for veterans requirements.”.

6 (b) CLERICAL AMENDMENT.—The table of sections
7 at the beginning of such chapter is amended by inserting
8 after the item relating to section 2339a the following new
9 item:

“2339b. Preference for offerors employing veterans.”.

10 **SEC. 832. REPORTING ON EXPENSES INCURRED FOR INDE-**
11 **PENDENT RESEARCH AND DEVELOPMENT**
12 **COSTS.**

13 (a) REPORTING ON INDEPENDENT RESEARCH AND
14 DEVELOPMENT COSTS.—Section 2372 of title 10, United
15 States Code, is amended—

16 (1) in the second sentence of subsection (a), by
17 striking “shall be reported” and all that follows
18 through “indirect costs.” and inserting the following:
19 “shall be reported—

20 “(1) independently from other allowable indirect
21 costs; and

22 “(2) annually by the contractor to the Defense
23 Technical Information Center, who shall give access
24 to the information to the Under Secretary of De-
25 fense for Research and Engineering, the Director of

1 the Defense Contract Audit Agency, and the Direc-
2 tor of the Defense Management Audit Agency.”.

3 (b) REPORT TO CONGRESS.—Such section is further
4 amended by adding at the end the following new sub-
5 section:

6 “(f) REPORT TO CONGRESS.—Not later than March
7 31, 2020, and biennially thereafter, the Under Secretary
8 of Defense for Research and Engineering, in coordination
9 with the Director of the Defense Contract Management
10 Agency, the Director of the Defense Contract Audit Agen-
11 cy, and the Defense Technical Information Center, shall
12 submit to the congressional defense committees aggregate
13 cost data on the independent research and development
14 programs of the contractor. The report shall include—

15 “(1) an analysis of such programs completed
16 during the two-year period preceding the date of the
17 report, including the extent to which such programs
18 align with the modernization priorities of the most
19 recent national defense strategy (as described by
20 section 113 of this title);

21 “(2) an estimate of the extent to which such
22 programs produced, or sought to produce, disruptive
23 technologies or incremental technologies;

24 “(3) with respect to each contractor subject to
25 the reporting requirement under subsection (a)—

1 “(A) a comparison of the total amount of
2 independent research and development costs
3 submitted for reimbursement under the annual
4 incurred cost proposal of such contractor and
5 the amount reported to the Defense Technical
6 Information Center; and

7 “(B) a summary of any issues relating to
8 the ownership or distribution of intellectual
9 property rights raised by such contractor relat-
10 ing to an independent research and develop-
11 ment program of such contractor.”.

12 (c) REPORT TO GAO.—The Secretary of Defense
13 shall submit to the Comptroller General of the United
14 States the first such report required under subsection (f)
15 of section 2372 of title 10, United States Code (as added
16 by subsection (a)), so that the Comptroller General may
17 perform a review of the information provided in the report.

18 **SEC. 833. REPORTING ON EXPENSES INCURRED FOR BID**
19 **AND PROPOSAL COSTS.**

20 Section 2372a(a) of title 10, United States Code, is
21 amended—

22 (1) in the second sentence, by striking “shall be
23 reported” and all that follows through “indirect
24 costs.” and inserting the following: “shall be re-
25 ported—

1 “(1) independently from other allowable indirect
2 costs; and

3 “(2) annually by the contractor to the Director
4 of the Defense Contract Audit Agency, who shall
5 give access to the information to the Principal Direc-
6 tor for Defense Pricing and Contracting.”.

7 **SEC. 834. REPEAL OF THE DEFENSE COST ACCOUNTING**
8 **STANDARDS BOARD.**

9 (a) REPEAL.—Section 190 of title 10, United States
10 Code, is repealed.

11 (b) CLERICAL AMENDMENT.—The table of sections
12 at the beginning of chapter 7 of such title is amended by
13 striking the item relating to section 190.

14 **SEC. 835. REPORT ON REQUIREMENTS RELATING TO CON-**
15 **SUMPTION-BASED SOLUTIONS.**

16 (a) REPORT.—The Undersecretary of Defense for Ac-
17 quisition and Sustainment shall submit to the congres-
18 sional defense committees a report on the feasibility of re-
19 vising the Defense Federal Acquisition Regulation Supple-
20 ment to include requirements relating to consumption-
21 based solutions.

22 (b) CONSUMPTION-BASED SOLUTIONS DEFINED.—
23 The term “consumption-based solutions” means any com-
24 bination of hardware or equipment, software, and labor
25 or services that together provide a capability that is me-

1 tered and billed based on actual usage and predetermined
 2 pricing per resource unit, and includes the ability to rap-
 3 idly scale capacity up or down.

4 **Subtitle C—Provisions Relating to** 5 **Acquisition Workforce**

6 **SEC. 841. DEFENSE ACQUISITION WORKFORCE CERTIFI-** 7 **CATION AND EDUCATION REQUIREMENTS.**

8 (a) PROFESSIONAL CERTIFICATION REQUIRE-
 9 MENT.—

10 (1) PROFESSIONAL CERTIFICATION REQUIRED
 11 FOR ALL ACQUISITION WORKFORCE PERSONNEL.—

12 Section 1701a of title 10, United States Code, is
 13 amended—

14 (A) by redesignating subsections (c) and
 15 (d) as subsections (d) and (e), respectively; and

16 (B) by inserting after subsection (b) the
 17 following new subsection:

18 “(c) PROFESSIONAL CERTIFICATION.—(1) IN GEN-
 19 ERAL.—The Secretary of Defense shall implement a cer-
 20 tification program to provide for a professional certifi-
 21 cation requirement for all members of the acquisition
 22 workforce. Except as provided in paragraph (2), the cer-
 23 tification requirement for any career field of the acquisi-
 24 tion workforce shall be based on nationally or internation-

1 ally recognized standards developed by a third-party enti-
2 ty.

3 “(2) REQUIREMENTS FOR SECRETARY.—If the Sec-
4 retary determines that, for a particular acquisition work-
5 force career field, the third-party entity described in para-
6 graph (1) does not meet the needs of the Department, the
7 Secretary shall establish the professional certification re-
8 quirement for that career field that conforms with nation-
9 ally or internationally recognized standards. The Secretary
10 shall determine the best approach to implement such re-
11 quirement for that career field, including implementation
12 through entities outside the Department of Defense and
13 may be designed and implemented without regard to sec-
14 tion 1746 of this title.”.

15 (2) CERTIFICATION RENEWAL.—Paragraph (3)
16 of section 1723(a) of such title is amended by strik-
17 ing the second sentence.

18 (3) PARTICIPATION IN PROFESSIONAL ASSOCIA-
19 TIONS.—Section 1701a(b) of such title is amended—

20 (A) by redesignating paragraphs (6), (7),
21 (8), and (9) as paragraphs (7), (8), (9), and
22 (10), respectively; and

23 (B) by inserting after paragraph (5) the
24 following new paragraph:

1 “(6) authorize a member of the acquisition
 2 workforce to participate in professional associations,
 3 consistent with the performance plan of such mem-
 4 ber, if such participation provides the member with
 5 the opportunity to gain leadership and management
 6 skills;”.

7 (4) EFFECTIVE DATE.—The Secretary of De-
 8 fense shall carry out the certification program re-
 9 quired by subsection (c) of section 1701a of title 10,
 10 United States Code, as added by paragraph (1), not
 11 later than 180 days after the date of the enactment
 12 of this Act.

13 (b) ELIMINATION OF STATUTORY REQUIREMENT
 14 FOR COMPLETION OF 24 SEMESTER CREDIT HOURS.—

15 (1) QUALIFICATION REQUIREMENTS FOR CON-
 16 TRACTING OFFICERS.—Section 1724 of title 10,
 17 United States Code, is amended—

18 (A) in subsection (a)(3)—

19 (i) by striking “(A)” after “(3)”; and

20 (ii) by striking “, and (B)” and all
 21 that follows through “and management”;

22 (B) in subsection (b), by striking “require-
 23 ments” in the first sentences of paragraphs (1)
 24 and (2) and inserting “requirement”;

25 (C) in subsection (e)—

1 (i) in paragraph (1)—

2 (I) by striking “requirements in
3 subparagraphs (A) and (B) of sub-
4 section (a)(3)” and inserting “require-
5 ment of subsection (a)(3)”; and

6 (II) in subparagraph (C), by
7 striking “requirements” and inserting
8 “requirement”; and

9 (ii) in paragraph (2)—

10 (I) by striking “shall have—”
11 and all that follows through “been
12 awarded” and inserting “shall have
13 been awarded”;

14 (II) by striking “; or” and insert-
15 ing a period; and

16 (III) by striking subparagraph
17 (B); and

18 (D) in subsection (f), by striking “, includ-
19 ing—” and all that follows and inserting a pe-
20 riod.

21 (2) SELECTION CRITERIA AND PROCEDURES.—

22 Section 1732 of such title is amended—

23 (A) in subsection (b)(1)—

24 (i) by striking “Such requirements,”
25 and all the follows through “the

1 person—” and inserting “Such require-
 2 ments shall include a requirement that the
 3 person—”;

4 (ii) by striking subparagraph (B); and

5 (iii) by redesignating clauses (i) and
 6 (ii) as subparagraphs (A) and (B), respec-
 7 tively, and conforming the margins accord-
 8 ingly;

9 (B) in subsection (c), by striking “require-
 10 ments of subsections (b)(1)(A) and (b)(1)(B)”
 11 in paragraphs (1) and (2) and inserting “re-
 12 quirement of subsection (b)(1)”; and

13 (C) in subsection (d)—

14 (i) by striking “(1) Except as pro-
 15 vided in paragraph (2),”; and

16 (ii) by striking paragraph (2).

17 (c) DEFENSE ACQUISITION UNIVERSITY CUR-
 18 RICULUM DEVELOPMENT.—Section 1746(c) of title 10,
 19 United States Code, is amended by inserting “, and with
 20 commercial providers of training,” after “military depart-
 21 ments”.

22 (d) CAREER PATHS.—

23 (1) CAREER PATH REQUIRED FOR EACH ACQUI-
 24 SITION WORKFORCE CAREER FIELD.—Paragraph (4)

1 of section 1701a(b) of title 10, United States Code,
2 is amended to read as follows:

3 “(4) develop and implement a career path, as
4 described in section 1722(a) of this title, for each
5 career field designated by the Secretary under sec-
6 tion 1721(a) of this title as an acquisition workforce
7 career field;”.

8 (2) CONFORMING AMENDMENTS.—Section
9 1722(a) of such title is amended—

10 (A) by striking “appropriate career paths”
11 and inserting “an appropriate career path”;
12 and

13 (B) by striking “are identified” and insert-
14 ing “is identified for each acquisition workforce
15 career field”.

16 (3) DEADLINE FOR IMPLEMENTATION OF CA-
17 REER PATHS.—The Secretary of Defense shall carry
18 out the requirements of paragraph (4) of section
19 1701a(b) of title 10, United States Code (as amend-
20 ed by paragraph (1)), not later than the end of the
21 two-year period beginning on the date of the enact-
22 ment of this Act.

23 (e) CAREER FIELDS.—

24 (1) DESIGNATION OF ACQUISITION WORKFORCE
25 CAREER FIELDS.—Section 1721(a) of such title is

1 amended by adding at the end the following new
 2 sentence: “The Secretary shall also designate in reg-
 3 ulations those career fields in the Department of De-
 4 fense that are acquisition workforce career fields for
 5 purposes of this chapter.”.

6 (2) CLERICAL AMENDMENTS.—(A) The heading
 7 of such section is amended to read as follows:

8 **“§ 1721. Designation of acquisition positions and ac-**
 9 **quisition workforce career fields”.**

10 (B) The item relating to such section in
 11 the table of sections at the beginning of sub-
 12 chapter II of chapter 87 of such title is amend-
 13 ed to read as follows:

“1721. Designation of acquisition positions and acquisition workforce career
 fields.”.

14 (3)(A) The heading of subchapter II of chapter
 15 87 of such title is amended to read as follows:

“SUBCHAPTER II—ACQUISITION POSITIONS AND ACQUISITION WORKFORCE
 CAREER FIELDS”.

16 (B) The item relating to such subchapter in the
 17 table of subchapters at the beginning of such chap-
 18 ter is amended to read as follows:

“II. Acquisition Positions And Acquisition Workforce Career Fields 1721”.

19 (4) DEADLINE FOR DESIGNATION OF CAREER
 20 FIELDS.—The Secretary of Defense shall carry out
 21 the requirements of second sentence of section
 22 1721(a) of title 10, United States Code (as added by

1 paragraph (1)), not later than the end of the six-
2 month period beginning on the date of the enact-
3 ment of this Act.

4 (f) KEY WORK EXPERIENCES.—

5 (1) DEVELOPMENT OF KEY WORK EXPERI-
6 ENCES FOR EACH ACQUISITION WORKFORCE CAREER
7 FIELD.—Section 1722b of such title is amended by
8 adding at the end the following new subsection:

9 “(c) KEY WORK EXPERIENCES.—In carrying out
10 subsection (b)(2), the Secretary shall ensure that key work
11 experiences, in the form of multidiscipline training, are de-
12 veloped for each acquisition workforce career field.”.

13 (2) PLAN FOR IMPLEMENTATION OF KEY WORK
14 EXPERIENCES.—Not later than one year after the
15 date of the enactment of this Act, the Secretary of
16 Defense shall submit to the congressional defense
17 committees a plan identifying the specific actions the
18 Department of Defense has taken, and is planning
19 to take, to develop and establish key work experi-
20 ences for each acquisition workforce career field as
21 required by subsection (c) of section 1722b of title
22 10, United States Code, as added by paragraph (1).
23 The plan shall include specification of the percentage
24 of the acquisition workforce, or funds available for
25 administration of the acquisition workforce on an

1 annual basis, that the Secretary will dedicate to-
2 wards developing such key work experiences.

3 (g) APPLICABILITY OF CAREER PATH REQUIRE-
4 MENTS TO ALL MEMBERS OF ACQUISITION WORK-
5 FORCE.—Section 1723(b) of such title is amended by
6 striking “the critical acquisition-related”.

7 (h) COMPETENCY DEVELOPMENT.—

8 (1) IN GENERAL.—(A) Subchapter V of chapter
9 87 of such title is amended by adding at the end the
10 following new section:

11 **“§ 1765. Competency development**

12 “For each acquisition workforce career field, the Sec-
13 retary of Defense shall establish, for the civilian personnel
14 in that career field, defined proficiency standards and
15 technical and nontechnical competencies which shall be
16 used in personnel qualification assessments.”.

17 (B) The table of sections at the beginning of
18 such subchapter II is amended by adding at the end
19 the following new item:

“1765. Competency development.”.

20 (2) DEADLINE FOR IMPLEMENTATION.—The
21 Secretary of Defense shall carry out the require-
22 ments of section 1765 of title 10, United States
23 Code (as added by paragraph (1)), not later than
24 the end of the two-year period beginning on the date
25 of the enactment of this Act.

1 (i) TERMINATION OF DEFENSE ACQUISITION
2 CORPS.—

3 (1) The Acquisition Corps for the Department
4 of Defense referred to in section 1731(a) of title 10,
5 United States Code, is terminated.

6 (2) Section 1733 of title 10, United States
7 Code, is amended—

8 (A) by striking subsection (a); and

9 (B) by redesignating subsection (b) as sub-
10 section (a).

11 (3) Subsection (b) of section 1731 of such title
12 is transferred to the end of section 1733 of such
13 title, as amended by paragraph (2), and amended—

14 (A) by striking “ACQUISITION CORPS” in
15 the heading and inserting “THE ACQUISITION
16 WORKFORCE”; and

17 (B) by striking “selected for the Acquisi-
18 tion Corps” and inserting “in the acquisition
19 workforce”.

20 (4) Subsection (e) of section 1732 of such title
21 is transferred to the end of section 1733 of such
22 title, as amended by paragraphs (2) and (3), redes-
23 ignated as subsection (c), and amended—

1 (A) by striking “in the Acquisition Corps”
 2 in paragraphs (1) and (2) and inserting “in
 3 critical acquisition positions”; and

4 (B) by striking “serving in the Corps” in
 5 paragraph (2) and inserting “employment”.

6 (5) Sections 1731 and 1732 of such title are re-
 7 pealed.

8 (6)(A) Section 1733 of such title, as amended
 9 by paragraphs (2), (3), and (4), is redesignated as
 10 section 1731.

11 (B) The table of sections at the beginning of
 12 subchapter III of chapter 87 of such title is amend-
 13 ed by striking the items relating to sections 1731,
 14 1732, and 1733 and inserting the following new
 15 item:

“1731. Critical acquisition positions.”.

16 (7)(A) The heading of subchapter III of chapter
 17 87 of such title is amended to read as follows:

“SUBCHAPTER III—CRITICAL ACQUISITION POSITIONS”.

18 (B) The item relating to such subchapter in the
 19 table of subchapters at the beginning of such chap-
 20 ter is amended to read as follows:

“III. Critical Acquisition Positions 1731”.

21 (8) Section 1723(a)(2) of such title is amended
 22 by striking “section 1733 of this title” and inserting
 23 “section 1731 of this title”.

1 (9) Section 1725 of such title is amended—

2 (A) in subsection (a)(1), by striking “De-
3 fense Acquisition Corps” and inserting “acqui-
4 sition workforce”; and

5 (B) in subsection (d)(2), by striking “of
6 the Defense Acquisition Corps” and inserting
7 “in the acquisition workforce serving in critical
8 acquisition positions”.

9 (10) Section 1734 of such title is amended—

10 (A) by striking “of the Acquisition Corps”
11 in subsections (e)(1) and (h) and inserting “of
12 the acquisition workforce”; and

13 (B) in subsection (g)—

14 (i) by striking “of the Acquisition
15 Corps” in the first sentence and inserting
16 “of the acquisition workforce”;

17 (ii) by striking “of the Corps” and in-
18 serting “of the acquisition workforce”; and

19 (iii) by striking “of the Acquisition
20 Corps” in the second sentence and insert-
21 ing “of the acquisition workforce in critical
22 acquisition positions”.

23 (11) Section 1737 of such title is amended—

1 (A) in subsection (a)(1), by striking “of
2 the Acquisition Corps” and inserting “of the ac-
3 quisition workforce”; and

4 (B) in subsection (b), by striking “of the
5 Corps” and inserting “of the acquisition work-
6 force”.

7 (12) Section 1742(a)(1) of such title is amend-
8 ed by striking “the Acquisition Corps” and inserting
9 “acquisition positions in the Department of De-
10 fense”.

11 (13) Section 2228(a)(4) of such title is amend-
12 ed by striking “under section 1733(b)(1)(C) of this
13 title” and inserting “under section 1731 of this
14 title”.

15 (14) Section 7016(b)(5)(B) of such title is
16 amended by striking “under section 1733 of this
17 title” and inserting “under section 1731 of this
18 title”.

19 (15) Section 8016(b)(4)(B) of such title is
20 amended by striking “under section 1733 of this
21 title” and inserting “under section 1731 of this
22 title”.

23 (16) Section 9016(b)(4)(B) of such title is
24 amended by striking “under section 1733 of this

1 title” and inserting “under section 1731 of this
2 title”.

3 (17) Paragraph (1) of section 317 of title 37,
4 United States Code, is amended to read as follows:

5 “(1) is a member of the acquisition workforce
6 selected to serve in, or serving in, a critical acquisi-
7 tion position designated under section 1731 of title
8 10.”.

9 (j) DESIGNATION OF FOREIGN MILITARY SALES AS
10 ACQUISITION POSITION.—Section 1721(b) of title 10,
11 United States Code, is amended by adding at the end the
12 following new paragraph:

13 “(13) Foreign military sales.”.

14 **SEC. 842. PUBLIC-PRIVATE EXCHANGE PROGRAM FOR THE**
15 **ACQUISITION WORKFORCE.**

16 (a) PUBLIC-PRIVATE EXCHANGE PROGRAM FOR THE
17 ACQUISITION WORKFORCE.—

18 (1) IN GENERAL.—Subchapter IV of chapter 87
19 of title 10, United States Code, is amended by add-
20 ing at the end the following new section:

21 **“§ 1749. Public-private exchange program for the ac-**
22 **quisition workforce**

23 “(a) ASSIGNMENT AUTHORITY.—(1) The Secretary
24 may, by rule, establish a program to be known as the
25 ‘Public-Private Exchange Program for the Acquisition

1 Workforce’ to temporarily assign a member of the acquisi-
2 tion workforce to a private-sector organization or an em-
3 ployee of a private-sector organization to the Department
4 of Defense if—

5 “(A) pursuant to an agreement between the
6 Secretary, the private-sector organization, and the
7 individual to be temporarily assigned described in
8 subsection (b); and

9 “(B) with the consent of the individual to be
10 temporarily assigned.

11 “(2) Members of the acquisition workforce are eligible
12 for a temporary assignment under this section as follows:

13 “(A) Civilians in any of grades GS–12 through
14 GS–15 under the General Schedule or, for employees
15 participating in the demonstration project under sec-
16 tion 1762 of this title, the equivalent.

17 “(B) Members of the armed forces serving in
18 any of pay grades O–3 through O–6.

19 “(3) A private-sector organization shall not be consid-
20 ered to have a conflict of interest with the Department
21 of Defense solely because of participation in the program
22 established under this section.

23 “(b) AGREEMENTS.—(1) An agreement entered into
24 under this section shall include the following:

1 “(A) The terms and conditions of a temporary
2 assignment.

3 “(B) In the case of an agreement for the tem-
4 porary assignment of a member of the acquisition
5 workforce, a requirement that the member of the ac-
6 quisition workforce, upon completion of the tem-
7 porary assignment, will—

8 “(i) if a member of the armed forces, serve
9 in the armed forces for a period equal to twice
10 the length of the temporary assignment (in ad-
11 dition to any other period of obligated service);
12 or

13 “(ii) if a civilian, serve in the Department
14 of Defense, or elsewhere in the civil service if
15 approved by the Secretary, for a period equal to
16 twice the length of the temporary assignment.

17 “(C) A provision that if the individual to be
18 temporarily assigned fails to carry out the agree-
19 ment, such individual shall be liable to the United
20 States for payment of all expenses of the assign-
21 ment, unless that failure was for good and sufficient
22 reason, as determined by the Secretary of Defense.

23 “(D) In the case of an agreement for the tem-
24 porary assignment of a member of the acquisition
25 workforce, language ensuring that such member of

1 the acquisition workforce does not improperly use
2 pre-decisional or draft deliberative information that
3 such member may be privy to or aware of related to
4 Department programing, budgeting, resourcing, ac-
5 quisition, or procurement for the benefit or advan-
6 tage of the private-sector organization.

7 “(2) An amount for which an individual is liable
8 under paragraph (1)(C) shall be treated as a debt due the
9 United States.

10 “(3) The Secretary may waive, in whole or in part,
11 collection of a debt described in paragraph (2) based on
12 a determination that the collection would be against equity
13 and good conscience and not in the best interests of the
14 United States, after taking into account any indication of
15 fraud, misrepresentation, fault, or lack of good faith on
16 the part of the individual who is liable for the debt.

17 “(c) TERMINATION.—An assignment under this sec-
18 tion may, at any time and for any reason, be terminated
19 by the Department of Defense or the private-sector orga-
20 nization concerned.

21 “(d) DURATION.—(1) Except as provided in para-
22 graph (2), an assignment under this section shall be for
23 a period of not more than two years, renewable up to a
24 total of four years.

1 “(2) An assignment under this section may be for a
2 period in excess of two years, but not more than four
3 years, if the Secretary determines that such assignment
4 is necessary to meet critical mission or program require-
5 ments.

6 “(3) A member of the acquisition workforce may not
7 be assigned under this section for more than a total of
8 four years inclusive of all such assignments.

9 “(e) STATUS OF INDIVIDUALS ASSIGNED TO PRI-
10 VATE-SECTOR ORGANIZATIONS.—(1) A member of the ac-
11 quisition workforce who is assigned to a private-sector or-
12 ganization under this section shall be considered, during
13 the period of assignment, to be on detail to a regular duty
14 or work assignment, as applicable, in the Department for
15 all purposes.

16 “(2) In the case of a civilian member of the acqui-
17 sition workforce, the written agreement established under
18 subsection (b)(1)—

19 “(A) shall address the specific terms and condi-
20 tions related to the civilian member’s continued sta-
21 tus as a Federal employee; and

22 “(B) in the case of an assignment of nine
23 months or longer, shall provide that, if the civilian
24 member successfully completes the assignment (as
25 determined by the Secretary), the civilian member

1 shall be eligible for consideration for placement in a
2 new position under programs of the Department of
3 Defense providing priority placement to certain em-
4 ployees.

5 “(3) With respect to an assignment of a member of
6 the acquisition workforce under this section, the Sec-
7 retary—

8 “(A) may, in the case of a civilian member of
9 the acquisition workforce, provide for the perform-
10 ance, during the member’s absence, of the normal
11 duties and functions of that member by making a
12 temporary or term appointment under general civil
13 service authorities for such appointments;

14 “(B) shall ensure that the normal duties and
15 functions of the civilian member of the acquisition
16 workforce described in subparagraph (A) can be rea-
17 sonably performed by other personnel of the Depart-
18 ment of Defense without the permanent transfer or
19 permanent reassignment of other personnel of the
20 Department of Defense, including members of the
21 armed forces;

22 “(C) shall ensure that the normal duties and
23 functions of the acquisition workforce member are
24 not, as a result of and during the course of such
25 temporary assignment, performed or augmented by

1 contractor personnel in violation of the provisions of
2 section 2461 of this title; and

3 “(D) shall certify that the temporary assign-
4 ment of the acquisition workforce member will not
5 have an adverse or negative impact on mission at-
6 tainment, warfighter support, or organizational ca-
7 pabilities associated with the assignment.

8 “(f) TERMS AND CONDITIONS FOR PRIVATE-SECTOR
9 EMPLOYEES.—An employee of a private-sector organiza-
10 tion who is assigned to a Department of Defense organiza-
11 tion under this section—

12 “(1) shall continue to receive pay and benefits
13 from the private-sector organization from which such
14 employee is assigned and shall not receive pay or
15 benefits from the Department of Defense, except as
16 provided in paragraph (2);

17 “(2) is deemed to be an employee of the De-
18 partment of Defense for the purposes of—

19 “(A) chapters 73 and 81 of title 5;

20 “(B) sections 201, 203, 205, 207, 208,
21 209, 603, 606, 607, 643, 654, 1905, and 1913
22 of title 18;

23 “(C) sections 1343, 1344, and 1349(b) of
24 title 31;

1 “(D) the Federal Tort Claims Act and any
2 other Federal tort liability statute;

3 “(E) the Ethics in Government Act of
4 1978; and

5 “(F) chapter 21 of title 41;

6 “(3) shall not have access to any trade secrets
7 or to any other nonpublic information which is of
8 commercial value to the private-sector organization
9 from which such employee is assigned;

10 “(4) may perform work that is considered in-
11 herently governmental in nature only when requested
12 in writing by the Secretary of Defense; and

13 “(5) may not be used to circumvent the provi-
14 sion of section 2461 of this title nor to circumvent
15 any limitation or restriction on the size of the De-
16 partment’s workforce.

17 “(g) PROHIBITION AGAINST CHARGING CERTAIN
18 COSTS TO THE FEDERAL GOVERNMENT.—A private-sec-
19 tor organization may not charge the Department or any
20 other agency of the Federal Government, as direct or indi-
21 rect costs under a Federal contract, the costs of pay or
22 benefits paid by the organization to an employee assigned
23 to a Department organization under this section for the
24 period of the assignment.

1 “(h) CONSIDERATION OF TRAINING NEEDS FOR
2 MEMBERS OF THE ACQUISITION WORKFORCE.—In car-
3 rying out this section, the Secretary of Defense shall take
4 into consideration how assignments under this section
5 might best be used to help meet the needs of the Depart-
6 ment of Defense with respect to the training of members
7 of the acquisition workforce.

8 “(i) FUNDING; USE OF DEFENSE ACQUISITION
9 WORKFORCE DEVELOPMENT FUND.—Funds for the ex-
10 penses for the program established under this section shall
11 be provided from amounts in the Department of Defense
12 Acquisition Workforce Development Fund. Expenses for
13 the program include—

14 “(1) notwithstanding section 1705(e)(5) of this
15 title, the base salary of a civilian member of the ac-
16 quisition workforce assigned to a private-sector orga-
17 nization under this section, during the period of that
18 assignment;

19 “(2) expenses relating to assignment under this
20 section of a member of the acquisition workforce
21 away from the member’s regular duty station, in-
22 cluding expenses for travel, per diem, and lodging;
23 and

24 “(3) expenses for the administration of the pro-
25 gram.”.

1 (2) CLERICAL AMENDMENT.—The table of sec-
2 tions at the beginning of such subchapter is amend-
3 ed by adding at the end the following new item:

“1749. Public-private exchange program for the acquisition workforce.”.

4 (b) USE OF DEFENSE ACQUISITION WORKFORCE
5 DEVELOPMENT FUND.—Section 1705(e)(1) of such title
6 is amended by adding at the end the following new sub-
7 paragraph:

8 “(C) Amounts in the Fund shall be used to
9 pay the expenses of the Public-Private Ex-
10 change Program for the Acquisition Workforce
11 under section 1749 of this title.”.

12 (c) ACQUISITION WORKFORCE EMPLOYEES EX-
13 CLUDED FROM PUBLIC-PRIVATE TALENT EXCHANGE.—

14 (1) IN GENERAL.—Section 1599g of such title
15 is amended by adding at the end the following new
16 subsection:

17 “(i) ACQUISITION WORKFORCE EM-
18 PLOYEES.—An employee of the Depart-
19 ment of Defense who is eligible for the
20 Public-Private Exchange Program for the
21 Acquisition Workforce under section 1749
22 of this title is not eligible for an assign-
23 ment under this section.”.

24 (2) APPLICABILITY.—Subsection (i) of section
25 1599g of title 10, United States Code, as added by

1 paragraph (1), shall not apply to an employee of the
2 Department of Defense who entered into an agree-
3 ment under that section before the date of the enact-
4 ment of this Act.

5 **SEC. 843. INCENTIVES AND CONSIDERATION FOR QUALI-**
6 **FIED TRAINING PROGRAMS.**

7 (a) IN GENERAL.—

8 (1) Chapter 141 of title 10, United States
9 Code, is amended by inserting after section 2409 the
10 following new section:

11 **“§ 2409a. Incentives and consideration for qualified**
12 **training programs**

13 “(a) INCENTIVES.—The Secretary of Defense shall
14 develop workforce development investment incentives for
15 a contractor that implements a qualified training program
16 to develop the workforce of the contractor in a manner
17 consistent with the needs of the Department of Defense.

18 “(b) CONSIDERATION OF QUALIFIED TRAINING PRO-
19 GRAMS.—The Secretary of Defense shall revise the De-
20 partment of Defense Supplement to the Federal Acquisi-
21 tion Regulation to require that the system used by the
22 Federal Government to monitor or record contractor past
23 performance includes an analysis of the availability, qual-
24 ity, and effectiveness of a qualified training program of

1 an offeror as part of the past performance rating of such
2 offeror.

3 “(c) QUALIFIED TRAINING PROGRAM DEFINED.—
4 The term ‘qualified training program’ means any of the
5 following:

6 “(1) A program eligible to receive funds under
7 the Workforce Innovation and Opportunity Act (29
8 U.S.C. 3101 et seq.).

9 “(2) A program eligible to receive funds under
10 the Carl D. Perkins Career and Technical Education
11 Act of 2006 (20 U.S.C. 2301 et seq.).

12 “(3) A program registered under the Act of Au-
13 gust 16, 1937 (commonly known as the ‘National
14 Apprenticeship Act’; Stat. 664, chapter 663; 29
15 U.S.C. 50 et seq.).

16 “(4) Any other program determined to be a
17 qualified training program for purposes of this sec-
18 tion, and that meets the workforce needs of the De-
19 partment of Defense, as determined by the Secretary
20 of Defense.”.

21 (2) CLERICAL AMENDMENT.—The table of sec-
22 tions at the beginning of such chapter is amended
23 by inserting after the item relating to section 2409
24 the following new item:

“2409a. Incentives and consideration for qualified training programs.”.

1 **SEC. 844. CERTIFICATION BY PROSPECTIVE MILITARY CON-**
2 **STRUCTION CONTRACTORS OF GOOD FAITH**
3 **EFFORT TO UTILIZE QUALIFIED APPREN-**
4 **TICES.**

5 (a) REQUIREMENTS.—Subchapter III of chapter 169
6 of title 10, United States Code, is amended by adding at
7 the end the following new section:

8 **“§ 2870. Utilization of qualified apprentices by mili-**
9 **tary construction contractors**

10 “(a) CERTIFICATION REQUIRED.—(1) The Secretary
11 of Defense shall require each prospective contractor on a
12 military construction project to certify to the Secretary
13 that, if awarded a contract for the project, the prospective
14 contractor will make a good faith effort to meet or exceed
15 the apprenticeship employment goal on such project.

16 “(2) If a prospective contractor fails to certify as re-
17 quired by paragraph (1), the Secretary may not determine
18 such prospective contractor to be a responsible contractor.

19 “(b) APPRENTICESHIP EMPLOYMENT GOAL.—

20 “(1) IN GENERAL.—In this section, the term
21 ‘apprenticeship employment goal’ means the utiliza-
22 tion of qualified apprentices as not less than 20 per-
23 cent of the total workforce employed in an
24 apprenticeable occupation (as determined by the
25 Secretary of Labor).

1 “(2) QUALIFIED APPRENTICE.—In paragraph
2 (1), the term ‘qualified apprentice’ means an em-
3 ployee participating in an apprenticeship program
4 that is registered with—

5 “(A) the Office of Apprenticeship of the
6 Employment Training Administration of the
7 Department of Labor pursuant to the Act of
8 August 16, 1937 (popularly known as the ‘Na-
9 tional Apprenticeship Act’; 29 U.S.C. 50 et
10 seq.); or

11 “(B) a State apprenticeship agency recog-
12 nized by such Office of Apprenticeship pursuant
13 to such Act.

14 “(c) CONSIDERATION OF APPRENTICESHIP EMPLOY-
15 MENT GOAL.—The Secretary of Defense shall revise the
16 Defense Supplement to the Federal Acquisition Regula-
17 tion to require that the system used by the Federal Gov-
18 ernment to monitor or record contractor past performance
19 includes an analysis of whether the contractor has made
20 a good faith effort to meet or exceed the apprenticeship
21 employment goal, including consideration of actual utiliza-
22 tion by the contractor of qualified apprentices, as part of
23 the past performance rating of such contractor.

24 “(d) INCENTIVES.—The Secretary of Defense shall
25 develop incentives for prospective contractors on military

1 construction projects to meet or exceed the apprenticeship
2 employment goal.”.

3 (b) CLERICAL AMENDMENT.—The table of sections
4 at the beginning of subchapter III of chapter 169 of title
5 10, United States Code, is amended by adding at the end
6 the following new item:

“2870. Utilization of qualified apprentices by military construction contrac-
tors.”.

7 (c) APPLICABILITY.—The amendments made by this
8 section shall apply with respect to contracts awarded on
9 or after the date that is 180 days after the date of the
10 enactment of this Act.

11 **Subtitle D—Provisions Relating to** 12 **Acquisition Security**

13 **SEC. 851. SUPPLY CHAIN SECURITY OF CERTAIN TELE-** 14 **COMMUNICATIONS AND VIDEO SURVEIL-** 15 **LANCE SERVICES OR EQUIPMENT.**

16 (a) ASSESSMENT.—The Secretary of Defense, in con-
17 sultation with the Federal Acquisition Security Council
18 (established under section 1322 of title 41, United States
19 Code) and the Director of the Office of Management and
20 Budget, shall conduct a comprehensive assessment of—

21 (1) Department of Defense policies relating to
22 covered equipment and services;

23 (2) covered equipment and services acquired or
24 to be acquired for the Department; and

1 (3) systems of covered contractors to ensure the
2 security of the supply chains of such covered con-
3 tractor.

4 (b) PURPOSE.—The assessment described in sub-
5 section (a) shall include—

6 (1) an identification of instances in which the
7 Federal Acquisition Security Council has identified
8 supply chain risks (as defined in section 4713(k) of
9 title 41, United States Code) that are specific to the
10 defense industrial base and other threat assessments
11 related to the procurement of covered articles (as de-
12 fined in such section);

13 (2) an identification of and suggestions for
14 guidance on the process of debarment and suspen-
15 sion (including debarment and suspension for non-
16 procurement programs and activities) of covered
17 contractors to address supply chain risks relating to
18 acquisitions for the Department of Defense, includ-
19 ing acquisitions involving other executive agencies;
20 and

21 (3) an identification of steps that could be
22 taken to address situations identified under para-
23 graphs (1) and (2) through the Interagency Suspen-
24 sion and Debarment Committee established under
25 Executive Order No. 12549 (51 Fed. Reg. 6370).

1 (c) ACTIONS FOLLOWING ASSESSMENT.—Not later
2 than 180 days after the date of the enactment of this Act,
3 the Secretary shall, based on the results of the assessment
4 required by subsection (a)—

5 (1) issue or revise guidance to ensure any entity
6 within the Department of Defense that procures cov-
7 ered equipment and services implements a risk-based
8 approach with respect to such a procurement that
9 addresses—

10 (A) requirements for training personnel;

11 (B) the process for making sourcing deci-
12 sions;

13 (C) with respect to a procurement of tele-
14 communications equipment or video surveillance
15 equipment, assurances relating to the
16 traceability of parts of such equipment;

17 (D) the process for reporting suspect cov-
18 ered equipment and services; and

19 (E) corrective actions for the acquisition of
20 suspect covered equipment and services (includ-
21 ing actions to recover costs as described in sub-
22 section (d)(2));

23 (2) issue or revise guidance to ensure that re-
24 medial actions, including debarment or suspension,
25 are taken with respect to a covered contractor who

1 has failed to detect and avoid suspect covered equip-
2 ment and services or otherwise failed to exercise due
3 diligence in the detection and avoidance of such sus-
4 pect covered equipment and services;

5 (3) establish a process for ensuring that a De-
6 partment of Defense employee provide a written re-
7 port to the appropriate Government authorities and
8 the Government-Industry Data Exchange Program
9 (or a similar program designated by the Secretary)
10 not later than 60 days after such an employee be-
11 comes aware, or has reason to suspect that—

12 (A) any end item, component, part, or ma-
13 terial contained in supplies purchased by or for
14 the Department contains suspect covered equip-
15 ment and services; or

16 (B) a covered contractor has provided sus-
17 pect covered equipment and services; and

18 (4) establish a process for analyzing, assessing,
19 and acting on reports of suspect covered equipment
20 and services that are submitted in accordance with
21 paragraph (3).

22 (d) REGULATIONS.—

23 (1) IN GENERAL.—Not later than 270 days
24 after the date of the enactment of this Act, the Sec-
25 retary shall revise the Department of Defense Sup-

1 plement to the Federal Acquisition Regulation to ad-
2 dress the detection and avoidance of suspect covered
3 equipment and services.

4 (2) CONTRACTOR RESPONSIBILITIES.—The re-
5 vised regulations issued pursuant to paragraph (1)
6 shall provide that—

7 (A) covered contractors who supply covered
8 equipment or services are responsible for detect-
9 ing and avoiding the use or inclusion of suspect
10 covered equipment or services and for any con-
11 tract modification or corrective action that may
12 be required to remedy the use or inclusion of
13 such suspect covered equipment or services; and

14 (B) the cost of suspect covered equipment
15 or services and the cost of contract modification
16 or corrective action that may be required to
17 remedy the use or inclusion of such suspect cov-
18 ered equipment or services are not allowable
19 costs under defense contracts, unless—

20 (i) the covered contractor has an oper-
21 ational system to detect and avoid suspect
22 covered equipment or services that has
23 been reviewed and approved by the Sec-
24 retary pursuant to subsection (e)(2)(B);

1 (ii) suspect covered equipment or serv-
2 ices were provided to the covered con-
3 tractor as Government property in accord-
4 ance with part 45 of the Federal Acquisi-
5 tion Regulation or were obtained by the
6 covered contractor in accordance with reg-
7 ulations described in paragraph (3); and

8 (iii) the covered contractor discovers
9 the suspect covered equipment or services
10 and provides timely notice to the Govern-
11 ment pursuant to paragraph (4).

12 (3) REQUIREMENTS FOR SUPPLIERS.—The re-
13 vised regulations issued pursuant to paragraph (1)
14 shall—

15 (A) require that covered contractors obtain
16 covered equipment or services—

17 (i) from the original manufacturers of
18 the equipment or their authorized dealers,
19 or from suppliers that meet requirements
20 of subparagraph (C) or (D) and, with re-
21 spect to suppliers of telecommunications
22 equipment or video surveillance equipment,
23 that obtain such equipment exclusively
24 from the original manufacturers of the

1 parts of such equipment or their author-
2 ized dealers; and

3 (ii) that are not in production or cur-
4 rently available in stock from suppliers
5 that meet requirements of subparagraph
6 (C) or (D);

7 (B) establish requirements for notification
8 of the Department, and for inspection, testing,
9 and authentication of covered equipment and
10 services that covered contractor obtains from an
11 alternate supplier;

12 (C) establish qualification requirements,
13 consistent with the requirements of section
14 2319 of title 10, United States Code, pursuant
15 to which the Secretary may identify suppliers
16 that have appropriate policies and procedures in
17 place to detect and avoid suspect covered equip-
18 ment and services; and

19 (D) authorize covered contractors to iden-
20 tify and use suppliers that meet qualification
21 requirements, provided that—

22 (i) the standards and processes for
23 identifying such suppliers comply with es-
24 tablished industry standards; and

1 (ii) the selection of such suppliers is
2 subject to review, audit, and approval by
3 appropriate Department of Defense offi-
4 cials.

5 (4) REPORTING REQUIREMENT.—The revised
6 regulations issued pursuant to paragraph (1) shall
7 require that any covered contractor provide a written
8 report to the appropriate Government authorities
9 and the Government-Industry Data Exchange Pro-
10 gram (or a similar program designated by the Sec-
11 retary) not later than 60 days after such covered
12 contractor becomes aware, or has reason to suspect
13 that—

14 (A) any end item, component, part, or ma-
15 terial contained in supplies purchased by or for
16 the Department contains suspect covered equip-
17 ment and services; or

18 (B) a supplier of a covered contractor has
19 provided suspect covered equipment and serv-
20 ices.

21 (e) IMPROVEMENT OF CONTRACTOR SYSTEMS FOR
22 DETECTION AND AVOIDANCE OF SUSPECT COVERED
23 EQUIPMENT AND SERVICES.—

24 (1) IN GENERAL.—Not later than 270 days
25 after the date of the enactment of this Act, the Sec-

1 retary shall implement a program to enhance the de-
2 tection and avoidance of the acquisition of suspect
3 covered equipment and services by covered contrac-
4 tors.

5 (2) ELEMENTS.—The program implemented
6 pursuant to paragraph (1) shall—

7 (A) require covered contractors to establish
8 policies and procedures to eliminate suspect
9 covered equipment and services from the de-
10 fense supply chain, which policies and proce-
11 dures shall address—

12 (i) the training of personnel; and

13 (ii) with respect to a procurement of
14 telecommunications equipment or video
15 surveillance equipment, the inspection and
16 testing of related materials and mecha-
17 nisms to enable traceability of parts of
18 such equipment; and

19 (B) establish processes for the review and
20 approval of contractor systems for the detection
21 and avoidance of the acquisition of suspect cov-
22 ered equipment and services by covered contrac-
23 tors, which processes shall be comparable to the
24 processes established for contractor business
25 systems under section 893 of the Ike Skelton

1 National Defense Authorization Act for Fiscal
2 Year 2011 (Public Law 111–383; 124 Stat.
3 4311; 10 U.S.C. 2302 note).

4 (f) RULE OF CONSTRUCTION.—Nothing in this sec-
5 tion shall be construed to prohibit the Secretary from en-
6 tering into a contract with a covered contractor to provide
7 a service that connects to the facilities of a third party,
8 such as backhaul, roaming, or interconnection arrange-
9 ments.

10 (g) REPORT TO CONGRESS.—Not later than 180 days
11 after completing the assessment required under subsection
12 (a), the Secretary shall submit to the congressional de-
13 fense committees a report on the results of the assessment
14 and the actions taken following the assessment pursuant
15 to subsection (c).

16 (h) DEFINITIONS.—In this section:

17 (1) COVERED EQUIPMENT AND SERVICES.—The
18 term “covered equipment and services” means tele-
19 communications equipment, telecommunications
20 services, video surveillance equipment, and video sur-
21 veillance services manufactured or controlled by an
22 entity for which the principal place of business of
23 such entity is located in foreign country that is an
24 adversary of the United States, but does not include
25 telecommunications equipment or video surveillance

1 equipment (other than optical transmission compo-
2 nents) that cannot route or redirect user data traffic
3 or permit visibility into any user data or packets
4 that such equipment transmits or otherwise handles.

5 (2) COVERED CONTRACTOR.—The term “cov-
6 ered contractor” means a contractor or subcon-
7 tractor (at any tier) that supplies covered equipment
8 and services to the Department of Defense.

9 (3) EXECUTIVE AGENCY.—The term “executive
10 agency” has the meaning given in section 133 of
11 title 41, United States Code.

12 (4) SECRETARY.—The term “Secretary” means
13 the Secretary of Defense.

14 (5) SUSPECT COVERED EQUIPMENT AND SERV-
15 ICES.—The term “suspect covered equipment and
16 services” means covered equipment and services that
17 is from any source, or that is a covered article, sub-
18 ject to an exclusion order or removal order under
19 section 1323(c) of title 41, United States Code.

20 **SEC. 852. ASSURED SECURITY AGAINST INTRUSION ON**
21 **UNITED STATES MILITARY NETWORKS.**

22 (a) PROHIBITION.—Except as provided in this sec-
23 tion, the Secretary of Defense shall only award contracts
24 for the procurement of telecommunications equipment and
25 services for national security installations in territories of

1 the United States located in the Pacific Ocean to allowed
2 contractors.

3 (b) EXCEPTION.—Subsection (a) shall not apply to
4 contracts for the procurement of telecommunications
5 equipment and services that—

6 (1) do not process or carry any information
7 about the operations of the Armed Forces of the
8 United States or otherwise concern the national se-
9 curity of the United States; or

10 (2) cannot route or redirect user data traffic or
11 permit visibility into any user data or packets that
12 such services or facilities transmit or otherwise han-
13 dle.

14 (c) WAIVER.—The Secretary of Defense may waive
15 the restriction of subsection (a) upon a written determina-
16 tion that such a waiver is in the national security interests
17 of the United States and either—

18 (1) a contractor that is not an allowed con-
19 tractor would not have the ability to track, record,
20 listen, or otherwise access data or voice communica-
21 tions of the Department of Defense through the pro-
22 vision of the telecommunications equipment or serv-
23 ices; or

1 (2) a qualified allowed contractor is not avail-
2 able to perform the contract at a fair and reasonable
3 price.

4 (d) DEFINITIONS.—In this section:

5 (1) ALLOWED CONTRACTOR.—The term “al-
6 lowed contractor” means an entity (including any af-
7 filiates or subsidiaries) that is a contractor or sub-
8 contractor (at any tier)—

9 (A) for which the principal place of busi-
10 ness of such entity is located in the United
11 States or in a foreign country that is not an ad-
12 versary of the United States; and

13 (B) that does not have significant connec-
14 tions, including ownership interests in, or joint
15 ventures with, any entity identified in para-
16 graph (f)(3) of section 889 of the John S.
17 McCain National Defense Authorization Act for
18 Fiscal Year 2019 (Public Law 115–232; 132
19 Stat. 1918; 41 U.S.C. 3901 note).

20 (2) NATIONAL SECURITY INSTALLATION.—The
21 term “national security installation” means any fa-
22 cility operated by the Department of Defense.

1 **SEC. 853. REVISED AUTHORITIES TO DEFEAT ADVERSARY**
2 **EFFORTS TO COMPROMISE UNITED STATES**
3 **DEFENSE CAPABILITIES.**

4 (a) SENSE OF CONGRESS.—Congress finds that to
5 comprehensively address the supply chain vulnerabilities
6 of the Department of Defense, defense contractors must
7 be incentivized to prioritize security in a manner which
8 exceeds basic compliance with mitigation practices relating
9 to cybersecurity risk and supply chain security standards.
10 Defense contractors can no longer pass unknown risks on
11 to the Department of Defense but should be provided with
12 the tools to meet the needs of the Department with respect
13 to cybersecurity risk and supply chain security. Incentives
14 for defense contractors will help stimulate efforts within
15 the defense industrial base to minimize vulnerabilities in
16 hardware, software, and supply chain services. The De-
17 partment of Defense must develop policies and regulations
18 that move security from a cost that defense contractors
19 seek to minimize to a key consideration in the award of
20 contracts, equal in importance to cost, schedule, and per-
21 formance. The Department of Defense must also develop
22 policies to assist small- and medium-sized manufacturers
23 that provide goods or services in the supply chain for the
24 Department to adopt robust cybersecurity standards.

25 (b) INCLUSION OF SECURITY AS PRIMARY PURPOSE
26 FOR THE DEPARTMENT OF DEFENSE ACQUISITION.—

1 (1) IN GENERAL.—Not later than 180 days
2 after the date of the enactment of this Act, the Sec-
3 retary of Defense shall the revise the statement of
4 purpose in the Defense Federal Acquisition Regula-
5 tion Supplement added by section 801(3) of the Na-
6 tional Defense Authorization Act for Fiscal Year
7 2018 (Public Law 115–91; 131 Stat. 1449; U.S.C.
8 2302 note) to include the security of goods acquired
9 by the Department of Defense as one of the primary
10 objectives of Department of Defense acquisition. The
11 Secretary shall revise applicable Department of De-
12 fense Instructions, regulations, and directives to im-
13 plement the inclusion of security as a primary pur-
14 pose of Department of Defense acquisition.

15 (2) CONGRESSIONAL NOTIFICATION.—The Sec-
16 retary shall submit to the congressional defense com-
17 mittees—

18 (A) not later than 60 days before issuing
19 the revisions described in paragraph (1), the
20 proposed revisions; and

21 (B) not later than 180 days after the date
22 of the enactment of this Act, recommendations
23 for legislative action to implement the revisions
24 described in this subsection.

1 (3) CONSULTATION.—The Secretary of Defense
2 shall consult with the Director of the Hollings Man-
3 ufacturing Extension Partnership (established under
4 section 25 of the National Institute of Standards
5 and Technology Act (15 U.S.C. 278k)) to provide
6 education, guidance, and technical assistance to
7 strengthen the cybersecurity of small- and medium-
8 sized manufacturers that provide goods or services
9 in the supply chain for the Department of Defense.

10 (c) CERTIFICATION OF RISK.—

11 (1) IN GENERAL.—Before making a milestone
12 decision with respect to a major defense acquisition
13 program (as defined under section 2430 of title 10,
14 United States Code), a major automated information
15 system, or major system (as defined under section
16 2302d of title 10, United States Code), the vice
17 chief of the Armed Force concerned shall issue a
18 written assessment to the Vice Chief of the Joint
19 Chiefs of Staff and the head of the Defense Acquisi-
20 tion Board stating the determination made by the
21 vice chief of the armed force concerned of the risk
22 to the supply chain associated with the procurement.
23 Such assessment shall include—

1 (A) a description of actions taken to miti-
2 gate potential vulnerabilities associated with the
3 procurement; and

4 (B) a certification from the Secretary of
5 the military department concerned or the Vice
6 Chief of the Joint Chief of Staff (as appro-
7 priate) that the procurement will not interfere
8 with the operations of the military department
9 conducting the procurement.

10 (2) AVAILABILITY TO THE CONGRESSIONAL DE-
11 FENSE COMMITTEES.—Upon request, the vice chief
12 of the Armed Force concerned shall make available
13 to the congressional defense committees a certifi-
14 cation required under paragraph (1), along with the
15 data on which such certification is based, not later
16 than 15 days after the submission of a request.

17 (d) DISPUTES RELATING TO ACQUISITIONS DECI-
18 SIONS.—The Under Secretary of Defense for Intelligence,
19 the Vice Chairman of the Joint Chiefs of Staff, the Vice
20 Chief of Staff of the Army, the Vice Chief of Naval Oper-
21 ations, the Vice Chief of Staff of the Air Force, and the
22 Assistant Commandant of the Marine Corps shall each
23 have the authority to submit to the Secretary of Defense
24 a written statement of dispute relating to a decision made
25 by the Defense Acquisition Board with respect to an ac-

1 quisation. A dispute submitted under this subsection shall
2 include any reason why the decision fails to effectively ad-
3 dress concerns regarding the item to be acquired.

4 **SEC. 854. PROHIBITION ON OPERATION OR PROCUREMENT**
5 **OF FOREIGN-MADE UNMANNED AIRCRAFT**
6 **SYSTEMS.**

7 (a) PROHIBITION ON AGENCY OPERATION OR PRO-
8 CUREMENT.—The Secretary of Defense may not operate
9 or enter into or renew a contract for the procurement of—

10 (1) a covered unmanned aircraft system that—

11 (A) is manufactured in a covered foreign
12 country or by an entity domiciled in a covered
13 foreign country;

14 (B) uses flight controllers, radios, data
15 transmission devices, cameras, or gimbals man-
16 ufactured in a covered foreign country or by an
17 entity domiciled in a covered foreign country;

18 (C) uses a ground control system or oper-
19 ating software developed in a covered foreign
20 country or by an entity domiciled in a covered
21 foreign country; or

22 (D) uses network connectivity or data stor-
23 age located in or administered by an entity
24 domiciled in a covered foreign country; or

1 (2) a system manufactured in a covered foreign
2 country or by an entity domiciled in a covered for-
3 eign country for the detection or identification of
4 covered unmanned aircraft systems.

5 (b) WAIVER.—The Secretary of Defense may waive
6 the restriction under subsection (a) on a case by case basis
7 by certifying in writing to the congressional defense com-
8 mittees that—

9 (1) the operation or procurement is required in
10 the national interest of the United States;

11 (2) counter-UAS surrogate testing and training;
12 or

13 (3) intelligence, electronic warfare, and infor-
14 mation warfare operations, testing, analysis, and
15 training.

16 (c) DEFINITIONS.—In this section:

17 (1) COVERED FOREIGN COUNTRY.—The term
18 “covered foreign country” means a country labeled
19 as a strategic competitor in the “Summary of the
20 2018 National Defense Strategy of the United
21 States of America: Sharpening the American Mili-
22 tary’s Competitive Edge” issued by the Department
23 of Defense pursuant to section 113 of title 10,
24 United States Code.

1 (2) COVERED UNMANNED AIRCRAFT SYSTEM.—

2 The term “covered unmanned aircraft system”
3 means an unmanned aircraft system and any related
4 services and equipment.

5 **SEC. 855. SUPPLY CHAIN RISK MITIGATION POLICIES TO BE**
6 **IMPLEMENTED THROUGH REQUIREMENTS**
7 **GENERATION PROCESS.**

8 (a) PROCESS FOR ENHANCED SUPPLY CHAIN SCRU-
9 TINY.—Section 807(b) of the National Defense Authoriza-
10 tion Act for Fiscal Year 2018 (Public Law 115–91; 131
11 Stat. 1456; 10 U.S.C. 2302 note) is amended—

12 (1) by redesignating paragraphs (5) through
13 (9) as paragraphs (6) through (10), respectively;
14 and

15 (2) by inserting after paragraph (4) the fol-
16 lowing new paragraph:

17 “(5) Development of tools for implementing
18 supply chain risk management policies during the
19 generation of requirements for a contract.”.

20 (b) TECHNICAL AMENDMENT.—Subsection (a) of
21 such section is amended by striking “Not later than” and
22 all that follows through “the Secretary” and inserting
23 “The Secretary”.

24 (c) EFFECTIVE DATE.—Not later than 90 days after
25 the date of the enactment of this Act, the Secretary of

1 Defense shall revise the process established under section
2 807 of the National Defense Authorization Act for Fiscal
3 Year 2018 (Public Law 115–91; 10 U.S.C. 2302 note) to
4 carry out the requirements of this section.

5 **Subtitle E—Provisions Relating to**
6 **the Acquisition System**

7 **SEC. 861. MODIFICATIONS TO THE DEFENSE ACQUISITION**
8 **SYSTEM.**

9 (a) GUIDANCE, REPORTS, AND LIMITATION ON THE
10 AVAILABILITY OF FUNDS RELATING TO COVERED DE-
11 FENSE BUSINESS SYSTEMS.—

12 (1) AMENDMENTS TO GUIDANCE FOR COVERED
13 DEFENSE BUSINESS SYSTEMS.—Section 2222(d) of
14 title 10, United States Code, is amended—

15 (A) in the matter preceding paragraph (1),
16 by striking “subsection (c)(1)” and inserting
17 “subsection (c)”; and

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

20 “(7) Policy to ensure a covered defense business
21 system is in compliance with the Department’s
22 auditability requirements.

23 “(8) Policy to ensure approvals required for the
24 development of a covered defense business system.”.

25 (2) REPORTS.—

1 (A) GUIDANCE.—The Secretary of Defense
2 shall submit to the congressional defense com-
3 mittees (as defined in section 101(a)(16) of title
4 10, United States Code) a report—

5 (i) not later than December 31, 2019,
6 that includes the guidance required under
7 paragraph (1) of section 2222(c) of title
8 10, United States Code; and

9 (ii) not later than March 31, 2020,
10 that includes the guidance required under
11 paragraph (2) of such section.

12 (B) INFORMATION TECHNOLOGY ENTER-
13 PRISE ARCHITECTURE.—Not later than Decem-
14 ber 31, 2019, the Chief Information Officer of
15 the Department of Defense shall submit to the
16 congressional defense committees the informa-
17 tion technology enterprise architecture devel-
18 oped under section 2222(e)(4)(B) of title 10,
19 United States Code, which shall include the
20 plan for improving the information technology
21 and computing infrastructure described in such
22 section and a schedule for implementing the
23 plan.

24 (C) DEFENSE BUSINESS ENTERPRISE AR-
25 CHITECTURE.—Not later than March 31, 2020,

1 the Chief Management Officer of the Depart-
2 ment of Defense and the Chief Information Of-
3 ficer of the Department of Defense shall jointly
4 submit to the congressional defense committees
5 a plan and schedule for integrating the defense
6 business enterprise architecture developed
7 under subsection (e) of section 2222 of title 10,
8 United States Code, into the information tech-
9 nology enterprise architecture, as required
10 under paragraph (4)(A) of such subsection.

11 (3) LIMITATION.—

12 (A) Of the funds authorized to be appro-
13 priated by this Act or otherwise made available
14 for fiscal year 2020 for the Department of De-
15 fense, not more than 75 percent may be obli-
16 gated or expended for the Office of the Sec-
17 retary of Defense after December 31, 2019,
18 until the date on which the Secretary of De-
19 fense submits the report required under sub-
20 section (b)(1)(A).

21 (B) Of the funds authorized to be appro-
22 priated by this Act or otherwise made available
23 for fiscal year 2020 for the Department of De-
24 fense, not more than 75 percent may be obli-
25 gated or expended for the Office of the Deputy

1 Chief Management Officer, the Office of the
2 Under Secretary of Defense for Acquisition and
3 Sustainment, the Office of the Chief Informa-
4 tion Officer, and the Office of the Chief Man-
5 agement Officer after March 31, 2020, until the
6 date on which the Secretary of Defense submits
7 the report required under subsection (b)(1)(B).

8 (C) Of the funds authorized to be appro-
9 priated by this Act or otherwise made available
10 for fiscal year 2020 for the Department of De-
11 fense, not more than 75 percent may be obli-
12 gated or expended for the Office of the Chief
13 Information Officer after December 31, 2019,
14 until the date on which the Secretary of De-
15 fense submits the report required under sub-
16 section (b)(2).

17 (D) Of the funds authorized to be appro-
18 priated by this Act or otherwise made available
19 for fiscal year 2020 for the Department of De-
20 fense, not more than 75 percent may be obli-
21 gated or expended for the Office of the Chief
22 Management Officer and the Office of the Chief
23 Information Officer after March 31, 2020, until
24 the date on which the Secretary of Defense sub-

1 mits the report required under subsection
2 (b)(3).

3 (b) PILOT PROGRAM ON DATA RIGHTS AS AN EVAL-
4 UATION FACTOR.—

5 (1) PILOT PROGRAM.—Not later than February
6 1, 2020, the Secretary of Defense and the Secre-
7 taries of the military departments shall jointly carry
8 out a pilot program to assess mechanisms to evalu-
9 ate intellectual property to include technical data
10 deliverables, associated license rights, and commer-
11 cially available intellectual property valuation anal-
12 ysis and techniques in major defense acquisition pro-
13 grams (as defined in section 2430 of title 10, United
14 States Code) selected pursuant to subsection (b) to
15 ensure—

16 (A) the development of cost-effective intel-
17 lectual property strategies; and

18 (B) assessment and management of the
19 value and costs of intellectual property during
20 acquisition and sustainment activities through-
21 out the life cycle of a weapon system for each
22 selected major defense acquisition program.

23 (2) SELECTION OF MAJOR DEFENSE ACQUI-
24 SITION PROGRAMS.—Each Secretary of a military de-
25 partment shall select one major defense acquisition

1 program for which such Secretary has responsibility
2 to include in the pilot program established under
3 subsection (a).

4 (3) CADRE OF INTELLECTUAL PROPERTY EX-
5 PERTS.—At Milestone A and Milestone B for each
6 major defense acquisition program selected pursuant
7 to subsection (b), the cadre of intellectual property
8 experts established under section 2322(b) of title 10,
9 United States Code, shall identify, to the maximum
10 extent practicable, intellectual property evaluation
11 techniques to obtain quantitative and qualitative
12 analysis related to the value of intellectual property
13 rights during the procurement, production, deploy-
14 ment, operations, and support phases of the acquisi-
15 tion of each such major defense acquisition program.

16 (4) ACTIVITIES.—The pilot program established
17 under this section shall include the following:

18 (A) Assessment of commercial valuation
19 techniques for intellectual property rights for
20 use by the Department of Defense.

21 (B) Assessment of feasibility of oversight
22 by the Secretary of Defense to standardize
23 practices and procedures.

24 (C) Assessment of contracting mechanisms
25 to increase the speed of delivery of intellectual

1 property to the Armed Forces or to reduce
2 sustainment costs.

3 (D) Assessment of acquisition planning
4 necessary to ensure procurement of intellectual
5 property deliverables and intellectual property
6 rights necessary for Government-planned
7 sustainment activities.

8 (E) Engagement with private-sector enti-
9 ties to—

10 (i) support the development of strate-
11 gies and program requirements to aid in
12 acquisition and transition planning for in-
13 tellectual property;

14 (ii) support the development and im-
15 provement of intellectual property strate-
16 gies as part of life-cycle sustainment plans
17 and valuation techniques for the costs of
18 intellectual property rights as part of life-
19 cycle costs; and

20 (iii) propose and implement alter-
21 native and innovative methods of intellec-
22 tual property valuation, prioritization, and
23 evaluation techniques for intellectual prop-
24 erty.

1 (F) Recommendations to the program
2 manager for a major defense acquisition pro-
3 gram selected pursuant to subsection (b) such
4 evaluation techniques and contracting mecha-
5 nisms for implementation into the acquisition
6 and sustainment activities of that major defense
7 acquisition program.

8 (5) ASSESSMENT.—Not later than February 1,
9 2021, and annually thereafter until the termination
10 date of the pilot program, the Secretary of Defense
11 shall submit to the congressional defense committees
12 a report on the pilot program established under sub-
13 section (a). The report shall include—

14 (A) a description of the major defense ac-
15 quisition programs selected pursuant to sub-
16 section (b);

17 (B) a description of the specific activities
18 in subsection (d) that were performed with re-
19 spect to each major defense acquisition program
20 selected pursuant to subsection (b);

21 (C) an assessment of the effectiveness of
22 such activities;

23 (D) an assessment of improvements to ac-
24 quisition or sustainment activities related to the
25 pilot program; and

1 (E) an assessment of cost savings from the
2 activities related to the pilot program, including
3 any improvement to mission success during the
4 operations and support phase of a major de-
5 fense acquisition program selected pursuant to
6 subsection (b).

7 (6) TERMINATION.—The authority to carry out
8 the pilot program under this section shall expire on
9 September 30, 2026.

10 (c) REPORT AND LIMITATION ON AVAILABILITY OF
11 FUNDS RELATING TO MODULAR OPEN SYSTEM AP-
12 PROACH FOR MAJOR DEFENSE ACQUISITION PRO-
13 GRAMS.—

14 (1) STUDY GUIDANCE FOR ANALYSES OF AL-
15 TERNATIVES FOR MAJOR DEFENSE ACQUISITION
16 PROGRAMS.—

17 (A) REPORT.—Not later than December
18 31, 2019, the Secretary of Defense, acting
19 through the Director of Cost Assessment and
20 Performance Evaluation, shall submit to the
21 congressional defense committees a report that
22 includes the study guidance required under sec-
23 tion 2446b(b) of title 10, United States Code.

24 (B) LIMITATION.—Of the funds authorized
25 to be appropriated by this Act or otherwise

1 made available for fiscal year 2020 for the De-
2 partment of Defense, not more than 75 percent
3 may be obligated or expended for the Office of
4 the Director of Cost Assessment and Perform-
5 ance Evaluation after December 31, 2019, until
6 the date on which the Secretary of Defense sub-
7 mits the report required under paragraph (1).

8 (2) POLICY RELATING TO AVAILABILITY OF
9 MAJOR SYSTEM INTERFACES AND SUPPORT FOR
10 MODULAR OPEN SYSTEM APPROACH.—

11 (A) IN GENERAL.—Section 2446c of title
12 10, United States Code, is amended—

13 (i) in the matter preceding paragraph
14 (1), by striking “shall—” and inserting
15 “develop policy on the support for the ac-
16 quisition for modular open system ap-
17 proaches. This policy shall—”; and

18 (ii) in subsection (a)(1), as so des-
19 ignated, by striking “coordinate” and in-
20 serting “ensure coordination”.

21 (B) REPORT.—Not later than December
22 31, 2019, the Secretary of each military depart-
23 ment shall submit to the congressional defense
24 committees a report that includes the policy re-

1 quired under section 2446c of title 10, United
2 States Code, as amended by paragraph (1).

3 (C) LIMITATION.—Beginning on January
4 1, 2020, if any report required under paragraph
5 (2) has not been submitted to the congressional
6 defense committees, not more than 75 percent
7 of the funds specified in paragraph (4) may be
8 obligated or expended until the date on which
9 all of the reports required under paragraph (2)
10 have been submitted.

11 (D) FUNDS SPECIFIED.—The funds speci-
12 fied in this paragraph are funds made available
13 for fiscal year 2020 for the Department of De-
14 fense for any of the Offices of the Secretaries
15 of the military departments that remain unobli-
16 gated as of January 1, 2020.

17 (d) REPORT ON INTELLECTUAL PROPERTY POLICY
18 AND THE CADRE OF INTELLECTUAL PROPERTY EX-
19 PERTS.—

20 (1) IN GENERAL.—Section 802 of the National
21 Defense Authorization Act for Fiscal Year 2018
22 (Public Law 115–91; 131 Stat. 1450) is amended by
23 adding at the end the following new subsection:

24 “(c) REPORT.—Not later than October 1, 2019, the
25 Secretary of Defense, acting through the Under Secretary

1 of Defense for Acquisition and Sustainment, shall submit
2 to the congressional defense committees a report that in-
3 cludes—

4 “(1) the policy required in subsection (a) of sec-
5 tion 2322 of title 10, United States Code;

6 “(2) an identification of each member of the
7 cadre of intellectual property experts required in
8 subsection (b) of such section and the office to which
9 such member; and

10 “(3) a description of the leadership structure
11 and the office that will manage the cadre of intellec-
12 tual property experts.”.

13 (2) LIMITATION.—Of the funds authorized to
14 be appropriated by this Act or otherwise made avail-
15 able for fiscal year 2020 for the Department of De-
16 fense, not more than 75 percent may be obligated or
17 expended for the Defense Acquisition Workforce De-
18 velopment Fund until the date on which the Sec-
19 retary of Defense submits the report required under
20 subsection (c) of section 802 of the National De-
21 fense Authorization Act for Fiscal Year 2018 (Pub-
22 lic Law 115–91; 131 Stat. 1450), as added by this
23 section.

24 (e) LIMITATION ON AVAILABILITY OF FUNDS FOR
25 THE OFFICE OF THE CHIEF MANAGEMENT OFFICER OF

1 THE DEPARTMENT OF DEFENSE.—Of the funds author-
2 ized to be appropriated or otherwise made available for
3 fiscal year 2020 for the Department of Defense, not more
4 than 75 percent may be obligated or expended for the Of-
5 fice of the Chief Management Officer until the date on
6 which the Chief Management Officer submits to the con-
7 gressional defense committees—

8 (1) the certification of cost savings described in
9 subparagraph (A) of section 921(b)(5) of the Na-
10 tional Defense Authorization Act for Fiscal Year
11 2019 (Public Law 115–232; 10 U.S.C. 2222 note);
12 or

13 (2) the notice and justification described in sub-
14 paragraph (B) of such section.

15 (f) REPORT AND LIMITATION ON THE AVAILABILITY
16 OF FUNDS RELATING TO THE “MIDDLE TIER” OF ACQUI-
17 SITION PROGRAMS.—

18 (1) REPORT.—Not later than December 15,
19 2019, the Under Secretary of Defense for Acquisi-
20 tion and Sustainment shall submit to the congres-
21 sional defense committees a report that includes the
22 guidance required under section 804(a) of the Na-
23 tional Defense Authorization Act for Fiscal Year
24 2016 (Public Law 114–92; 10 U.S.C. 2302 note).
25 The Under Secretary of Defense for Acquisition and

1 Sustainment will ensure such guidance includes the
2 business case elements required by an acquisition
3 program established pursuant to such guidance and
4 the metrics required to assess the performance of
5 such a program.

6 (2) LIMITATION.—Of the funds authorized to
7 be appropriated by this Act or otherwise made avail-
8 able for fiscal year 2020 for the Department of De-
9 fense, not more than 75 percent may be obligated or
10 expended for an acquisition program established
11 pursuant to the guidance required under section
12 804(a) of the National Defense Authorization Act
13 for Fiscal Year 2016 (Public Law 114–92; 10
14 U.S.C. 2302 note) after December 15, 2019, and no
15 such acquisition program may be conducted under
16 the authority provided by such section after Decem-
17 ber 15, 2019, until the Under Secretary of Defense
18 for Acquisition and Sustainment submits the report
19 required under subsection (a).

20 (g) DEFENSE ACQUISITION WORKFORCE CERTIFI-
21 CATION AND EDUCATION REQUIREMENTS.—

22 (1) PROFESSIONAL CERTIFICATION REQUIRE-
23 MENT.—

24 (A) PROFESSIONAL CERTIFICATION RE-
25 QUIRED FOR ALL ACQUISITION WORKFORCE

1 PERSONNEL.—Section 1701a of title 10, United
2 States Code, is amended—

3 (i) by redesignating subsections (c)
4 and (d) as subsections (d) and (e), respec-
5 tively; and

6 (ii) by inserting after subsection (b)
7 the following new subsection (c):

8 “(c) PROFESSIONAL CERTIFICATION.—

9 “(1) The Secretary of Defense shall implement
10 a certification program to provide for a professional
11 certification requirement for all members of the ac-
12 quisition workforce. Except as provided in paragraph
13 (2), the certification requirement for any acquisition
14 workforce career field shall be based on standards
15 under a third-party accredited program based on na-
16 tionally or internationally recognized standards.

17 “(2) If the Secretary determines that, for a
18 particular acquisition workforce career field, a third-
19 party accredited program based on nationally or
20 internationally recognized standards does not exist,
21 the Secretary shall establish the certification require-
22 ment for that career field that conforms with the
23 practices of national or international accrediting
24 bodies. The certification requirement for any such
25 career field shall be implemented using the best ap-

1 proach determined by the Secretary for meeting the
2 certification requirement for that career field, in-
3 cluding implementation through entities outside the
4 Department of Defense and may be designed and
5 implemented without regard to section 1746 of this
6 title.”.

7 (B) PERFORMANCE MANAGEMENT.—Sub-
8 section (b) of such section is amended—

9 (i) in paragraph (5), by striking “en-
10 courage” and inserting “direct”; and

11 (ii) in paragraph (6), by inserting
12 “and consequences” after “warnings”.

13 (C) PARTICIPATION IN PROFESSIONAL AS-
14 SOCIATIONS.—Subsection (b) of such section is
15 further amended—

16 (i) by redesignating paragraphs (6),
17 (7), (8), and (9) as paragraphs (7), (8),
18 (9), and (10), respectively; and

19 (ii) by inserting after paragraph (5)
20 the following new paragraph (6):

21 “(6) authorize members of the acquisition work-
22 force to participate in professional associations, con-
23 sistent with their individual performance plans,
24 linked to both professional development and opportu-
25 nities to gain leadership and management skills;”.

1 (D) GENERAL EDUCATION, TRAINING, AND
2 EXPERIENCE REQUIREMENTS.—Section 1723 of
3 such title is amended—

4 (i) in subsection (a)(3), by striking
5 the second sentence; and

6 (ii) in subsection (b)(1), by striking
7 “encourage” and inserting “require”.

8 (E) EFFECTIVE DATE.—The Secretary of
9 Defense shall implement procedures to institute
10 the program required by subsection (c) of sec-
11 tion 1701a of title 10, United States Code, as
12 added by paragraph (1), not later than 180
13 days after the date of the enactment of this
14 Act.

15 (2) ELIMINATION OF STATUTORY REQUIRE-
16 MENT FOR COMPLETION OF 24 SEMESTER CREDIT
17 HOURS.—

18 (A) QUALIFICATION REQUIREMENTS FOR
19 CONTRACTING POSITIONS.—Section 1724 of
20 title 10, United States Code, is amended—

21 (i) in subsection (a)(3)—

22 (I) by striking “(A)” after “(3)”;
23 and

1 (II) by striking “, and (B)” and
2 all that follows through “and manage-
3 ment”; and

4 (ii) in subsection (b), by striking “re-
5 quirements” in the first sentences of para-
6 graphs (1) and (2) and inserting “require-
7 ment”;

8 (iii) in subsection (e)(2)—

9 (I) by striking “shall have—”
10 and all that follows through “been
11 awarded” and inserting “shall have
12 been awarded”;

13 (II) by striking “; or” and insert-
14 ing a period; and

15 (III) by striking subparagraph
16 (B); and

17 (iv) in subsection (f), by striking “,
18 including—” and all that follows and in-
19 serting a period.

20 (B) SELECTION CRITERIA AND PROCE-
21 DURES.—Section 1732 of such title is amend-
22 ed—

23 (i) in subsection (b)(1)—

24 (I) by striking “Such require-
25 ments,” and all the follows through

1 “the person—” and inserting “Such
2 requirements shall include a require-
3 ment that the person—”;

4 (II) by striking subparagraph
5 (B); and

6 (III) by redesignating clauses (i)
7 and (ii) as subparagraphs (A) and
8 (B), respectively, and realigning those
9 subparagraphs so as to be 4 ems from
10 the margin; and

11 (ii) in subsection (c), by striking “re-
12 quirements of subsections (b)(1)(A) and
13 (b)(1)(B)” in paragraphs (1) and (2) and
14 inserting “requirement of subsection
15 (b)(1)”.

16 (3) DEFENSE ACQUISITION UNIVERSITY.—Sec-
17 tion 1746 of title 10, United States Code, is amend-
18 ed—

19 (A) in subsection (b)(1), by adding at the
20 end the following new sentence: “At least 25
21 percent of such civilian instructors shall be vis-
22 iting professors from civilian colleges or univer-
23 sities.”; and

1 (B) in subsection (c), by inserting “, and
2 with commercial training providers,” after
3 “military departments”.

4 (h) ENHANCING DEFENSE ACQUISITION WORK-
5 FORCE CAREER FIELDS.—

6 (1) CAREER PATHS.—

7 (A) CAREER PATH REQUIRED FOR EACH
8 ACQUISITION WORKFORCE CAREER FIELD.—

9 Paragraph (4) of section 1701a(b) of title 10,
10 United States Code, is amended to read as fol-
11 lows:

12 “(4) develop and implement a career path, as
13 described in section 1722(a) of this title, for each
14 career field designated by the Secretary under sec-
15 tion 1721(a) of this title as an acquisition workforce
16 career field;”.

17 (B) CONFORMING AMENDMENTS.—Section
18 1722(a) of such title is amended—

19 (i) by striking “appropriate career
20 paths” and inserting “an appropriate ca-
21 reer path”; and

22 (ii) by striking “are identified” and
23 inserting “is identified for each acquisition
24 workforce career field”.

(C) DEADLINE FOR IMPLEMENTATION OF CAREER PATHS.—The implementation of a career path for each acquisition workforce career field required by paragraph (4) of section 1701a(b) of title 10, United States Code (as amended by paragraph (1)), shall be completed by the Secretary of Defense not later than the end of the two-year period beginning on the date of the enactment of this Act.

(2) CAREER FIELDS.—

(A) DESIGNATION OF ACQUISITION WORKFORCE CAREER FIELDS.—Section 1721(a) of such title is amended by adding at the end the following new sentence: “The Secretary shall also designate in regulations those career fields in the Department of Defense that are acquisition workforce career fields for purposes of this chapter.”.

(B) CLERICAL AMENDMENTS.—(i) The heading of such section is amended to read as follows:

“§ 1721. Designation of acquisition positions and acquisition workforce career fields”.

(ii) The item relating to such section in the table of sections at the beginning of

1 subchapter II of chapter 87 of such title is
 2 amended to read as follows:

“1721. Designation of acquisition positions and acquisition workforce career fields.”.

3 (C)(i) The heading of subchapter II of
 4 chapter 87 of such title is amended to read as
 5 follows:

“SUBCHAPTER II—ACQUISITION POSITIONS AND ACQUISITION WORKFORCE
 CAREER FIELDS”.

6 (ii) The item relating to such subchapter
 7 in the table of subchapters at the beginning of
 8 such chapter is amended to read as follows:

“II. Acquisition Positions And Acquisition Workforce Career Fields 1721”.

9 (D) DEADLINE FOR DESIGNATION OF CA-
 10 REER FIELDS.—The designation of acquisition
 11 workforce career fields required by the second
 12 sentence of section 1721(a) of title 10, United
 13 States Code (as added by paragraph (1)), shall
 14 be made by the Secretary of Defense not later
 15 than the end of the six-month period beginning
 16 on the date of the enactment of this Act.

17 (3) KEY WORK EXPERIENCES.—

18 (A) DEVELOPMENT OF KEY WORK EXPERI-
 19 ENCES FOR EACH ACQUISITION WORKFORCE CA-
 20 REER FIELD.—Section 1722b of such title is
 21 amended by adding at the end the following
 22 new subsection:

1 “(c) KEY WORK EXPERIENCES.—In carrying out
2 subsection (b)(2), the Secretary shall ensure that key work
3 experiences, in the form of multidiscipline training, are de-
4 veloped for each acquisition workforce career field.”.

5 (B) PLAN FOR IMPLEMENTATION OF KEY
6 WORK EXPERIENCES.—Not later than one year
7 after the date of the enactment of this Act, the
8 Secretary of Defense shall submit to the con-
9 gressional defense committees a plan identifying
10 the specific actions the Department of Defense
11 has taken, and is planning to take, to develop
12 and establish key work experiences for each ac-
13 quisition workforce career field as required by
14 subsection (c) of section 1722b of title 10,
15 United States Code, as added by paragraph (1).
16 The plan shall include specification of the per-
17 centage of the acquisition workforce, or funds
18 available for administration of the acquisition
19 workforce on an annual basis, that the Sec-
20 retary will dedicate towards developing such key
21 work experiences.

22 (4) APPLICABILITY OF CAREER PATH REQUIRE-
23 MENTS TO ALL MEMBERS OF ACQUISITION WORK-
24 FORCE.—Section 1723(b) of such title is amended
25 by striking “the critical acquisition-related”.

1 (5) COMPETENCY DEVELOPMENT.—

2 (A) IN GENERAL.—(i) Subchapter V of
3 chapter 87 of such title is amended by adding
4 at the end the following new section:

5 **“§ 1765. Competency development**

6 “For each acquisition workforce career field, the Sec-
7 retary of Defense shall establish, for the civilian personnel
8 in that career field, defined proficiency standards and
9 technical and nontechnical competencies which shall be
10 used in personnel qualification assessments.”.

11 (ii) The table of sections at the beginning
12 of such subchapter II is amended by adding at
13 the end the following new item:

“1765. Competency development.”.

14 (B) DEADLINE FOR IMPLEMENTATION.—
15 The establishment of defined proficiency stand-
16 ards and technical and nontechnical com-
17 petencies required by section 1765 of title 10,
18 United States Code (as added by paragraph
19 (1)), shall be made by the Secretary of Defense
20 not later than the end of the two-year period
21 beginning on the date of the enactment of this
22 Act.

23 (6) TERMINATION OF DEFENSE ACQUISITION
24 CORPS.—

1 (A) The Acquisition Corps for the Depart-
2 ment of Defense referred to in section 1731(a)
3 of title 10, United States Code, is terminated.

4 (B) Section 1733 of title 10, United States
5 Code, is amended—

6 (i) by striking subsection (a); and

7 (ii) by redesignating subsection (b) as
8 subsection (a).

9 (C) Subsection (b) of section 1731 of such
10 title is transferred to the end of section 1733
11 of such title, as amended by paragraph (2), and
12 amended—

13 (i) by striking “ACQUISITION CORPS”
14 in the heading and inserting “THE ACQUI-
15 SITION WORKFORCE”; and

16 (ii) by striking “selected for the Ac-
17 quisition Corps” and inserting “in the ac-
18 quisition workforce”.

19 (D) Subsection (e) of section 1732 of such
20 title is transferred to the end of section 1733
21 of such title, as amended by paragraphs (2) and
22 (3), redesignated as subsection (c), and amend-
23 ed—

24 (i) by striking “in the Acquisition
25 Corps” in paragraphs (1) and (2) and in-

1 serting “in critical acquisition positions”;
2 and

3 (ii) by striking “serving in the Corps”
4 in paragraph (2) and inserting “employ-
5 ment”.

6 (E) Sections 1731 and 1732 of such title
7 are repealed.

8 (F)(i) Section 1733 of such title, as
9 amended by paragraphs (2), (3), and (4), is re-
10 designated as section 1731.

11 (ii) The table of sections at the beginning
12 of subchapter III of chapter 87 of such title is
13 amended by striking the items relating to sec-
14 tions 1731, 1732, and 1733 and inserting the
15 following new item:

“1731. Critical acquisition positions.”.

16 (G)(i) The heading of subchapter III of
17 chapter 87 of such title is amended to read as
18 follows:

“SUBCHAPTER III—CRITICAL ACQUISITION POSITIONS”.

19 (ii) The item relating to such subchapter
20 in the table of subchapters at the beginning of
21 such chapter is amended to read as follows:

“III. Critical Acquisition Positions 1731”.

1 (H) Section 1723(a)(2) of such title is
2 amended by striking “section 1733 of this title”
3 and inserting “section 1731 of this title”.

4 (I) Section 1725 of such title is amend-
5 ed—

6 (i) in subsection (a)(1), by striking
7 “Defense Acquisition Corps” and inserting
8 “acquisition workforce”; and

9 (ii) in subsection (d)(2), by striking
10 “of the Defense Acquisition Corps” and in-
11 serting “in the acquisition workforce serv-
12 ing in critical acquisition positions”.

13 (J) Section 1734 of such title is amend-
14 ed—

15 (i) by striking “of the Acquisition
16 Corps” in subsections (e)(1) and (h) and
17 inserting “of the acquisition workforce”;
18 and

19 (ii) in subsection (g)—

20 (I) by striking “of the Acquisi-
21 tion Corps” in the first sentence and
22 inserting “of the acquisition work-
23 force”;

1 (II) by striking “of the Corps”
2 and inserting “of the acquisition
3 workforce”; and

4 (III) by striking “of the Acquisi-
5 tion Corps” in the second sentence
6 and inserting “of the acquisition
7 workforce in critical acquisition posi-
8 tions”.

9 (K) Section 1737 of such title is amend-
10 ed—

11 (i) in subsection (a)(1), by striking
12 “of the Acquisition Corps” and inserting
13 “of the acquisition workforce”; and

14 (ii) in subsection (b), by striking “of
15 the Corps” and inserting “of the acquisi-
16 tion workforce”.

17 (L) Section 1742(a)(1) of such title is
18 amended by striking “the Acquisition Corps”
19 and inserting “acquisition positions in the De-
20 partment of Defense”.

21 (M) Section 2228(a)(4) of such title is
22 amended by striking “under section
23 1733(b)(1)(C) of this title” and inserting
24 “under section 1731 of this title”.

1 (N) Section 7016(b)(5)(B) of such title is
2 amended by striking “under section 1733 of
3 this title” and inserting “under section 1731 of
4 this title”.

5 (O) Section 8016(b)(4)(B) of such title is
6 amended by striking “under section 1733 of
7 this title” and inserting “under section 1731 of
8 this title”.

9 (P) Section 9016(b)(4)(B) of such title is
10 amended by striking “under section 1733 of
11 this title” and inserting “under section 1731 of
12 this title”.

13 (Q) Paragraph (1) of section 317 of title
14 37, United States Code, is amended to read as
15 follows:

16 “(1) is a member of the acquisition workforce
17 selected to serve in, or serving in, a critical acquisi-
18 tion position designated under section 1731 of title
19 10.”.

20 (i) ESTABLISHMENT OF DEFENSE CIVILIAN ACQUI-
21 TION TRAINING CORPS.—

22 (1) IN GENERAL.—Part III of subtitle A of title
23 10, United States Code, is amended by inserting
24 after chapter 112 the following new chapter:

1 **“CHAPTER 113—DEFENSE CIVILIAN**
 2 **ACQUISITION TRAINING CORPS**

“2200n. Establishment.

“2200o. Program elements.

“2200p. Model authorities.

“2200q. Definitions.

3 **“§ 2200n. Establishment**

4 “For the purposes of preparing selected students for
 5 public service in Department of Defense occupations relat-
 6 ing to acquisition, science, and engineering, the Secretary
 7 of Defense shall establish and maintain a Defense Civilian
 8 Acquisition Training Corps program, organized into one
 9 or more units, at civilian institutions of higher education
 10 offering a program leading to a baccalaureate degree.

11 **“§ 2200o. Program elements**

12 “In establishing the program, the Secretary of De-
 13 fense shall determine the following:

14 “(1) Criteria for an institution of higher edu-
 15 cation to participate in the program.

16 “(2) The eligibility of a student to join the pro-
 17 gram.

18 “(3) Criteria required for a member of the pro-
 19 gram to receive financial assistance.

20 “(4) The term of service required for a member
 21 of the program to receive financial assistance.

22 “(5) Criteria required for a member of the pro-
 23 gram to be released from a term of service.

1 “(6) The method by which a successful grad-
2 uate of the program may gain immediate employ-
3 ment in the Department of Defense.

4 “(7) Resources required for implementation of
5 the program.

6 “(8) A methodology to identify and target crit-
7 ical skills gaps in Department of Defense occupa-
8 tions relating to acquisition, science, and engineer-
9 ing.

10 “(9) A mechanism to track the success of the
11 program in eliminating the identified critical skills
12 gap.

13 **“§ 2200p. Model authorities**

14 “In making determinations under section 2200o of
15 this title, the Secretary of Defense shall use the authori-
16 ties under chapters 103 and 111 of this title as guides.

17 **“§ 2200q. Definitions**

18 “In this chapter:

19 “(1) The term ‘program’ means the Defense Ci-
20 vilian Acquisition Training Corps of the Department
21 of Defense.

22 “(2) The term ‘member of the program’ means
23 a student at an institution of higher learning who is
24 enrolled in the program.

1 “(3) The term ‘institution of higher education’
2 has the meaning given that term in section 101 of
3 the Higher Education Act of 1965 (20 U.S.C.
4 1001).”.

5 (2) IMPLEMENTATION TIMELINE.—

6 (A) INITIAL IMPLEMENTATION.—Not later
7 than December 31, 2019, the Secretary of De-
8 fense shall submit to the congressional defense
9 committees a plan and schedule that imple-
10 ments the program at one institution of higher
11 learning not later than August 1, 2020. The
12 plan shall include recommendations regarding
13 any legislative changes required for effective im-
14 plementation of the program.

15 (B) EXPANSION.—Not later than Decem-
16 ber 31, 2020, the Secretary of Defense shall
17 submit to the congressional defense committees
18 an expansion plan and schedule to expand the
19 program to five locations not later than by Au-
20 gust 1, 2021.

21 (C) FULL IMPLEMENTATION.—Not later
22 than December 31, 2021, the Secretary of De-
23 fense shall submit to the congressional defense
24 committees a full implementation plan and
25 schedule to expand the program to at least 20

1 locations with not fewer than 400 members in
2 the program not later than August 1, 2022.

3 (j) CLARIFYING THE ROLES AND RESPONSIBILITIES
4 OF THE UNDER SECRETARY OF DEFENSE FOR ACQUI-
5 SITION AND SUSTAINMENT AND THE UNDER SECRETARY
6 OF DEFENSE FOR RESEARCH AND ENGINEERING.—The
7 laws of the United States are amended as follows:

8 (1) Section 129a(c)(3) of title 10, United
9 States Code, is amended by striking “Under Sec-
10 retary of Defense for Acquisition, Technology, and
11 Logistics” and inserting “Under Secretary of De-
12 fense for Acquisition and Sustainment”.

13 (2) Section 133a(b)(2) of title 10, United
14 States Code, is amended by striking “, including the
15 allocation of resources for defense research and engi-
16 neering,”.

17 (3) Section 134(c) of title 10, United States
18 Code, is amended by striking “Under Secretary of
19 Defense for Acquisition, Technology, and Logistics,”
20 and inserting “Under Secretary of Defense for Ac-
21 quisition and Sustainment, the Under Secretary of
22 Defense for Research and Engineering,”.

23 (4) Section 139(b) of title 10, United States
24 Code, is amended in the matter preceding paragraph
25 (1) by striking “and the Under Secretary of Defense

1 for Acquisition, Technology, and Logistics” and in-
2 serting “, the Under Secretary of Defense for Acqui-
3 sition and Sustainment, and the Under Secretary of
4 Defense for Research and Engineering”.

5 (5) Section 139(b)(2) of title 10, United States
6 Code, is amended by striking “and the Under Sec-
7 retary of Defense for Acquisition, Technology, and
8 Logistics” and inserting “, the Under Secretary of
9 Defense for Acquisition and Sustainment, and the
10 Under Secretary of Defense for Research and Engi-
11 neering,”.

12 (6) Section 139 of title 10, United States Code,
13 is amended in subsections (c) through (h) by strik-
14 ing “Under Secretary of Defense for Acquisition,
15 Technology, and Logistics” each place it appears
16 and inserting “Under Secretary of Defense for Ac-
17 quisition and Sustainment”.

18 (7) Section 139a(d)(6) of title 10, United
19 States Code, is amended by striking “Under Sec-
20 retary of Defense for Acquisition, Technology, and
21 Logistics” and inserting “Under Secretary of De-
22 fense for Acquisition and Sustainment, the Under
23 Secretary of Defense for Research and Engineer-
24 ing,”.

1 (8) Section 171(a) of title 10, United States
2 Code, is amended—

3 (A) in paragraph (3), by striking “Under
4 Secretary of Defense for Acquisition, Tech-
5 nology, and Logistics” and inserting “Under
6 Secretary of Defense for Acquisition and
7 Sustainment”;

8 (B) by inserting after paragraph (3) the
9 following new paragraph:

10 “(4) the Under Secretary of Defense for Re-
11 search and Engineering;”; and

12 (C) by redesignating paragraphs (4)
13 through (13) as paragraphs (5) through (14),
14 respectively.

15 (9) Section 171a of title 10, United States
16 Code, is amended—

17 (A) in subsection (b)(2), by striking
18 “Under Secretary of Defense for Acquisition,
19 Technology, and Logistics” and inserting
20 “Under Secretary of Defense for Acquisition
21 and Sustainment”;

22 (B) by inserting after subsection (b)(2) the
23 following new paragraph:

24 “(3) the Under Secretary of Defense for Re-
25 search and Engineering;”;

1 (C) in subsection (b), by redesignating
2 paragraphs (3) through (7) as paragraphs (4)
3 through (8), respectively; and

4 (D) in subsection (c), by striking “Under
5 Secretary of Defense for Acquisition, Tech-
6 nology, and Logistics” and inserting “Under
7 Secretary of Defense for Acquisition and
8 Sustainment”.

9 (10) Subsection (d)(1) of section 181 of title
10 10, United States Code, is amended—

11 (A) in subparagraph (C), by striking
12 “Under Secretary of Defense for Acquisition,
13 Technology, and Logistics” and inserting
14 “Under Secretary of Defense for Acquisition
15 and Sustainment”;

16 (B) by inserting after subparagraph (C)
17 the following new subparagraph:

18 “(D) the Under Secretary of Defense for Re-
19 search and Engineering.”; and

20 (C) by redesignating paragraphs (D)
21 through (G) as paragraphs (E) through (H),
22 respectively.

23 (11) Subsection (b)(2) of section 393 of title
24 10, United States Code, is amended—

1 (A) in subparagraph (B), by striking
2 “Under Secretary of Defense for Acquisition,
3 Technology, and Logistics” and inserting
4 “Under Secretary of Defense for Acquisition
5 and Sustainment”;

6 (B) by inserting after subparagraph (B)
7 the following new subparagraph:

8 “(C) the Under Secretary of Defense for
9 Research and Engineering.”; and

10 (C) by redesignating subparagraphs (C)
11 through (E) as subparagraphs (D) through (F).

12 (12) Section 1111 of the National Defense Au-
13 thorization Act for Fiscal Year 2016 (Public law
14 114–92; 129 Stat. 1032; 10 U.S.C. 1701 note) is
15 amended by striking “Under Secretary of Defense
16 for Acquisition, Technology, and Logistics” each
17 place such term appears and inserting “Under Sec-
18 retary of Defense for Acquisition and Sustainment”.

19 (13) Section 231(a) of the National Defense
20 Authorization Act for Fiscal Year 2008 (Public law
21 110–181; 122 Stat. 45; 10 U.S.C. 1701 note) is
22 amended by striking “Under Secretary of Defense
23 for Acquisition, Technology, and Logistics” and in-
24 serting “Under Secretary of Defense for Acquisition
25 and Sustainment”.

1 (14) Section 1702 of title 10, United States
2 Code, is amended—

3 (A) in the heading, by striking “**Under**
4 **Secretary of Defense for Acquisition,**
5 **Technology, and Logistics**” and inserting
6 **“Under Secretary of Defense for Ac-**
7 **quisition and Sustainment”**;

8 (B) in the section text, by striking “Under
9 Secretary of Defense for Acquisition, Tech-
10 nology, and Logistics” and inserting “Under
11 Secretary of Defense for Acquisition and
12 Sustainment”.

13 (15) Section 807(a) of the Bob Stump National
14 Defense Authorization Act for Fiscal Year 2003
15 (Public Law 107–314; 116 Stat. 2608; 10 U.S.C.
16 1702 note) is amended by striking “Under Secretary
17 of Defense for Acquisition, Technology, and Logis-
18 tics” and inserting “Under Secretary of Defense for
19 Acquisition and Sustainment”.

20 (16) Section 1705 of title 10, United States
21 Code, is amended—

22 (A) in subsection (c), by striking “Under
23 Secretary of Defense for Acquisition, Tech-
24 nology, and Logistics” and inserting “Under

1 Secretary of Defense for Acquisition and
2 Sustainment”;

3 (B) in subsection (e)(3), by striking
4 “Under Secretary of Defense for Acquisition,
5 Technology, and Logistics” and inserting
6 “Under Secretary of Defense for Acquisition
7 and Sustainment”; and

8 (C) in subsection (g)(2)(B), by striking
9 “Under Secretary of Defense for Acquisition,
10 Technology, and Logistics” and inserting
11 “Under Secretary of Defense for Acquisition
12 and Sustainment”.

13 (17) Section 803(c) of the National Defense
14 Authorization Act for Fiscal Year 2013 (Public Law
15 112–239; 126 Stat. 1825; 10 U.S.C. 1705 note) is
16 amended by striking “Under Secretary of Defense
17 for Acquisition, Technology, and Logistics” and in-
18 serting “Under Secretary of Defense for Acquisition
19 and Sustainment”.

20 (18) Section 1722 of title 10, United States
21 Code, is amended—

22 (A) in subsection (a), by striking “Under
23 Secretary of Defense for Acquisition, Tech-
24 nology, and Logistics” and inserting “Under

1 Secretary of Defense for Acquisition and
2 Sustainment”; and

3 (B) in subsection (b)(2)(B), by striking
4 “Under Secretary of Defense for Acquisition,
5 Technology, and Logistics” and inserting
6 “Under Secretary of Defense for Acquisition
7 and Sustainment”.

8 (19) Section 1722a of title 10, United States
9 Code, is amended—

10 (A) in subsection (a), by striking “Under
11 Secretary of Defense for Acquisition, Tech-
12 nology, and Logistics” and inserting “Under
13 Secretary of Defense for Acquisition and
14 Sustainment”; and

15 (B) in subsection (e), by striking “Under
16 Secretary of Defense for Acquisition, Tech-
17 nology, and Logistics” and inserting “Under
18 Secretary of Defense for Acquisition and
19 Sustainment”.

20 (20) Section 1722b(a) of title 10, United States
21 Code, is amended by striking “Under Secretary of
22 Defense for Acquisition, Technology, and Logistics”
23 and inserting “Under Secretary of Defense for Ac-
24 quisition and Sustainment”.

1 (21) Section 1723 of title 10, United States
2 Code, is amended—

3 (A) in subsection (a)(3), by striking
4 “Under Secretary of Defense for Acquisition,
5 Technology, and Logistics” and inserting
6 “Under Secretary of Defense for Acquisition
7 and Sustainment”; and

8 (B) in subsection (b), by striking “Under
9 Secretary of Defense for Acquisition, Tech-
10 nology, and Logistics” and inserting “Under
11 Secretary of Defense for Acquisition and
12 Sustainment”.

13 (22) Section 1725(e)(2) of title 10, United
14 States Code, is amended by striking “Under Sec-
15 retary of Defense for Acquisition, Technology, and
16 Logistics” and inserting “Under Secretary of De-
17 fense for Acquisition and Sustainment”.

18 (23) Section 1735(c)(1) of title 10, United
19 States Code, is amended by striking “Under Sec-
20 retary of Defense for Acquisition, Technology, and
21 Logistics” and inserting “Under Secretary of De-
22 fense for Acquisition and Sustainment”.

23 (24) Section 1737(c) of title 10, United States
24 Code, is amended by striking “Under Secretary of
25 Defense for Acquisition, Technology, and Logistics”

1 and inserting “Under Secretary of Defense for Ac-
2 quisition and Sustainment”.

3 (25) Section 1741(b) of title 10, United States
4 Code, is amended by striking “Under Secretary of
5 Defense for Acquisition, Technology, and Logistics”
6 and inserting “Under Secretary of Defense for Ac-
7 quisition and Sustainment”.

8 (26) Section 1746(a) of title 10, United States
9 Code, is amended by striking “Under Secretary of
10 Defense for Acquisition, Technology, and Logistics”
11 and inserting “Under Secretary of Defense for Ac-
12 quisition and Sustainment”.

13 (27) Section 1748 of title 10, United States
14 Code, is amended by striking “Under Secretary of
15 Defense for Acquisition, Technology, and Logistics”
16 and inserting “Under Secretary of Defense for Ac-
17 quisition and Sustainment”.

18 (28) Section 2222 of title 10, United States
19 Code, is amended—

20 (A) in subsection (c)(2), by striking
21 “Under Secretary of Defense for Acquisition,
22 Technology, and Logistics” and inserting
23 “Under Secretary of Defense for Acquisition
24 and Sustainment”; and

1 (B) in subsection (f)(2)(B)(i), by striking
2 “Under Secretary of Defense for Acquisition,
3 Technology, and Logistics” and inserting
4 “Under Secretary of Defense for Acquisition
5 and Sustainment”.

6 (29) Section 217(a) of the National Defense
7 Authorization Act for Fiscal Year 2016 (Public Law
8 114–92; 129 Stat. 770; 10 U.S.C. 2222 note) is
9 amended by striking “Under Secretary of Defense
10 for Acquisition, Technology, and Logistics” and in-
11 serting “Under Secretary of Defense for Acquisition
12 and Sustainment”.

13 (30) Section 882(b) of the Ike Skelton National
14 Defense Authorization Act for Fiscal Year 2011
15 (Public Law 111–383; 128 Stat. 4308; 10 U.S.C.
16 2222 note) is amended by striking “Under Secretary
17 of Defense for Acquisition, Technology, and Logis-
18 tics” and inserting “Under Secretary of Defense for
19 Acquisition and Sustainment”.

20 (31) Section 2272 of title 10, United States
21 Code, is amended by striking “Assistant Secretary of
22 Defense for Research and Engineering” and insert-
23 ing “Under Secretary of Defense for Research and
24 Engineering”.

1 (32) Section 2275(a) of title 10, United States
2 Code, is amended by striking “Under Secretary of
3 Defense for Acquisition, Technology, and Logistics”
4 and inserting “Under Secretary of Defense for Re-
5 search and Engineering”.

6 (33) Section 2279(d) of title 10, United States
7 Code, is amended by striking “Under Secretary of
8 Defense for Acquisition, Technology, and Logistics”
9 and inserting “Under Secretary of Defense for Ac-
10 quisition and Sustainment”.

11 (34) Section 2279b of title 10, United States
12 Code, is amended—

13 (A) in subsection (b)—

14 (i) in paragraph (2), by striking
15 “Under Secretary of Defense for Acquisi-
16 tion, Technology, and Logistics” and in-
17 serting “Under Secretary of Defense for
18 Acquisition and Sustainment”;

19 (ii) by redesignating paragraphs (3)
20 through (10) as paragraphs (4) through
21 (11), respectively; and

22 (iii) by inserting after paragraph (2)
23 the following new paragraph:

24 “(3) the Under Secretary of Defense for Re-
25 search and Engineering.”; and

1 (B) in subsection (c), by striking “Under
2 Secretary of Defense for Acquisition, Tech-
3 nology, and Logistics” and inserting “Under
4 Secretary of Defense for Acquisition and
5 Sustainment”.

6 (35) Section 898(a)(2) of the National Defense
7 Authorization Act for Fiscal Year 2017 (Public Law
8 114–328; 130 Stat. 2000; 10 U.S.C. 2302 note) is
9 amended by striking “Under Secretary of Defense
10 for Acquisition, Technology, and Logistics” each
11 place such term appears and inserting “Under Sec-
12 retary of Defense for Acquisition and Sustainment”.

13 (36) Section 804 of the National Defense Au-
14 thorization Act for Fiscal Year 2016 (Public Law
15 114–92; 129 Stat. 726; 10 U.S.C. 2302 note) is
16 amended by striking “Under Secretary of Defense
17 for Acquisition, Technology, and Logistics” each
18 place such term appears and inserting “Under Sec-
19 retary of Defense for Acquisition and Sustainment”.

20 (37) Section 852 of the Carl Levin and Howard
21 P. “Buck” McKeon National Defense Authorization
22 Act for Fiscal Year 2015 (Public Law 113–291; 130
23 Stat. 3458; 10 U.S.C. 2302 note) is amended by
24 striking “Under Secretary of Defense for Acquisi-
25 tion, Technology, and Logistics” and inserting

1 “Under Secretary of Defense for Acquisition and
2 Sustainment”.

3 (38) Section 806 of the National Defense Au-
4 thorization Act for Fiscal Year 2012 (Public Law
5 112–81; 125 Stat. 1487; 10 U.S.C. 2302 note) is
6 amended by striking “Under Secretary of Defense
7 for Acquisition, Technology, and Logistics” each
8 place such term appears and inserting “Under Sec-
9 retary of Defense for Acquisition and Sustainment”.

10 (39) Section 843 of the National Defense Au-
11 thorization Act for Fiscal Year 2012 (Public Law
12 112–81; 125 Stat. 1487; 10 U.S.C. 2302 note) is
13 amended by striking “Under Secretary of Defense
14 for Acquisition, Technology, and Logistics” and in-
15 serting “Under Secretary of Defense for Acquisition
16 and Sustainment”.

17 (40) Section 254(b) of the Duncan Hunter Na-
18 tional Defense Authorization Act for Fiscal Year
19 2009 (Public Law 110–417; 122 Stat. 4402; 10
20 U.S.C. 2302 note) is amended by striking “Under
21 Secretary of Defense for Acquisition, Technology,
22 and Logistics” and inserting “Under Secretary of
23 Defense for Acquisition and Sustainment”.

24 (41) Section 802(d) of the Ronald W. Reagan
25 National Defense Authorization Act for Fiscal Year

1 2005 (Public Law 108–375; 118 Stat. 2004; 10
2 U.S.C. 2302 note) is amended by striking “Under
3 Secretary of Defense for Acquisition, Technology,
4 and Logistics” each place such term appears and in-
5 serting “Under Secretary of Defense for Acquisition
6 and Sustainment”.

7 (42) Section 244 of the Bob Stump National
8 Defense Authorization Act for Fiscal Year 2003
9 (Public Law 107–314; 116 Stat. 2498; 10 U.S.C.
10 2302 note) is amended by striking “Under Secretary
11 of Defense for Acquisition, Technology, and Logis-
12 tics” each place such term appears and inserting
13 “Under Secretary of Defense for Acquisition and
14 Sustainment”.

15 (43) Section 804(c) of the Bob Stump National
16 Defense Authorization Act for Fiscal Year 2003
17 (Public Law 107–314; 116 Stat. 2605; 10 U.S.C.
18 2302 note) is amended by striking “Under Secretary
19 of Defense for Acquisition, Technology, and Logis-
20 tics” each place such term appears and inserting
21 “Under Secretary of Defense for Acquisition and
22 Sustainment”.

23 (44) Section 2304 of title 10, United States
24 Code, is amended by striking “Under Secretary of
25 Defense for Acquisition, Technology, and Logistics”

1 each place such term appears and inserting “Under
2 Secretary of Defense for Acquisition and
3 Sustainment”.

4 (45) Section 895 of the National Defense Au-
5 thorization Act for Fiscal Year 2016 (Public Law
6 114–92; 129 Stat. 954; 10 U.S.C. 2304 note) is
7 amended by striking “Under Secretary of Defense
8 for Acquisition, Technology, and Logistics” each
9 place such term appears and inserting “Under Sec-
10 retary of Defense for Acquisition and Sustainment”.

11 (46) Section 806(b) of the Ike Skelton National
12 Defense Authorization Act for Fiscal Year 2011
13 (Public Law 111–383; 124 Stat. 4260; 10 U.S.C.
14 2304 note) is amended by striking “Under Secretary
15 of Defense for Acquisition, Technology, and Logis-
16 tics” each place such term appears and inserting
17 “Under Secretary of Defense for Acquisition and
18 Sustainment”.

19 (47) Section 821(a) of the National Defense
20 Authorization Act for Fiscal Year 2008 (Public Law
21 110–181; 122 Stat. 226; 10 U.S.C. 2304 note) is
22 amended by striking “Under Secretary of Defense
23 for Acquisition, Technology, and Logistics” and in-
24 serting “Under Secretary of Defense for Acquisition
25 and Sustainment”.

1 (48) Section 801(b)(2)(B) of the National De-
2 fense Authorization Act for Fiscal Year 2008 (Pub-
3 lic Law 110–181; 122 Stat. 204; 10 U.S.C. 2304
4 note) is amended by striking “Under Secretary of
5 Defense for Acquisition, Technology, and Logistics”
6 and inserting “Under Secretary of Defense for Ac-
7 quisition and Sustainment”.

8 (49) Section 817(e) of the John Warner Na-
9 tional Defense Authorization Act for Fiscal Year
10 2007 (Public Law 109–364; 120 Stat. 2326; 10
11 U.S.C. 2304 note) is amended by striking “Under
12 Secretary of Defense for Acquisition, Technology,
13 and Logistics” and inserting “Under Secretary of
14 Defense for Acquisition and Sustainment”.

15 (50) Section 811(e)(1) of the National Defense
16 Authorization Act for Fiscal Year 2006 (Public Law
17 109–163; 120 Stat. 2326; 10 U.S.C. 2304 note) is
18 amended by striking “Under Secretary of Defense
19 for Acquisition, Technology, and Logistics” and in-
20 serting “Under Secretary of Defense for Acquisition
21 and Sustainment”.

22 (51) Section 875 of the National Defense Au-
23 thorization Act for Fiscal Year 2017 (Public Law
24 114–328; 130 Stat. 2310; 10 U.S.C. 2305 note) is
25 amended—

1 (A) in subsection (b)(2), by striking
2 “Under Secretary of Defense for Acquisition,
3 Technology, and Logistics” and inserting
4 “Under Secretary of Defense for Acquisition
5 and Sustainment”;

6 (B) in subsection (c), by striking “Under
7 Secretary of Defense for Acquisition, Tech-
8 nology, and Logistics” and inserting “Under
9 Secretary of Defense for Acquisition and
10 Sustainment”;

11 (C) in subsection (d), by striking “The
12 Under Secretary for Acquisition, Technology,
13 and Logistics” and inserting “The Under Sec-
14 retary of Defense for Research and Engineer-
15 ing”; and

16 (D) in subsection (e) through (f), by strik-
17 ing “Under Secretary of Defense for Acquisi-
18 tion, Technology, and Logistics” and inserting
19 “Under Secretary of Defense for Acquisition
20 and Sustainment”.

21 (52) Section 888(b)(1) of the National Defense
22 Authorization Act for Fiscal Year 2017 (Public Law
23 114–328; 130 Stat. 2322; 10 U.S.C. 2305 note) is
24 amended by striking “Under Secretary of Defense
25 for Acquisition, Technology, and Logistics” and in-

1 serting “Under Secretary of Defense for Acquisition
2 and Sustainment”.

3 (53) Section 829(b)(1) of the National Defense
4 Authorization Act for Fiscal Year 2017 (Public Law
5 114–328; 130 Stat. 2281; 10 U.S.C. 2306 note) is
6 amended by striking “Under Secretary of Defense
7 for Acquisition, Technology, and Logistics” and in-
8 serting “Under Secretary of Defense for Acquisition
9 and Sustainment”.

10 (54) Section 2306b(i)(7) of title 10, United
11 States Code, is amended by striking “Under Sec-
12 retary of Defense for Acquisition, Technology, and
13 Logistics” and inserting “Under Secretary of De-
14 fense for Acquisition and Sustainment”.

15 (55) Section 2311(c) of title 10, United States
16 Code, is amended—

17 (A) in paragraph (1), by striking “Under
18 Secretary of Defense for Acquisition, Tech-
19 nology, and Logistics” and inserting “Under
20 Secretary of Defense for Acquisition and
21 Sustainment”; and

22 (B) in paragraph (2)(B), by striking
23 “Under Secretary of Defense for Acquisition,
24 Technology, and Logistics” and inserting

1 “Under Secretary of Defense for Acquisition
2 and Sustainment”.

3 (56) Section 824(a) of the Ike Skelton National
4 Defense Authorization Act for Fiscal Year 2011
5 (Public Law 111–383; 124 Stat. 4269; 10 U.S.C.
6 2320 note) is amended by striking “Under Secretary
7 of Defense for Acquisition, Technology, and Logis-
8 tics” and inserting “Under Secretary of Defense for
9 Acquisition and Sustainment”.

10 (57) Section 2326(g) of title 10, United States
11 Code, is amended by striking “Under Secretary of
12 Defense for Acquisition, Technology, and Logistics”
13 and inserting “Under Secretary of Defense for Ac-
14 quisition and Sustainment”.

15 (58) Section 2330 of title 10, United States
16 Code, is amended—

17 (A) in subsection (a)(1), by striking
18 “Under Secretary of Defense for Acquisition,
19 Technology, and Logistics” and inserting
20 “Under Secretary of Defense for Acquisition
21 and Sustainment”;

22 (B) in subsection (a)(3), by striking
23 “Under Secretary of Defense for Acquisition,
24 Technology, and Logistics” and inserting

1 “Under Secretary of Defense for Acquisition
2 and Sustainment”;

3 (C) in subsection (b)(2), by striking
4 “Under Secretary of Defense for Acquisition,
5 Technology, and Logistics” and inserting
6 “Under Secretary of Defense for Acquisition
7 and Sustainment”; and

8 (D) in subsection (b)(3)(A), by striking
9 “Under Secretary of Defense for Acquisition,
10 Technology, and Logistics” and inserting
11 “Under Secretary of Defense for Acquisition
12 and Sustainment”.

13 (59) Section 882 of the National Defense Au-
14 thorization Act for Fiscal Year 2016 (Public Law
15 114–92; 129 Stat. 942; 10 U.S.C. 2330 note) is
16 amended in the matter preceding paragraph (1) by
17 striking “Under Secretary of Defense for Acquisi-
18 tion, Technology, and Logistics” and inserting
19 “Under Secretary of Defense for Acquisition and
20 Sustainment”.

21 (60) Section 801(b)(2)(B) of the National De-
22 fense Authorization Act for Fiscal Year 2002 (Pub-
23 lic Law 107–107; 115 Stat. 1176; 10 U.S.C. 2330
24 note) is amended by striking “Under Secretary of
25 Defense for Acquisition, Technology, and Logistics”

1 and inserting “Under Secretary of Defense for Ac-
2 quisition and Sustainment”.

3 (61) Section 2334 of title 10, United States
4 Code, is amended by striking “Under Secretary of
5 Defense for Acquisition, Technology, and Logistics”
6 each place such term appears and inserting “Under
7 Secretary of Defense for Acquisition and
8 Sustainment”.

9 (62) Section 2350a(b)(2) of title 10, United
10 States Code, is amended by striking “Under Sec-
11 retary of Defense for Acquisition, Technology, and
12 Logistics, and the Assistant Secretary of Defense for
13 Research and Engineering” and inserting “Under
14 Secretary of Defense for Acquisition and
15 Sustainment, and the Under Secretary of Defense
16 for Research and Engineering”.

17 (63) Section 2359(b)(1) of title 10, United
18 States Code, is amended by striking “Under Sec-
19 retary of Defense for Acquisition, Technology, and
20 Logistics” and inserting “Under Secretary of De-
21 fense for Research and Engineering”.

22 (64) Section 2359b of title 10, United States
23 Code, is amended—

24 (A) in subsection (a)(1), by striking
25 “Under Secretary of Defense for Acquisition,

1 Technology, and Logistics” and inserting
2 “Under Secretary of Defense for Research and
3 Engineering”; and

4 (B) in subsection (l)(1), by striking
5 “Under Secretary of Defense for Acquisition,
6 Technology, and Logistics” and inserting
7 “Under Secretary of Defense for Research and
8 Engineering”.

9 (65) Section 2365 of title 10, United States
10 Code, is amended—

11 (A) by striking “Assistant Secretary” each
12 place it appears and inserting “Under Sec-
13 retary”; and

14 (B) in subsection (d), by striking para-
15 graph (3).

16 (66) Section 2375 of title 10, United States
17 Code, is amended by striking “Under Secretary of
18 Defense for Acquisition, Technology, and Logistics”
19 each place such term appears and inserting “Under
20 Secretary of Defense for Acquisition and
21 Sustainment”.

22 (67) Section 874(b)(1) of the National Defense
23 Authorization Act for Fiscal Year 2017 (Public Law
24 114–328; 130 Stat. 2310; 10 U.S.C. 2375 note) is
25 amended by striking “Under Secretary of Defense

1 for Acquisition, Technology, and Logistics” and in-
2 serting “Under Secretary of Defense for Acquisition
3 and Sustainment”.

4 (68) Section 876 of the National Defense Au-
5 thorization Act for Fiscal Year 2017 (Public Law
6 114–328; 130 Stat. 2311; 10 U.S.C. 2377 note) is
7 amended by striking “Under Secretary of Defense
8 for Acquisition, Technology, and Logistics” and in-
9 serting “Under Secretary of Defense for Acquisition
10 and Sustainment”.

11 (69) Section 855 of the National Defense Au-
12 thorization Act for Fiscal Year 2016 (Public Law
13 114–92; 129 Stat. 919; 10 U.S.C. 2377 note) is
14 amended by striking “Under Secretary of Defense
15 for Acquisition, Technology, and Logistics” each
16 place such term appears and inserting “Under Sec-
17 retary of Defense for Acquisition and Sustainment”.

18 (70) Section 856(a)(2)(B) of the National De-
19 fense Authorization Act for Fiscal Year 2016 (Pub-
20 lic Law 114–92; 129 Stat. 920; 10 U.S.C. 2377
21 note) is amended by striking “Under Secretary of
22 Defense for Acquisition, Technology, and Logistics”
23 and inserting “Under Secretary of Defense for Ac-
24 quisition and Sustainment”.

1 (71) Section 2399(b)(3) of title 10, United
2 States Code, is amended by striking “Under Sec-
3 retary of Defense for Acquisition, Technology, and
4 Logistics,” and inserting “Under Secretary of De-
5 fense for Acquisition and Sustainment, the Under
6 Secretary of Defense for Research and Engineer-
7 ing,”.

8 (72) Section 2419(a)(1) of title 10, United
9 States Code, is amended by striking “Under Sec-
10 retary of Defense for Acquisition, Technology, and
11 Logistics” and inserting “Under Secretary of De-
12 fense for Acquisition and Sustainment”.

13 (73) Section 825(c)(2) of the National Defense
14 Authorization Act for Fiscal Year 2016 (Public Law
15 114–92; 129 Stat. 908; 10 U.S.C. 2430 note) is
16 amended by striking “Under Secretary of Defense
17 for Acquisition, Technology, and Logistics” and in-
18 serting “Under Secretary of Defense for Acquisition
19 and Sustainment”.

20 (74) Section 826(e) of the National Defense
21 Authorization Act for Fiscal Year 2016 (Public Law
22 114–92; 129 Stat. 908; 10 U.S.C. 2430 note) is
23 amended by striking “Under Secretary of Defense
24 for Acquisition, Technology, and Logistics” and in-

1 serting “Under Secretary of Defense for Acquisition
2 and Sustainment”.

3 (75) Section 827(e) of the National Defense
4 Authorization Act for Fiscal Year 2016 (Public Law
5 114–92; 129 Stat. 909; 10 U.S.C. 2430 note) is
6 amended by striking “Under Secretary of Defense
7 for Acquisition, Technology, and Logistics” and in-
8 serting “Under Secretary of Defense for Acquisition
9 and Sustainment”.

10 (76) Section 811(b) of the National Defense
11 Authorization Act for Fiscal Year 2013 (Public Law
12 112–239; 126 Stat. 1828; 10 U.S.C. 2430 note) is
13 amended—

14 (A) in paragraph (1), by striking “if the
15 Under Secretary of Defense for Acquisition,
16 Technology, and Logistics” and inserting “if
17 the service acquisition executive, in the case of
18 a major defense acquisition program of the
19 military department, or the Under Secretary of
20 Defense for Acquisition and Sustainment, in
21 the case of a Defense-wide or Defense Agency
22 major defense acquisition program,”; and

23 (B) in paragraph (2), by inserting “the
24 service acquisition executive or” before “the

1 Under Secretary” each place such term ap-
2 pears.

3 (77) Section 812(a) of the National Defense
4 Authorization Act for Fiscal Year 2013 (Public Law
5 112–239; 126 Stat. 1829; 10 U.S.C. 2430 note) is
6 amended by striking “Under Secretary of Defense
7 for Acquisition, Technology, and Logistics” and in-
8 serting “Under Secretary of Defense for Acquisition
9 and Sustainment”.

10 (78) Section 814 of the Duncan Hunter Na-
11 tional Defense Authorization Act for Fiscal Year
12 2009 (Public Law 115–91; 131 Stat. 1467; 10
13 U.S.C. 2430 note) is amended—

14 (A) in subsection (b), by striking para-
15 graph (2) and inserting the following new para-
16 graphs:

17 “(2) REQUIRED MEMBERS.—Each Configura-
18 tion Steering Board under this section shall include
19 a representative of the following:

20 “(A) The Chief of Staff of the Armed
21 Force concerned.

22 “(B) The Comptroller of the military de-
23 partment concerned.

24 “(C) The military deputy to the service ac-
25 quisition executive concerned.

1 “(D) The program executive officer for the
2 major defense acquisition program concerned.

3 “(3) ADDITIONAL MEMBERS.—In addition to
4 the members required in paragraph (2), when the
5 milestone decision authority for a major defense ac-
6 quisition program is the Under Secretary of Defense
7 for Acquisition and Sustainment, each Configuration
8 Steering Board under this section shall also include
9 a representative of the following:

10 “(A) The Office of the Under Secretary of
11 Defense for Acquisition and Sustainment.

12 “(B) Other armed forces, as appropriate.

13 “(C) The Joint Staff.

14 “(D) Other senior representatives of the
15 Office of the Secretary of Defense and the mili-
16 tary department concerned, as appropriate.”;
17 and

18 (B) in subsection (c)(5)(B), by striking
19 “Under Secretary of Defense for Acquisition,
20 Technology, and Logistics” and inserting “serv-
21 ice acquisition executive”.

22 (79) Section 801(a)(1) of the John Warner Na-
23 tional Defense Authorization Act for Fiscal Year
24 2007 (Public Law 109–364; 120 Stat. 2312; 10
25 U.S.C. 2430 note) is amended by striking “Under

1 Secretary of Defense for Acquisition, Technology,
2 and Logistics” and inserting “Under Secretary of
3 Defense for Acquisition and Sustainment”.

4 (80) Section 924 of the National Defense Au-
5 thorization Act for Fiscal Year 2004 (Public Law
6 108–136; 117 Stat. 1576; 10 U.S.C. 2430 note) is
7 amended by striking “Under Secretary of Defense
8 for Acquisition, Technology, and Logistics” each
9 place it appears and inserting “Under Secretary of
10 Defense for Acquisition and Sustainment”.

11 (81) Section 1675(a) of the National Defense
12 Authorization Act for Fiscal Year 2016 (Public Law
13 114–92; 192 Stat. 1131; 10 U.S.C. 2431 note) is
14 amended by striking “Under Secretary of Defense
15 for Acquisition, Technology, and Logistics” and in-
16 serting “the Under Secretary of Defense for Re-
17 search and Engineering”.

18 (82) Section 2431a(b) of title 10, United States
19 Code, is amended by striking “Under Secretary of
20 Defense for Acquisition, Technology, and Logistics”
21 and inserting “Under Secretary of Defense for Ac-
22 quisition and Sustainment”.

23 (83) Section 2435 of title 10, United States
24 Code, is amended by striking—

1 (A) in subsection (b), by striking “Under
2 Secretary of Defense for Acquisition, Tech-
3 nology, and Logistics” and inserting “service
4 acquisition executive, in the case of a major de-
5 fense acquisition program of a military depart-
6 ment, or the Under Secretary of Defense for
7 Acquisition and Sustainment, in the case of a
8 Defense-wide or Defense Agency major defense
9 acquisition program”; and

10 (B) in subsection (e)(2), by striking
11 “Under Secretary of Defense for Acquisition,
12 Technology, and Logistics” and inserting
13 “Under Secretary of Defense for Acquisition
14 and Sustainment”.

15 (84) Section 2438(b) of title 10, United States
16 Code, is amended—

17 (A) in paragraph (1), by striking “Under
18 Secretary of Defense for Acquisition, Tech-
19 nology and Logistics” and inserting “Under
20 Secretary of Defense for Acquisition and
21 Sustainment”; and

22 (B) in paragraph (2), by striking “Under
23 Secretary of Defense for Acquisition, Tech-
24 nology and Logistics” and inserting “Under

1 Secretary of Defense for Acquisition and
2 Sustainment”.

3 (85) Section 2448b(a) of title 10, United States
4 Code, is amended in the matter preceding paragraph
5 (1) by inserting “by an independent organization se-
6 lected by the service acquisition executive” after
7 “conducted”.

8 (86) Section 2503(b) of title 10, United States
9 Code, is amended by striking “Under Secretary of
10 Defense for Acquisition, Technology, and Logistics”
11 and inserting “Under Secretary of Defense for Ac-
12 quisition and Sustainment”.

13 (87) Section 2508(b) of title 10, United States
14 Code, is amended by striking “Under Secretary of
15 Defense for Acquisition, Technology, and Logistics”
16 and inserting “Under Secretary of Defense for Ac-
17 quisition and Sustainment”.

18 (88) Section 2521 of title 10, United States
19 Code, is amended—

20 (A) in subsection (a), by striking “The
21 Under Secretary of Defense for Acquisition,
22 Technology, and Logistics” and inserting “The
23 Under Secretary of Defense for Research and
24 Engineering”;

1 (B) in subsection (e)(4)(D), by striking
2 “Under Secretary of Defense for Acquisition,
3 Technology, and Logistics” and inserting
4 “Under Secretary of Defense for Research and
5 Engineering”; and

6 (C) in subsection (e)(5), by striking
7 “Under Secretary of Defense for Acquisition,
8 Technology, and Logistics” and inserting
9 “Under Secretary of Defense for Research and
10 Engineering”.

11 (89) Section 2533b(k)(2)(A) of title 10, United
12 States Code, is amended by striking “Under Sec-
13 retary of Defense for Acquisition, Technology, and
14 Logistics” and inserting “Under Secretary of De-
15 fense for Acquisition and Sustainment”.

16 (90) Section 2546 of title 10, United States
17 Code, is amended—

18 (A) in the heading of subsection (a), by
19 striking “UNDER SECRETARY OF DEFENSE
20 FOR ACQUISITION, TECHNOLOGY, AND LOGIS-
21 TICS” and inserting “UNDER SECRETARY OF
22 DEFENSE FOR ACQUISITION AND
23 SUSTAINMENT”;

24 (B) in subsection (a), by striking “Under
25 Secretary of Defense for Acquisition, Tech-

1 nology, and Logistics” and inserting “Under
2 Secretary of Defense for Acquisition and
3 Sustainment”; and

4 (C) in subsection (b), by striking “Under
5 Secretary of Defense for Acquisition, Tech-
6 nology, and Logistics” and inserting “Under
7 Secretary of Defense for Acquisition and
8 Sustainment”.

9 (91) Section 2548 of title 10, United States
10 Code, is amended—

11 (A) in subsection (a), by striking “Under
12 Secretary of Defense for Acquisition, Tech-
13 nology, and Logistics” and inserting “Under
14 Secretary of Defense for Acquisition and
15 Sustainment”; and

16 (B) in subsection (c)(8), by striking
17 “Under Secretary of Defense for Acquisition,
18 Technology, and Logistics” and inserting
19 “Under Secretary of Defense for Acquisition
20 and Sustainment”.

21 (92) Section 2902(b) of title 10, United States
22 Code, is amended—

23 (A) in paragraph (1), by striking “Office
24 of the Assistant Secretary of Defense for Re-
25 search and Engineering” and inserting “Office

1 of the Secretary of Defense for Research and
2 Engineering”; and

3 (B) in paragraph (3), by striking “Office
4 of the Under Secretary of Defense for Acquisi-
5 tion, Technology, and Logistics” and inserting
6 “Office of the Under Secretary of Defense for
7 Acquisition and Sustainment”.

8 (93) Section 2824(d) of the National Defense
9 Authorization Act for Fiscal Year 2013 (Public law
10 112–239; 126 Stat. 2154; 10 U.S.C. 2911 note) is
11 amended by striking “Under Secretary of Defense
12 for Acquisition, Technology, and Logistics and the
13 Assistant Secretary of Defense for Energy, Installa-
14 tions, and Environment” and inserting “Under Sec-
15 retary of Defense for Acquisition and Sustainment”.

16 (94) Section 315(d) of the National Defense
17 Authorization Act for Fiscal Year 2012 (Public law
18 112–81; 125 Stat. 1357; 10 U.S.C. 2911 note) is
19 amended by striking “Under Secretary of Defense
20 for Acquisition, Technology, and Logistics” and in-
21 serting “Under Secretary of Defense for Acquisition
22 and Sustainment”.

23 (95) Section 2926(e)(5)(D) of title 10, United
24 States Code, is amended by striking “Under Sec-
25 retary of Defense for Acquisition, Technology, and

1 Logistics” and inserting “Under Secretary for De-
2 fense for Acquisition and Sustainment”.

3 (96) Section 836(a)(2) of the National Defense
4 Authorization Act for Fiscal Year 2012 (Public Law
5 112–81; 125 Stat. 1508; 22 U.S.C. 2767 note) is
6 amended by striking “the Under Secretary of De-
7 fense for Acquisition, Technology, and Logistics, the
8 Assistant Secretary of Defense for Research,” and
9 inserting “the Under Secretary of Defense for Ac-
10 quisition and Sustainment, the Under Secretary of
11 Defense for Research and Engineering,”.

12 (97) Section 7103(d)(7)(M)(v) of title 22,
13 United States Code, is amended by striking “Under
14 Secretary of Defense for Acquisition, Technology,
15 and Logistics” and inserting “Under Secretary of
16 Defense for Acquisition and Sustainment”.

17 (98) Section 1126(a)(3) of title 31, United
18 States Code, is amended by striking “Under Sec-
19 retary of Defense for Acquisition, Technology, and
20 Logistics” and inserting “Under Secretary of De-
21 fense for Acquisition and Sustainment”.

22 (99) Section 11319(d)(4) of title 40, United
23 States Code, is amended by striking “Under Sec-
24 retary of Defense for Acquisition, Technology, and

1 Logistics” and inserting “Under Secretary of De-
2 fense for Acquisition and Sustainment”.

3 (100) Section 1302(b)(2)(A)(i) of title 41,
4 United States Code, is amended by striking “Under
5 Secretary of Defense for Acquisition, Technology,
6 and Logistics” and inserting “Under Secretary of
7 Defense for Acquisition and Sustainment”.

8 (101) Section 809 of the National Defense Au-
9 thorization Act for Fiscal Years 1992 and 1993
10 (Public Law 102–190; 105 Stat. 1423; 41 U.S.C.
11 1302 note) is amended by striking “Under Secretary
12 of Defense for Acquisition, Technology, and Logis-
13 tics” and inserting “Under Secretary of Defense for
14 Acquisition and Sustainment”.

15 (102) Section 1311(b)(3) of title 41, United
16 States Code, is amended by striking “Under Sec-
17 retary of Defense for Acquisition, Technology, and
18 Logistics” and inserting “Under Secretary of De-
19 fense for Acquisition and Sustainment”.

20 (103) Section 98f(a)(3) of title 50, United
21 States Code, is amended by striking “Under Sec-
22 retary of Defense for Acquisition, Technology, and
23 Logistics” and inserting “Under Secretary of De-
24 fense for Acquisition and Sustainment”.

1 (104) Section 1521 of title 50, United States
2 Code, is amended—

3 (A) in subsection (f)(1), by striking
4 “Under Secretary of Defense for Acquisition,
5 Technology, and Logistics” and inserting
6 “Under Secretary of Defense for Acquisition
7 and Sustainment”; and

8 (B) in subsection (g)(2), by striking
9 “Under Secretary of Defense for Acquisition,
10 Technology, and Logistics” and inserting
11 “Under Secretary of Defense for Acquisition
12 and Sustainment.”.

13 (k) REQUIREMENTS FOR THE NATIONAL SECURITY
14 STRATEGY FOR NATIONAL TECHNOLOGY AND INDUS-
15 TRIAL BASE.—

16 (1) NATIONAL SECURITY STRATEGY FOR NA-
17 TIONAL TECHNOLOGY AND INDUSTRIAL BASE.—Sec-
18 tion 2501(a) of title 10, United States Code, is
19 amended by inserting after the first sentence the fol-
20 lowing new sentence: “The Secretary shall submit
21 such strategy to Congress not later than 180 days
22 after the date of submission of the national security
23 strategy report required under section 108 of the
24 National Security Act of 1947 (50 U.S.C. 3043).”.

1 (2) ANNUAL REPORT TO CONGRESS.—Section
2 2504(3) of title 10, United States Code, is amend-
3 ed—

4 (A) in the matter preceding subparagraph
5 (A), by inserting “Executive order or” after
6 “pursuant to”;

7 (B) by amending subparagraph (A) to read
8 as follows:

9 “(A) prioritized list of gaps or
10 vulnerabilities in the national technology and
11 industrial base, including—

12 “(i) a description of mitigation strate-
13 gies necessary to address such gaps or
14 vulnerabilities;

15 “(ii) the identification of the indi-
16 vidual responsible for addressing such gaps
17 or vulnerabilities; and

18 “(iii) a proposed timeline for action to
19 address gaps or vulnerabilities.”.

20 (1) ESTABLISHMENT OF CENTER FOR ACQUISITION
21 INNOVATION.—

22 (1) ESTABLISHMENT OF CENTER FOR ACQUISITION
23 INNOVATION.—

1 (A) IN GENERAL.—Chapter 97 of title 10,
2 United States Code, is amended by inserting
3 after section 1746 the following new section:

4 **“§ 1746a. Center for Acquisition Innovation**

5 “(a) ESTABLISHMENT.—The Secretary of Defense,
6 acting through the Under Secretary of Defense for Acqui-
7 sition and Sustainment, shall establish and maintain a
8 Center for Acquisition Innovation (hereinafter referred to
9 as the ‘Center’) at the Naval Postgraduate School. The
10 Center shall operate as an academic entity specializing in
11 innovation relating to the defense acquisition system.

12 “(b) MISSION.—(1) The mission of the Center is to
13 provide to policymakers in the Department of Defense,
14 Congress, and throughout the Government, academic anal-
15 yses and policy alternatives for innovation in the defense
16 acquisition system. The Center shall accomplish that mis-
17 sion by a variety of means intended to widely disseminate
18 the research findings of the Center.

19 “(2) In carrying out the mission under paragraph
20 (1), the Center shall, on an ongoing basis, review the stat-
21 utes and regulations applicable to the defense acquisition
22 system. The objective of such review is to provide policy
23 alternatives for streamlining and improving the efficiency
24 and effectiveness of the defense acquisition process in

1 order to ensure a defense technology advantage for the
2 United States over potential adversaries.

3 “(c) IMPLEMENTATION REVIEW OF SECTION 809
4 PANEL RECOMMENDATIONS AND CENTER POLICY ALTER-
5 NATIVES.—(1) The Center shall, on an ongoing basis, re-
6 view implementation of the recommendations of the Sec-
7 tion 809 Panel and policy alternatives provided by the
8 Center. As part of such review, the Center shall—

9 “(A) for recommendations or policy alternatives
10 for the enactment of legislation, identify whether (or
11 to what extent) the recommendations or policy alter-
12 natives have been adopted by being enacted into law
13 by Congress;

14 “(B) for recommendations or policy alternatives
15 for the issuance of regulations, identify whether (or
16 to what extent) the recommendations or policy alter-
17 natives have been adopted through issuance of new
18 agency or Government-wide regulations; and

19 “(C) for recommendations or policy alternatives
20 for revisions to policies and procedures in the execu-
21 tive branch, identify whether (or to what extent) the
22 recommendations or policy alternatives have been
23 adopted through issuance of an appropriate imple-
24 menting directive or other form of guidance.

1 “(2) In this subsection, the term ‘Section 809 Panel’
2 means the panel established by the Secretary of Defense
3 pursuant to section 809 of the National Defense Author-
4 ization Act for Fiscal Year 2016 (Public Law 114–92),
5 as amended by section 863(d) of the National Defense Au-
6 thorization Act for Fiscal Year 2017 (Public Law 114–
7 328) and sections 803(c) and 883 of the National Defense
8 Authorization Act for Fiscal Year 2018 (Public Law 115–
9 91).

10 “(d) FUNDING.—There shall be available for the Cen-
11 ter for any fiscal year from the Defense Acquisition Work-
12 force and Development Fund not less than the amount
13 of \$3,000,000 (in fiscal year 2019 constant dollars), in
14 addition to any other amount available for that fiscal year
15 for the Naval Postgraduate School.

16 “(e) ANNUAL REPORT.—(1) Not later than Sep-
17 tember 30 each year, the Center shall submit to the Sec-
18 retary of Defense, who shall forward to the Committees
19 on Armed Services of the Senate and House of Represent-
20 atives, a report describing the activities of the Center dur-
21 ing the previous year and providing the findings, analysis,
22 and policy alternatives of the Center relating to the de-
23 fense acquisition system.

1 “(2) Each such report shall be submitted in accord-
 2 ance with paragraph (1) without further review within the
 3 executive branch.

4 “(3) Each report under paragraph (1) shall include
 5 the following:

6 “(A) Results of academic research and analysis.

7 “(B) Results of the implementation reviews
 8 conducted pursuant to subsection (d).

9 “(C) Policy alternatives for such legislative and
 10 executive branch action as the Center considers war-
 11 ranted.

12 “(D) Specific implementation language for any
 13 statutory changes recommended.

14 “(f) DEFINITION.—In this section, the term ‘defense
 15 acquisition system’ has the meaning given that term in
 16 section 2545(2) of this title.”.

17 (B) CLERICAL AMENDMENT.—The table of
 18 sections at the beginning of such chapter is
 19 amended by inserting after the item relating to
 20 section 2165 the following new item:

“1746a. Center for Acquisition Innovation.”.

21 (2) DEADLINE FOR IMPLEMENTATION.—The
 22 Secretary of Defense shall establish the Center for
 23 Acquisition Innovation under section 1746a of title
 24 10, United States Code, as added by subsection (a),
 25 not later than March 1, 2020. The first Director of

1 the Center shall be appointed not later than June 1,
2 2020, and the Center should be fully operational not
3 later than June 1, 2021.

4 (3) IMPLEMENTATION REPORT.—

5 (A) IN GENERAL.—Not later than January
6 1, 2021, the head of the Center of Acquisition
7 Innovation shall submit to the Secretary of De-
8 fense a report setting forth the organizational
9 plan for the Center for Acquisition Innovation,
10 the proposed budget for the Center, and the
11 timetable for initial and full operations of the
12 Center.

13 (B) TRANSMITTAL.—The Secretary of De-
14 fense shall transmit the report under paragraph
15 (1), together with whatever comments the Sec-
16 retary considers appropriate, to the Committee
17 on Armed Services of the Senate and the Com-
18 mittee on Armed Services of the House of Rep-
19 resentatives not later than February 1, 2021.

20 (4) RECORDS OF THE SECTION 809 PANEL.—

21 (A) TRANSFER AND MAINTENANCE OF
22 RECORDS.—Following termination of the Sec-
23 tion 809 Panel, the records of the panel shall
24 be transferred to, and shall be maintained by,
25 the Defense Technical Information Center.

1 Such transfer shall be accomplished not later
2 than August 1, 2019.

3 (B) STATUS OF RECORDS.—Working pa-
4 pers, records of interview, and any other draft
5 work products generated for any purpose by the
6 Section 809 Panel during its research are cov-
7 ered by the deliberative process privilege exemp-
8 tion under paragraph (5) of section 552(b) of
9 title 5, United States Code.

10 (C) DEFINITION.—In this section, the
11 term “Section 809 Panel” means the panel es-
12 tablished by the Secretary of Defense pursuant
13 to section 809 of the National Defense Author-
14 ization Act for Fiscal Year 2016 (Public Law
15 114–92), as amended by section 863(d) of the
16 National Defense Authorization Act for Fiscal
17 Year 2017 (Public Law 114–328) and sections
18 803(c) and 883 of the National Defense Au-
19 thorization Act for Fiscal Year 2018 (Public
20 Law 115–91).

1 **Subtitle F—Industrial Base Matters**

2 **SEC. 871. CONSIDERATION OF SUBCONTRACTING TO MI-**
3 **NORITY INSTITUTIONS.**

4 (a) IN GENERAL.—Chapter 141 of title 10, United
5 States Code, is amended by adding at the end the fol-
6 lowing new section:

7 **“§ 2410t. Consideration of subcontracting to minority**
8 **institutions**

9 “(a) CONSIDERATION OF SUBCONTRACTING TO MI-
10 NORITY INSTITUTIONS.—The Secretary of Defense shall
11 revise the Department of Defense Supplement to the Fed-
12 eral Acquisition Regulation to require that the system
13 used by the Federal Government to monitor or record con-
14 tractor past performance for a grant or contract awarded
15 to an institution of higher education includes incentives
16 for the award of a sub-grant or subcontract to minority
17 institutions.

18 “(b) MINORITY INSTITUTION DEFINED.—In this sec-
19 tion, the term ‘minority institution’ means—

20 “(1) a part B institution (as that term is de-
21 fined in section 322(2) of the Higher Education Act
22 of 1965 (20 U.S.C. 1061(2)); or

23 “(2) any other institution of higher education
24 (as that term is defined in section 101 of such Act
25 (20 U.S.C. 1001)) at which not less than 50 percent

1 of the total student enrollment consists of students
 2 from ethnic groups that are underrepresented in the
 3 fields of science and engineering.”.

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

“2410t. Consideration of subcontracting to minority institutions.”.

7 **SEC. 872. SIZE STANDARD CALCULATIONS FOR CERTAIN**
 8 **SMALL BUSINESS CONCERNS.**

9 (a) CLARIFYING AMENDMENT TO THE SMALL BUSI-
 10 NESS RUNWAY EXTENSION ACT OF 2018.—Section
 11 3(a)(2)(C) of the Small Business Act (15 U.S.C.
 12 632(a)(2)(C)) is amended by inserting “(including the Ad-
 13 ministration when acting pursuant to subparagraph (A))”
 14 after “no Federal department or agency”.

15 (b) FINALIZATION OF SMALL BUSINESS RUNWAY
 16 EXTENSION ACT OF 2018 RULES.—The Administrator of
 17 the Small Business Administration shall issue a final rule
 18 implementing the Small Business Runway Extension Act
 19 of 2018 (Public Law 115–324) not later than December
 20 17, 2019.

21 (c) AMENDMENT TO SIZE STANDARDS FOR CERTAIN
 22 SMALL BUSINESS CONCERNS.—

23 (1) SIZE STANDARDS FOR SMALL BUSINESS
 24 CONCERNS PROVIDING SERVICES.—Section
 25 3(a)(2)(C)(ii)(II) of the Small Business Act (15

1 U.S.C. 632(a)(2)(C)(ii)(II)) is amended by striking
2 “not less than”.

3 (2) SIZE STANDARDS FOR OTHER BUSINESS
4 CONCERNS.—Section 3(a)(2)(C)(ii)(III) of the Small
5 Business Act (15 U.S.C. 632(a)(2)(C)(ii)(III)) is
6 amended by striking “not less than 3 years” and in-
7 serting “5 years”.

8 (d) TRANSITION PLAN FOR THE SMALL BUSINESS
9 RUNWAY EXTENSION ACT OF 2018.—

10 (1) PLAN REQUIRED.—Not later than 30 days
11 after the date of the enactment of this Act, the Ad-
12 ministrator of the Small Business Administration
13 shall implement a transition plan to assist business
14 concerns and Federal agencies with compliance with
15 the requirements of the Small Business Runway Ex-
16 tension Act of 2018 (Public Law 115–324).

17 (2) 3-YEAR CALCULATION FOR SIZE STAND-
18 ARDS.—

19 (A) IN GENERAL.—The transition plan de-
20 scribed under paragraph (1) shall include a re-
21 quirement that, during the period beginning on
22 December 17, 2018, and ending on the date
23 that is 6 months after the date on which the
24 Administrator issues final rules implementing
25 the Small Business Runway Extension Act of

2018 (Public Law 115–324), allows the use of a 3-year calculation for a size standard to be applied to a business concern if the use of such 3-year calculation allows such concern to be considered a small business concern under section 3(a)(1) of the Small Business Act (15 U.S.C. 632(a)(1)).

(B) 3-YEAR CALCULATION DEFINED.—In this subsection, the term “3-year calculation” means—

(i) with respect to a business concern providing services described under clause (ii)(II) of such section, a determination of the size of such concern on the basis of the annual average gross receipts of such concern over a period of 3 years; and

(ii) with respect to a business concern described under clause (ii)(III) of such section, a determination of the size of such concern on the basis of data over a period of 3 years.

(e) REQUIREMENT TO UPDATE SAM.—Not later than 90 days after the date of the enactment of this Act, the System for Award Management (or any successor sys-

1 tem) shall be updated to comply with the requirements of
2 this Act.

3 **SEC. 873. MODIFICATIONS TO SMALL BUSINESS SUBCON-**
4 **TRACTING.**

5 (a) SMALL BUSINESS LOWER-TIER SUBCON-
6 TRACTING.—Section 8(d) of the Small Business Act (15
7 U.S.C. 637(d)) is amended—

8 (1) by amending paragraph (16) to read as fol-
9 lows:

10 “(16) CREDIT FOR CERTAIN SMALL BUSINESS
11 CONCERN SUBCONTRACTORS.—

12 “(A) IN GENERAL.—For purposes of deter-
13 mining whether or not a prime contractor has
14 attained the percentage goals specified in para-
15 graph (6)—

16 “(i) if the subcontracting goals per-
17 tain only to a single contract with the Fed-
18 eral agency, the prime contractor may elect
19 to receive credit for small business con-
20 cerns performing as first tier subcontrac-
21 tors or subcontractors at any tier pursuant
22 to the subcontracting plans required under
23 paragraph (6)(D) in an amount equal to
24 the total dollar value of any subcontracts

1 awarded to such small business concerns;
2 and

3 “(ii) if the subcontracting goals per-
4 tain to more than one contract with one or
5 more Federal agencies, or to one contract
6 with more than one Federal agency, the
7 prime contractor may only receive credit
8 for first tier subcontractors that are small
9 business concerns.

10 “(B) COLLECTION AND REVIEW OF DATA
11 ON SUBCONTRACTING PLANS.—The head of
12 each contracting agency shall ensure that—

13 “(i) the agency collects and reports
14 data on the extent to which contractors of
15 the agency meet the goals and objectives
16 set forth in subcontracting plans submitted
17 pursuant to this subsection; and

18 “(ii) the agency periodically reviews
19 data collected and reported pursuant to
20 subparagraph (A) for the purpose of en-
21 suring that such contractors comply in
22 good faith with the requirements of this
23 subsection and subcontracting plans sub-
24 mitted by the contractors pursuant to this
25 subsection.

1 “(C) RULE OF CONSTRUCTION.—Nothing
2 in this paragraph shall be construed to allow a
3 Federal agency to establish a goaling require-
4 ment for a prime contractor eligible to receive
5 credit under this paragraph that establishes an
6 amount of subcontracts with a subcontractor
7 that is not a first tier subcontractor for such
8 prime contractor.”; and

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

11 “(18) DISPUTE PROCESS FOR NON-PAYMENT TO
12 SUBCONTRACTORS.—

13 “(A) NOTICE TO AGENCY.—With respect
14 to a contract with a Federal agency, a subcon-
15 tractor of a prime contractor on such contract
16 may, if the subcontractor has not received pay-
17 ment for performance on such contract within
18 30 days of the completion of such performance,
19 notify the Office of Small and Disadvantaged
20 Business Utilization (hereinafter referred to as
21 ‘OSDBU’) of the Federal agency and the prime
22 contractor of such lack of payment.

23 “(B) AGENCY DETERMINATION.—

24 “(i) IN GENERAL.—Upon receipt of a
25 notice described under subparagraph (A)

1 and if such notice is provided to the agen-
2 cy within the 15-day period following the
3 end the 30-day period described in sub-
4 paragraph (A), the OSDBU shall verify
5 whether such lack of payment has occurred
6 and determine whether such lack of pay-
7 ment is due to an undue restriction placed
8 on the prime contractor by an action of the
9 Federal agency.

10 “(ii) RESPONSE DURING DETERMINA-
11 TION.—During the period in which the
12 OSDBU is making the determination
13 under clause (i), the prime contractor may
14 respond to both the subcontractor and the
15 OSDBU with relevant verifying docu-
16 mentation to either prove payment or al-
17 lowable status of nonpayment.

18 “(C) CURE PERIOD.—If the OSDBU
19 verifies that the lack of payment under sub-
20 paragraph (B) is not due to an action of the
21 Federal agency, and the prime contractor has
22 not provided verifying documentation described
23 in subparagraph (B)(ii), the OSDBU shall no-
24 tify the prime contractor and provide the prime
25 contractor with a 15-day period in which the

1 prime contractor may make the payment owed
2 to the subcontractor.

3 “(D) RESULT OF NONPAYMENT.—If, after
4 notifying the prime contractor under subpara-
5 graph (C), the OSDBU determines that the
6 prime contractor has not fully paid the amount
7 owed within the 15-day period described under
8 subparagraph (C), the OSDBU shall ensure
9 that such failure to pay is reflected in the Con-
10 tractor Performance Assessment Reporting sys-
11 tem (or any successor system).”.

12 (b) MAINTENANCE OF RECORDS WITH RESPECT TO
13 CREDIT UNDER A SUBCONTRACTING PLAN.—Section
14 8(d)(6) of the Small Business Act (15 U.S.C. 637(d)(6))
15 is amended—

16 (1) by redesignating subparagraphs (G) and
17 (H) as subparagraphs (H) and (I), respectively (and
18 conforming the margins accordingly); and

19 (2) by inserting after subparagraph (F) the fol-
20 lowing new subparagraph:

21 “(G) a recitation of the types of records the
22 successful offeror or bidder will maintain to dem-
23 onstrate that procedures have been adopted to sub-
24 stantiate the credit the successful offeror or bidder
25 will elect to receive under paragraph (16)(A)(i);”.

1 **SEC. 874. INCLUSION OF BEST IN CLASS DESIGNATIONS IN**
2 **ANNUAL REPORT ON SMALL BUSINESS**
3 **GOALS.**

4 Section 15(h) of the Small Business Act (15 U.S.C.
5 644(h)) is amended by adding at the end the following
6 new paragraph:

7 “(4) BEST IN CLASS SMALL BUSINESS PARTICI-
8 PATION REPORTING.—

9 “(A) ADDENDUM.—The Administrator, in
10 addition to the requirements under paragraph
11 (2), shall include in the report required by such
12 paragraph, for each best in class designation—

13 “(i) the total amount of spending
14 Governmentwide in such designation;

15 “(ii) the number of small business
16 concerns awarded contracts and the dollar
17 amount of such contracts awarded within
18 each such designation to each of the fol-
19 lowing—

20 “(I) qualified HUBZone small
21 business concerns;

22 “(II) small business concerns
23 owned and controlled by women;

24 “(III) small business concerns
25 owned and controlled by service-dis-
26 abled veterans; and

1 “(IV) small business concerns
2 owned and controlled by socially and
3 economically disadvantaged individ-
4 uals.

5 “(B) BEST IN CLASS DEFINED.—The term
6 ‘best in class’ has the meaning given such term
7 by the Director of the Office of Management
8 and Budget.

9 “(C) EFFECTIVE DATE.—The Adminis-
10 trator shall report on the information described
11 by subparagraph (A) beginning on the date that
12 such information is available in the Federal
13 Procurement Data System, the System for
14 Award Management, or any successor to such
15 systems.”.

16 **SEC. 875. SMALL BUSINESS ADMINISTRATION CYBERSECU-**
17 **RITY REPORTS.**

18 Section 10 of the Small Business Act (15 U.S.C. 639)
19 is amended by inserting after subsection (a) the following:

20 “(b) CYBERSECURITY REPORTS.—

21 “(1) ANNUAL REPORT.—Not later than 180
22 days after the date of enactment of this subsection,
23 and every year thereafter, the Administrator shall
24 submit a report to the appropriate congressional
25 committees that includes—

1 “(A) an assessment of the information
2 technology (as defined in section 11101 of title
3 40, United States Code) and cybersecurity in-
4 frastructure of the Administration;

5 “(B) a strategy to increase the cybersecu-
6 rity infrastructure of the Administration;

7 “(C) a detailed account of any information
8 technology equipment or interconnected system
9 or subsystem of equipment of the Administra-
10 tion that was manufactured by an entity that
11 has its principal place of business located in
12 China, Iran, Russia, or North Korea; and

13 “(D) an account of any cybersecurity risk
14 or incident that occurred at the Administration
15 during the 2-year period preceding the date on
16 which the report is submitted, and any action
17 taken by the Administrator to respond to or re-
18 mediate any such cybersecurity risk or incident.

19 “(2) ADDITIONAL REPORTS.—If the Adminis-
20 trator determines that there is a reasonable basis to
21 conclude that a cybersecurity risk or incident oc-
22 curred at the Administration, the Administrator
23 shall—

24 “(A) not later than 7 days after the date
25 on which the Administrator makes that deter-

1 mination, notify the appropriate congressional
2 committees of the cybersecurity risk or incident;
3 and

4 “(B) not later than 30 days after the date
5 on which the Administrator makes a determina-
6 tion under subparagraph (A)—

7 “(i) provide notice to individuals and
8 small business concerns affected by the cy-
9 bersecurity risk or incident; and

10 “(ii) submit to the appropriate con-
11 gressional committees a report, based on
12 information available to the Administrator
13 as of the date which the Administrator
14 submits the report, that includes—

15 “(I) a summary of information
16 about the cybersecurity risk or inci-
17 dent, including how the cybersecurity
18 risk or incident occurred; and

19 “(II) an estimate of the number
20 of individuals and small business con-
21 cerns affected by the cybersecurity
22 risk or incident, including an assess-
23 ment of the risk of harm to affected
24 individuals and small business con-
25 cerns.

1 “(3) RULE OF CONSTRUCTION.—Nothing in
2 this subsection shall be construed to affect the re-
3 porting requirements of the Administrator under
4 chapter 35 of title 44, United States Code, in par-
5 ticular the requirement to notify the Federal infor-
6 mation security incident center under section
7 3554(b)(7)(C)(ii) of such title, or any other provi-
8 sion of law.

9 “(4) DEFINITIONS.—In this subsection:

10 “(A) APPROPRIATE CONGRESSIONAL COM-
11 MITTEES.—The term ‘appropriate congressional
12 committees’ means—

13 “(i) the Committee on Small Business
14 and Entrepreneurship of the Senate; and

15 “(ii) the Committee on Small Busi-
16 ness of the House of Representatives.

17 “(B) CYBERSECURITY RISK; INCIDENT.—
18 The terms ‘cybersecurity risk’ and ‘incident’
19 have the meanings given such terms, respec-
20 tively, under section 2209(a) of the Homeland
21 Security Act of 2002.”.

1 **SEC. 876. CYBER COUNSELING CERTIFICATION PROGRAM**
2 **FOR LEAD SMALL BUSINESS DEVELOPMENT**
3 **CENTERS.**

4 Section 21 of the Small Business Act (15 U.S.C. 648)
5 is amended by adding at the end the following:

6 “(o) CYBER COUNSELING CERTIFICATION PROGRAM
7 FOR LEAD SMALL BUSINESS DEVELOPMENT CENTERS.—

8 “(1) CERTIFICATION PROGRAM.—The Adminis-
9 trator shall establish a cyber counseling certification
10 program, or approve a similar existing program, to
11 certify employees of lead small business development
12 centers to provide cyber planning assistance to small
13 business concerns.

14 “(2) NUMBER OF CERTIFIED EMPLOYEES.—
15 The Administrator shall ensure that each lead small
16 business development center has at least 1 employee,
17 and not less than 10 percent of the total number of
18 employees of the lead small business development
19 center, certified in providing cyber planning assist-
20 ance under this subsection.

21 “(3) CONSIDERATION OF SMALL BUSINESS DE-
22 VELOPMENT CENTER CYBER STRATEGY.—In car-
23 rying out this subsection, the Administrator, to the
24 extent practicable, shall consider any cyber strategy
25 methods included in the Small Business Develop-
26 ment Center Cyber Strategy developed under section

1 1841(a)(3)(B) of the National Defense Authoriza-
2 tion Act for Fiscal Year 2017 (Public Law 114–328;
3 130 Stat. 2662) and any cybersecurity outreach con-
4 ducted pursuant to section 2209(l) of the Homeland
5 Security Act of 2002.

6 “(4) REIMBURSEMENT FOR CERTIFICATION.—
7 Subject to the availability of appropriations, the Ad-
8 ministrator shall reimburse a lead small business de-
9 velopment center in an amount not to exceed
10 \$350,000 in any fiscal year for costs relating to the
11 certification of an employee of the lead small busi-
12 ness development center under the program estab-
13 lished under paragraph (1).

14 “(5) DEFINITIONS.—In this subsection:

15 “(A) CYBER PLANNING ASSISTANCE.—The
16 term ‘cyber planning assistance’ means counsel
17 and assistance to improve the cybersecurity in-
18 frastructure, awareness of cyber threat indica-
19 tors, and cyber training programs for employees
20 of a small business concern.

21 “(B) LEAD SMALL BUSINESS DEVELOP-
22 MENT CENTER.—The term ‘lead small business
23 development center’ means a small business de-
24 velopment center that has received a grant
25 under this section.”.

1 **SEC. 877. EXEMPTION OF CERTAIN CONTRACTS FROM THE**
2 **PERIODIC INFLATION ADJUSTMENTS TO THE**
3 **ACQUISITION-RELATED DOLLAR THRESH-**
4 **OLD.**

5 Subparagraph (B) of section 1908(b)(2) of title 41,
6 United States Code, is amended by inserting “3131 to
7 3134,” after “sections”.

8 **SEC. 878. IMPROVEMENTS TO CERTAIN DEFENSE INNOVA-**
9 **TION PROGRAMS.**

10 (a) ALIGNMENT OF THE SMALL BUSINESS INNOVA-
11 TION RESEARCH PROGRAM AND SMALL BUSINESS TECH-
12 NOLOGY TRANSFER PROGRAM OF THE DEPARTMENT OF
13 DEFENSE WITH THE NATIONAL DEFENSE SCIENCE AND
14 TECHNOLOGY STRATEGY.—

15 (1) IN GENERAL.—The Secretary of Defense
16 and Secretaries of the military departments shall, to
17 the extent practicable, align the research topics se-
18 lected for activities conducted under the Small Busi-
19 ness Innovation Research Program and Small Busi-
20 ness Technology Transfer Program (as defined
21 under section 9 of the Small Business Act (15
22 U.S.C. 638) with the National Defense Science and
23 Technology Strategy established under section 218
24 of the John. S. McCain National Defense Authoriza-
25 tion Act for Fiscal Year 2019 (Public Law 115–232;
26 132 Stat. 1679).

1 (2) USE OF NATIONAL DEFENSE SCIENCE AND
2 TECHNOLOGY STRATEGY TO DETERMINE RESEARCH
3 TOPICS.—Section 9 of the Small Business Act (15
4 U.S.C. 638) is amended—

5 (A) in subsection (g)(3)(B), by striking “,
6 in the 1992 report” and all that follows through
7 “that authority” and inserting “in the National
8 Defense Science and Technology Strategy es-
9 tablished under section 218 of the John. S.
10 McCain National Defense Authorization Act for
11 Fiscal Year 2019 (Public Law 115–232; 132
12 Stat. 1679)”; and

13 (B) in subsection (o)(3)(B), by striking “,
14 in accordance with section 2522 of title 10,
15 United States Code” and inserting “in the Na-
16 tional Defense Science and Technology Strategy
17 established under section 218 of the John. S.
18 McCain National Defense Authorization Act for
19 Fiscal Year 2019 (Public Law 115–232; 132
20 Stat. 1679)”.

21 (b) PILOT PROGRAM FOR DOMESTIC INVESTMENT
22 UNDER THE SBIR PROGRAM.—

23 (1) SENSE OF CONGRESS.—It is the sense of
24 Congress that the Administrator of the Small Busi-
25 ness Administration should promulgate regulations

1 to carry out the requirements under section 9(dd) of
2 the Small Business Act (15 U.S.C. 638(dd)) that—

3 (A) permit small business concerns that
4 are majority-owned by multiple venture capital
5 operating companies, hedge funds, or private
6 equity firms to participate in the SBIR pro-
7 gram in accordance with such section;

8 (B) provide specific information regarding
9 eligibility, participation, and affiliation rules to
10 such small business concerns; and

11 (C) preserve and maintain the integrity of
12 the SBIR program as a program for small busi-
13 ness concerns in the United States by prohib-
14 iting large entities or foreign-owned entities
15 from participation in the SBIR program.

16 (2) DOMESTIC INVESTMENT PILOT PROGRAM.—

17 (A) IN GENERAL.—Not later than 1 year
18 after the date of the enactment of this Act and
19 notwithstanding the requirements of section
20 9(dd) of the Small Business Act (15 U.S.C.
21 638(dd)), the Secretary of Defense shall create
22 and administer a program to be known as the
23 “Domestic Investment Pilot Program” under
24 which the Secretary and the service acquisition
25 executive for each military department may

1 make a SBIR award to a small business con-
2 cern that is majority-owned by multiple United
3 States-owned venture capital operating compa-
4 nies, hedge funds, or private equity firms with-
5 out providing the written determination de-
6 scribed under paragraph (2) of such section
7 9(dd).

8 (B) LIMITATION.—The Secretary of De-
9 fense may award not more than 10 percent of
10 the funds allocated for the SBIR program of
11 the Department of Defense under section 9(f)
12 of the Small Business Act (15 U.S.C. 638(f)) to
13 small business concerns that are owned in ma-
14 jority part by multiple venture capital operating
15 companies, hedge funds, or private equity firms
16 through competitive, merit-based procedures
17 that are open to all eligible small business con-
18 cerns.

19 (C) EVALUATION CRITERIA.—In carrying
20 out the Domestic Investment Pilot Program,
21 the Secretary of Defense may not use invest-
22 ment of venture capital or investment from
23 hedge funds or private equity firms as a cri-
24 terion for the award of contracts under the
25 SBIR program or STTR program.

1 (D) ANNUAL REPORTING.—The Secretary
2 of Defense shall include as part of each annual
3 report required under section 9(b)(7) of the
4 Small Business Act (15 U.S.C.
5 638(9)(b)(7)))—

6 (i) information on the implementation
7 of the Domestic Investment Pilot Program;

8 (ii) the number of proposals received
9 from small business concerns that are ma-
10 jority-owned by multiple venture capital
11 operating companies, hedge funds, or pri-
12 vate equity firms for the Domestic Invest-
13 ment Pilot Program; and

14 (iii) the number of awards made to
15 such small business concerns.

16 (E) TERMINATION.—The Domestic Invest-
17 ment Pilot Program established under this sub-
18 section shall terminate on September 30, 2022.

19 (3) DEFINITIONS.—In this section:

20 (A) SBIR.—The term “SBIR” has the
21 meaning given in section 9(e) of the Small
22 Business Act (15 U.S.C. 638(e)).

23 (B) SMALL BUSINESS ACT DEFINITIONS.—
24 The terms “small business concern”, “venture
25 capital operating company”, “hedge fund”, and

1 “private equity firm” have the meanings given
2 those terms, respectively, in section 3 of the
3 Small Business Act (15 U.S.C. 632).

4 (c) CYBERSECURITY TECHNICAL ASSISTANCE FOR
5 SBIR AND STTR PROGRAMS.—

6 (1) IN GENERAL.—The Secretary of Defense
7 may enter into an agreement with 1 or more vendors
8 selected under section (9)(q)(2) of the Small Busi-
9 ness Act (15 U.S.C. 638(q)(2)) to provide small
10 business concerns engaged in SBIR or STTR
11 projects with cybersecurity technical assistance ,
12 such as access to a network of cybersecurity experts
13 and engineers engaged in designing and imple-
14 menting cybersecurity practices.

15 (2) AMOUNTS.—In carrying out paragraph (1),
16 the Secretary of Defense may provide the amounts
17 described under section (9)(q)(3) of such Act (15
18 U.S.C. 638(q)(3)) to a recipient that meets the eligi-
19 bility requirements under the applicable subpara-
20 graph, if the recipient requests to seek cybersecurity
21 technical assistance from an individual or entity
22 other than a vendor selected as described in para-
23 graph (1).

24 (d) PHASE 0 PROOF OF CONCEPT PARTNERSHIP
25 PROGRAM FOR THE DEPARTMENT OF DEFENSE.—Section

1 9(jj) of the Small Business Act (15 U.S.C. 638) is amend-
2 ed—

3 (1) in paragraph (1), by striking “The Director
4 of the National Institutes of Health” and inserting
5 “A covered agency head”;

6 (2) by striking “The Director” each place it ap-
7 pears and inserting “A covered agency head”;

8 (3) by striking “the Director” each place it ap-
9 pears and inserting “a covered agency head”;

10 (4) in paragraph (2)—

11 (A) by amending subparagraph (A) to read
12 as follows:

13 “(A) the term ‘covered agency head’
14 means—

15 “(i) with respect to the STTR pro-
16 gram of the National Institutes of Health,
17 the Director of the National Institutes of
18 Health; or

19 “(ii) with respect to the STTR pro-
20 gram of the Department of Defense, the
21 Secretary of Defense;” and

22 (B) in subparagraph (C), by striking “in
23 the National Institutes of Health’s STTR pro-
24 gram” and inserting “in either the STTR pro-
25 gram of the Department of Defense or the

1 STTR program of the National Institutes of
2 Health”; and

3 (5) in paragraph (4)(A), by inserting “partici-
4 pating in the STTR program administered by such
5 agency head” after “a qualifying institution”.

6 (e) MODIFICATION TO THE DEFENSE RESEARCH AND
7 DEVELOPMENT RAPID INNOVATION PROGRAM.—

8 (1) INCREASE TO FUNDING.—Section
9 2359a(b)(3) of title 10, United States Code, is
10 amended by striking “\$3,000,000” and inserting
11 “\$6,000,000”.

12 (2) REPORT.—Not later than 180 days after
13 the date of the enactment of this Act, the Secretary
14 of Defense shall submit to the congressional defense
15 committees a report on the program established
16 under section 2359a(b)(3) of title 10, United States
17 Code, (commonly known as the “Defense Research
18 and Development Rapid Innovation Program”),
19 which shall include—

20 (A) with respect to the two fiscal years
21 preceding the submission of the report—

22 (i) a description of the total number
23 of proposals funded under the program;

24 (ii) the percent of funds made avail-
25 able under the program for Small Business

1 Innovation Research Program projects;
2 and

3 (iii) a list of Small Business Innova-
4 tion Research Program projects that re-
5 ceived funding under the program that
6 were included in major defense acquisition
7 programs (as defined in section 2430 of
8 title 10, United States Code) and other de-
9 fense acquisition programs that meet crit-
10 ical national security needs; and

11 (B) an assessment on the effectiveness of
12 the program in stimulating innovation tech-
13 nologies, reducing acquisition or lifecycle costs,
14 addressing technical risk, and improving the
15 timeliness and thoroughness of test and evalua-
16 tion outcomes.

17 (f) ESTABLISHMENT OF JOINT RESERVE DETACH-
18 MENTS AT DEFENSE INNOVATION UNIT.—

19 (1) ESTABLISHMENT.—The Secretary of De-
20 fense, in consultation with the Secretaries of the
21 military departments, shall establish not fewer than
22 three joint reserve detachments (referred to in this
23 section as “Detachments”) at locations of the De-
24 fense Innovation Unit—

1 (A) to support engagement and collabora-
2 tion with commercial innovation hubs; and

3 (B) to accelerate the transition and adop-
4 tion of commercial technologies for national se-
5 curity purposes.

6 (2) COMPOSITION.—Each Detachment shall be
7 composed of members of the reserve components
8 who possess relevant private sector experience in the
9 fields of business, acquisition, intelligence, engineer-
10 ing, technology transfer, science, mathematics, con-
11 tracting, procurement, logistics, cyberspace security,
12 or such other fields as are determined to be relevant
13 by the Under Secretary of Defense for Research and
14 Engineering.

15 (3) RESPONSIBILITIES.—The Detachments
16 shall have the following responsibilities:

17 (A) Each Detachment shall provide the
18 Department of Defense with expertise, analysis,
19 alternatives for innovation, and opportunities
20 for greater engagement and collaboration be-
21 tween the defense innovation ecosystem and
22 commercial industry.

23 (B) Each Detachment shall, on an ongoing
24 basis—

1 (i) recruit, retain, and employ mem-
2 bers of the reserve components who pos-
3 sess relevant private sector experience, as
4 described in paragraph (2);

5 (ii) partner with the military services,
6 the combatant commands, and other De-
7 partment of Defense organizations to seek
8 and rapidly prototype advanced commercial
9 solutions while lowering the barrier to
10 entry to serve defense requirements;

11 (iii) increase awareness of—

12 (I) the technology portfolios of
13 the Defense Innovation Unit; and

14 (II) the technology requirements
15 of the Department of Defense as iden-
16 tified in the National Defense Science
17 and Technology Strategy developed
18 under section 218 of the John S.
19 McCain National Defense Authoriza-
20 tion Act for Fiscal Year 2019 (Public
21 Law 115–232; 132 Stat. 1679);

22 (iv) capitalize on the growing invest-
23 ment in research and development made by
24 the commercial industry in assessing and
25 maturing dual-use technologies; and

1 (v) carry out such other activities as
2 may be directed by the Under Secretary of
3 Defense for Research and Engineering.

4 (4) DEADLINE FOR ESTABLISHMENT OF DE-
5 TACHMENTS.—The Secretary of Defense shall en-
6 sure that—

7 (A) at least one Detachment is established
8 on or before October 1, 2020; and

9 (B) all three Detachments required under
10 subsection (a) are established on or before Oc-
11 tober 1, 2022.

12 (5) IMPLEMENTATION REPORT.—

13 (A) IN GENERAL.—Not later than 120
14 days after the date of the enactment of this
15 Act, the Under Secretary of Defense for Re-
16 search and Engineering shall submit to the con-
17 gressional defense committees a report that in-
18 cludes—

19 (i) an organizational plan for the De-
20 tachments;

21 (ii) the estimated costs of establishing
22 the Detachments;

23 (iii) a timeline specifying when each
24 Detachment will attain initial operational

1 capability and full operational capability,
2 respectively.

3 (B) CONSULTATION.—In preparing the re-
4 port required under subparagraph (A), the
5 Under Secretary of Defense for Research and
6 Engineering shall consult with the Director of
7 the Defense Innovation Unit and the head of
8 each military service.

9 (g) MODIFICATION TO DEPARTMENT OF DEFENSE
10 SBIR EXPENDITURES.—Section 9(f) of the Small Busi-
11 ness Act (15 U.S.C. 638(f)) is amended—

12 (1) in paragraph (1)(I), by inserting “, except
13 as provided in paragraph (5)” after “thereafter,”
14 and inserting “fiscal years 2017 through 2019;
15 and”; and

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

18 “(5) REQUIRED EXPENDITURE AMOUNTS FOR
19 THE DEPARTMENT OF DEFENSE.—With respect to
20 fiscal year 2020 and each fiscal year thereafter,
21 paragraph (1)(I) shall apply to the Department of
22 Defense with ‘4.0 percent’ substituted for ‘3.2 per-
23 cent’.”.

1 **SEC. 879. PILOT PROGRAM FOR DEVELOPMENT OF TECH-**
2 **NOLOGY-ENHANCED CAPABILITIES WITH**
3 **PARTNERSHIP INTERMEDIARIES.**

4 (a) ESTABLISHMENT.—The Secretary of Defense
5 may authorize the Commander of the United States Spe-
6 cial Operations Command to use not more than 5 percent
7 of the funds required to be expended by the Department
8 of Defense under section 9(f)(1) of the Small Business
9 Act (15 U.S.C. 638(f)(1)) for a pilot program to increase
10 participation by small business concerns in the develop-
11 ment of technology-enhanced capabilities for special oper-
12 ations forces.

13 (b) USE OF PARTNERSHIP INTERMEDIARY.—

14 (1) AUTHORIZATION.—The Commander of the
15 United States Special Operations Command may
16 modify an existing agreement with a partnership
17 intermediary to assist the Commander in carrying
18 out the pilot program under this section, including
19 with respect to the award of Small Business Innova-
20 tion Research Program contracts, Small Business
21 Technology Transfer Program contracts, and other
22 contracts and agreements to small business con-
23 cerns.

24 (2) USE OF FUNDS.—None of the funds re-
25 ferred to in subsection (a) shall be used to pay a

1 partnership intermediary for any administrative
2 costs associated with the pilot program.

3 (c) REPORT.—Not later than October 1, 2020, and
4 October 1, 2021, the Commander of the United States
5 Special Operations Command shall submit to the congres-
6 sional defense committees, the Committee on Small Busi-
7 ness of the House of Representatives, and the Committee
8 on Small Business and Entrepreneurship of the Senate a
9 report describing any agreement with a partnership inter-
10 mediary entered into pursuant to this section. The report
11 shall include, for each such agreement, the amount of
12 funds obligated, an identification of the recipient of such
13 funds, and a description of the use of such funds.

14 (d) TERMINATION.—The authority to carry out a
15 pilot program under this section shall terminate on Sep-
16 tember 30, 2021.

17 (e) DEFINITIONS.—In this section:

18 (1) PARTNERSHIP INTERMEDIARY.—The term
19 “partnership intermediary” has the meaning given
20 the term in section 23(c) of the Stevenson-Wydler
21 Technology Innovation Act of 1980 (15 U.S.C.
22 3715(c)).

23 (2) SMALL BUSINESS CONCERN.—The term
24 “small business concern” has the meaning given the

1 term under section 3 of the Small Business Act (15
2 U.S.C. 632).

3 (3) SMALL BUSINESS INNOVATION RESEARCH
4 PROGRAM.—The term “Small Business Innovation
5 Research Program” has the meaning given the term
6 in section 9(e)(4) of the Small Business Act (15
7 U.S.C. 638(e)).

8 (4) SMALL BUSINESS TECHNOLOGY TRANSFER
9 PROGRAM.—The term “Small Business Technology
10 Transfer Program” has the meaning given the term
11 in section 9(e)(5) of the Small Business Act (15
12 U.S.C. 638(e)).

13 (5) TECHNOLOGY-ENHANCED CAPABILITY.—
14 The term “technology-enhanced capability” means a
15 product, concept, or process that improves the abil-
16 ity of a member of the Armed Forces to achieve an
17 assigned mission.

18 **SEC. 880. AUTHORIZED OFFICIAL TO CARRY OUT THE PRO-**
19 **CUREMENT TECHNICAL ASSISTANCE COOP-**
20 **ERATIVE AGREEMENT PROGRAM.**

21 (a) AUTHORIZED OFFICIAL.—Effective October 1,
22 2021, section 2411(3) of title 10, United States Code, is
23 amended by striking “Director of Defense Logistics Agen-
24 cy” and inserting “Under Secretary of Defense for Acqui-
25 sition and Sustainment”.

1 (b) REPORT AND BRIEFING.—Not later than Novem-
2 ber 1, 2020, the Secretary of Defense shall provide to the
3 congressional defense committees a written report and
4 briefing on the activities carried out in preparation for the
5 transition of responsibilities for carrying out the procure-
6 ment technical assistance cooperative agreement program
7 under chapter 142 of title 10, United States Code, from
8 the Director of Defense Logistics Agency to the Under
9 Secretary of Defense for Acquisition and Sustainment, as
10 required by subsection (a).

11 (c) ANNUAL BUDGET JUSTIFICATION DOCU-
12 MENTS.—Not later than February 1, 2022, and each fiscal
13 year thereafter, the Secretary of Defense shall submit to
14 the congressional defense committees a budget justifica-
15 tion display that includes the procurement technical as-
16 sistance cooperative agreement program under chapter
17 142 of title 10, United States Code, as part of the budget
18 justification for Operation and Maintenance, Defense-wide
19 for the Office of the Secretary of Defense.

20 **SEC. 881. PERMANENT AUTHORIZATION AND IMPROVE-**
21 **MENT OF DEPARTMENT OF DEFENSE MEN-**
22 **TOR-PROTEGE PROGRAM.**

23 (a) PERMANENT AUTHORIZATION.—

24 (1) REPEAL OF EXPIRATION OF AUTHORITY.—

25 Section 831 of the National Defense Authorization

1 Act for Fiscal Year 1991 (Public Law 101–510; 10
2 U.S.C. 2302 note) is amended by striking subsection
3 (j).

4 (2) EFFECTIVE DATE.—The amendment made
5 by paragraph (1) shall take effect on the date on
6 which the Secretary of Defense submits to Congress
7 the small business strategy required under section
8 2283 of title 10, United States Code. The Secretary
9 of Defense shall notify the Law Revision Counsel of
10 the House of Representatives of the submission of
11 the strategy so that the Law Revision Counsel may
12 execute the amendment made by paragraph (1).

13 (b) OFFICE OF SMALL BUSINESS PROGRAMS OVER-
14 SIGHT.—Section 831 of the National Defense Authoriza-
15 tion Act for Fiscal Year 1991 (Public Law 101–510; 10
16 U.S.C. 2302 note) is amended—

17 (1) by redesignating subsection (n) as sub-
18 section (o); and

19 (2) by inserting after subsection (m) the fol-
20 lowing new subsection:

21 “(n) ESTABLISHMENT OF PERFORMANCE GOALS
22 AND PERIODIC REVIEWS.—The Office of Small Business
23 Programs of the Department of Defense shall—

24 “(1) establish performance goals consistent with
25 the stated purpose of the Mentor-Protege Program

1 and outcome-based metrics to measure progress in
2 meeting those goals; and

3 “(2) submit to the congressional defense com-
4 mittees, not later than February 1, 2020, a report
5 on progress made toward implementing these per-
6 formance goals and metrics, based on periodic re-
7 views of the procedures used to approve mentor-pro-
8 tege agreements.”.

9 (c) MODIFICATION OF DISADVANTAGED SMALL
10 BUSINESS CONCERN DEFINITION.—Subsection (o)(2) of
11 the National Defense Authorization Act for Fiscal Year
12 1991 (Public Law 101–510; 10 U.S.C. 2302 note), as re-
13 designated by subsection (b)(1) of this section, is amended
14 by striking “has less than half the size standard cor-
15 responding to its primary North American Industry Clas-
16 sification System code” and inserting “is not more than
17 the size standard corresponding to its primary North
18 American Industry Classification System code”.

19 (d) REMOVAL OF PILOT PROGRAM REFERENCES.—
20 Section 831 of the National Defense Authorization Act for
21 Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2302
22 note) is amended—

23 (1) in the subsection heading for subsection (a),
24 by striking “PILOT”; and

25 (2) by striking “pilot” each place it appears.

1 (e) INDEPENDENT REPORT ON PROGRAM EFFEC-
2 TIVENESS.—

3 (1) IN GENERAL.—The Secretary of Defense
4 shall direct the Defense Business Board to submit to
5 the congressional defense committees a report evalu-
6 ating the effectiveness of the Mentor-Protege Pro-
7 gram established under section 831 of the National
8 Defense Authorization Act for Fiscal Year 1991
9 (Public Law 101–510; 10 U.S.C. 2302 note), includ-
10 ing recommendations for improving the program in
11 terms of performance metrics, forms of assistance,
12 and overall program effectiveness not later than
13 March 31, 2022.

14 (2) CONGRESSIONAL DEFENSE COMMITTEES
15 DEFINED.—In this subsection, the term “congres-
16 sional defense committees” has the meaning given
17 that term in section 101(a)(16) of title 10, United
18 States Code.

19 (f) REPORT.—Not later than 180 days after the date
20 of the enactment of this Act, and annually thereafter until
21 September 30, 2021, the Secretary of Defense shall sub-
22 mit to the congressional defense committees a report on
23 the Mentor-Protege Program established under section
24 831 of the National Defense Authorization Act for Fiscal

1 Year 1991 (Public Law 101–510; 10 U.S.C. 2302 note)
2 that describes—

3 (1) each mentor-protege agreement entered into
4 under such section, disaggregated by the type of dis-
5 advantaged small business concern (as defined in
6 subsection (o) of such section) receiving assistance
7 pursuant to such an agreement;

8 (2) the type of assistance provided to protege
9 firms (as defined in subsection (o) of such section)
10 under each such agreement;

11 (3) the benefits provided to mentor firms (as
12 defined in subsection (o) of such section) under each
13 such agreement; and

14 (4) the progress of protege firms under each
15 such agreement with respect to competing for Fed-
16 eral prime contracts and subcontracts.

17 **SEC. 882. ASSISTANCE FOR SMALL BUSINESS CONCERNS**
18 **PARTICIPATING IN THE SMALL BUSINESS IN-**
19 **NOVATION RESEARCH PROGRAM AND THE**
20 **SMALL BUSINESS TECHNOLOGY TRANSFER**
21 **PROGRAM.**

22 (a) DEFINITION OF SENIOR PROCUREMENT EXECU-
23 TIVE.—Section 9(e) of the Small Business Act (15 U.S.C.
24 638(e)) is amended—

1 (1) in paragraph (12)(B), by striking “and” at
2 the end;

3 (2) in paragraph (13)(B), by striking the period
4 at the end and inserting “; and”; and

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

7 “(13) the term ‘senior procurement executive’
8 means an official designated under section 1702(c)
9 of title 41, United States Code, as the senior pro-
10 curement executive of a Federal agency participating
11 in a SBIR or STTR program.”.

12 (b) INCLUSION OF SENIOR PROCUREMENT EXECU-
13 TIVES IN SBIR AND STTR.—

14 (1) IN GENERAL.—Section 9(b) of the Small
15 Business Act (15 U.S.C. 638(b)) is amended—

16 (A) in paragraph (8), by striking “and” at
17 the end;

18 (B) in paragraph (9), by striking the pe-
19 riod at the end and inserting “; and”; and

20 (C) by adding at the end the following new
21 paragraph:

22 “(10) to coordinate, where appropriate, with the
23 senior procurement executive of the relevant Federal
24 agency to assist small business concerns partici-
25 pating in a SBIR or STTR program with commer-

1 cializing research developed under such a program
2 before such small business concern is awarded a con-
3 tract from such Federal agency.”.

4 (2) TECHNICAL AMENDMENT.—Section 9(b)(3)
5 of the Small Business Act (15 U.S.C. 638(b)(3)) is
6 amended by striking “and” at the end.

7 (c) MODIFICATIONS RELATING TO PROCUREMENT
8 CENTER REPRESENTATIVES AND OTHER ACQUISITION
9 PERSONNEL.—

10 (1) SBIR AMENDMENT.—Section 9(j) of the
11 Small Business Act (15 U.S.C. 638(j)) is amended
12 by adding at the end the following new paragraph:

13 “(4) MODIFICATIONS RELATING TO PROCURE-
14 MENT CENTER REPRESENTATIVES.—Upon the en-
15 actment of this paragraph, the Administrator shall
16 modify the policy directives issued pursuant to this
17 subsection to require procurement center representa-
18 tives (as described in section 15(l)) to assist small
19 business concerns participating in the SBIR pro-
20 gram with researching solicitations for the award of
21 a Federal contract (particularly with the Federal
22 agency that has a funding agreement with the con-
23 cern) and to provide technical assistance to such
24 concerns to submit a bid for an award of a Federal
25 contract. The procurement center representatives

1 shall coordinate with the appropriate senior procure-
2 ment executive and the appropriate Director of the
3 Office of Small and Disadvantaged Business Utiliza-
4 tion established pursuant to section 15(k) for the
5 agency letting the contract.”.

6 (2) STTR AMENDMENT.—Section 9(p)(2) of
7 the Small Business Act (15 U.S.C. 638(p)(2)) is
8 amended—

9 (A) in subparagraph (E)(ii), by striking
10 “and” at the end;

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

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

15 “(G) procedures to ensure that procure-
16 ment center representatives (as described in
17 section 15(l))—

18 “(i) assist small business concerns
19 participating in the STTR program with
20 researching applicable solicitations for the
21 award of a Federal contract (particularly
22 with the Federal agency that has a funding
23 agreement with the concern);

1 “(ii) provide technical assistance to
2 such concerns to submit a bid for an
3 award of a Federal contract; and

4 “(iii) coordinate with the appropriate
5 senior procurement executive and the ap-
6 propriate Director of the Office of Small
7 and Disadvantaged Business Utilization
8 established pursuant to section 15(k) for
9 the Federal agency letting the contract in
10 providing the assistance described in clause
11 (i).”.

12 (d) AMENDMENT TO DUTIES OF PROCUREMENT
13 CENTER REPRESENTATIVES.—Section 15(l)(2) of the
14 Small Business Act (15 U.S.C. 644(l)(2)) is amended—

15 (1) in subparagraph (I), by striking “and” at
16 the end;

17 (2) by redesignating subparagraph (J) as sub-
18 paragraph (L); and

19 (3) by inserting after subparagraph (I) the fol-
20 lowing new subparagraphs:

21 “(J) assist small business concerns partici-
22 pating in a SBIR or STTR program under sec-
23 tion 9 with researching applicable solicitations
24 for the award of a Federal contract to market

1 the research developed by such concern under
2 such SBIR or STTR program;

3 “(K) provide technical assistance to small
4 business concerns participating in a SBIR or
5 STTR program under section 9 to submit a bid
6 for an award of a Federal contract, including
7 coordination with the appropriate senior pro-
8 curement executive and the appropriate Direc-
9 tor of the Office of Small and Disadvantaged
10 Business Utilization established pursuant to
11 subsection (k) for the agency letting the con-
12 tract; and”.

13 (e) AMENDMENT TO THE DUTIES OF THE DIRECTOR
14 OF SMALL AND DISADVANTAGED BUSINESS UTILIZATION
15 FOR FEDERAL AGENCIES.—Section 15(k) of the Small
16 Business Act (15 U.S.C. 644(k)) is amended—

17 (1) in paragraph (19), by striking “and” at the
18 end;

19 (2) in paragraph (20), by striking the period at
20 the end and inserting a semicolon; and

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

23 “(21) shall assist small business concerns par-
24 ticipating in a SBIR or STTR program under sec-
25 tion 9 with researching applicable solicitations for

1 the award of a Federal contract (particularly with
 2 the Federal agency that has a funding agreement, as
 3 defined under section 9, with the concern) to market
 4 the research developed by such concern under such
 5 SBIR or STTR program; and

6 “(22) shall provide technical assistance to small
 7 business concerns participating in a SBIR or STTR
 8 program under section 9 to submit a bid for an
 9 award of a Federal contract, including coordination
 10 with procurement center representatives and the ap-
 11 propriate senior procurement executive for the agen-
 12 cy letting the contract.”.

13 **SEC. 883. ACCELERATED PAYMENTS APPLICABLE TO CON-**
 14 **TRACTS WITH CERTAIN SMALL BUSINESS**
 15 **CONCERNS UNDER THE PROMPT PAYMENT**
 16 **ACT.**

17 Section 3903(a) of title 31, United States Code, is
 18 amended—

19 (1) in paragraph (1)(B), by inserting “except as
 20 provided in paragraphs (10) and (11),” before “30
 21 days”;

22 (2) in paragraph (8), by striking “and”;

23 (3) in paragraph (9), by striking the period at
 24 the end and inserting a semicolon; and

1 (4) by adding at the end the following new
2 paragraphs:

3 “(10) for a prime contractor (as defined in sec-
4 tion 8701(5) of title 41) that is a small business
5 concern (as defined under section 3 of the Small
6 Business Act (15 U.S.C. 632)), to the fullest extent
7 permitted by law, require that the head of an agency
8 establish an accelerated payment date with a goal of
9 15 days after a proper invoice for the amount due
10 is received if a specific payment date is not estab-
11 lished by contract; and

12 “(11) for a prime contractor (as defined in sec-
13 tion 8701(5) of title 41) that subcontracts with a
14 small business concern (as defined under section 3
15 of the Small Business Act (15 U.S.C. 632)), to the
16 fullest extent permitted by law, require that the
17 head of an agency establish an accelerated payment
18 date with a goal of 15 days after a proper invoice
19 for the amount due is received if—

20 “(A) a specific payment date is not estab-
21 lished by contract; and

22 “(B) such prime contractor agrees to make
23 payments to such subcontractor in accordance
24 with such accelerated payment date, to the
25 maximum extent practicable, without any fur-

1 ther consideration from or fees charged to such
2 subcontractor.”.

3 **SEC. 884. POSTAWARD EXPLANATIONS FOR UNSUCCESSFUL**
4 **OFFERORS FOR CERTAIN CONTRACTS.**

5 Not later than 180 days after the date of the enact-
6 ment of this Act, the Federal Acquisition Regulation shall
7 be revised to require that with respect to an offer for a
8 task order or delivery order in an amount greater than
9 the simplified acquisition threshold (as defined in section
10 134 of title 41, United States Code) and less than or equal
11 to \$5,500,000 issued under an indefinite delivery-indefi-
12 nite quantity contract, the contracting officer for such
13 contract shall, upon written request from an unsuccessful
14 offeror, provide a brief explanation as to why such offeror
15 was unsuccessful that includes a summary of the rationale
16 for the award and an evaluation of the significant weak
17 or deficient factors in the offeror’s offer.

18 **SEC. 885. BRIEFING ON THE TRUSTED CAPITAL MARKET-**
19 **PLACE PILOT PROGRAM.**

20 Not later than December 15, 2019, the Secretary of
21 Defense shall provide to the congressional defense commit-
22 tees a briefing on the progress of the Trusted Capital Mar-
23 ketplace pilot program (Solicitation number: CS–19–
24 1701), to include plans for how the program will—

25 (1) align with critical defense requirements; and

1 (2) become self-sustaining.

2 **SEC. 886. BOOTS TO BUSINESS PROGRAM.**

3 Section 32 of the Small Business Act (15 U.S.C.
4 657b) is amended by adding at the end the following new
5 subsection:

6 “(h) BOOTS TO BUSINESS PROGRAM.—

7 “(1) COVERED INDIVIDUAL DEFINED.—In this
8 subsection, the term ‘covered individual’ means—

9 “(A) a member of the Armed Forces, in-
10 cluding the National Guard or Reserves;

11 “(B) an individual who is participating in
12 the Transition Assistance Program established
13 under section 1144 of title 10, United States
14 Code;

15 “(C) an individual who—

16 “(i) served on active duty in any
17 branch of the Armed Forces, including the
18 National Guard or Reserves; and

19 “(ii) was discharged or released from
20 such service under conditions other than
21 dishonorable; and

22 “(D) a spouse or dependent of an indi-
23 vidual described in subparagraph (A), (B), or
24 (C).

1 “(2) ESTABLISHMENT.—Beginning on the first
2 October 1 after the enactment of this subsection and
3 for the subsequent 4 fiscal years, the Administrator
4 shall carry out a program to be known as the ‘Boots
5 to Business Program’ to provide entrepreneurship
6 training to covered individuals.

7 “(3) GOALS.—The goals of the Boots to Busi-
8 ness Program are to—

9 “(A) provide assistance and in-depth train-
10 ing to covered individuals interested in business
11 ownership; and

12 “(B) provide covered individuals with the
13 tools, skills, and knowledge necessary to identify
14 a business opportunity, draft a business plan,
15 identify sources of capital, connect with local
16 resources for small business concerns, and start
17 up a small business concern.

18 “(4) PROGRAM COMPONENTS.—

19 “(A) IN GENERAL.—The Boots to Busi-
20 ness Program may include—

21 “(i) a presentation providing exposure
22 to the considerations involved in self-em-
23 ployment and ownership of a small busi-
24 ness concern;

1 “(ii) an online, self-study course fo-
2 cused on the basic skills of entrepreneur-
3 ship, the language of business, and the
4 considerations involved in self-employment
5 and ownership of a small business concern;

6 “(iii) an in-person classroom instruc-
7 tion component providing an introduction
8 to the foundations of self employment and
9 ownership of a small business concern; and

10 “(iv) in-depth training delivered
11 through online instruction, including an
12 online course that leads to the creation of
13 a business plan.

14 “(B) COLLABORATION.—The Adminis-
15 trator may—

16 “(i) collaborate with public and pri-
17 vate entities to develop course curricula for
18 the Boots to Business Program; and

19 “(ii) modify program components in
20 coordination with entities participating in a
21 Warriors in Transition program, as defined
22 in section 738(e) of the National Defense
23 Authorization Act for Fiscal Year 2013
24 (10 U.S.C. 1071 note).

25 “(C) USE OF RESOURCE PARTNERS.—

1 “(i) IN GENERAL.—The Administrator
2 shall—

3 “(I) ensure that Veteran Busi-
4 ness Outreach Centers regularly par-
5 ticipate, on a nationwide basis, in the
6 Boots to Business Program; and

7 “(II) to the maximum extent
8 practicable, use a variety of other re-
9 source partners and entities in admin-
10 istering the Boots to Business Pro-
11 gram.

12 “(ii) GRANT AUTHORITY.—In carrying
13 out clause (i), the Administrator may make
14 grants to Veteran Business Outreach Cen-
15 ters, other resource partners, or other enti-
16 ties to carry out components of the Boots
17 to Business Program.

18 “(D) AVAILABILITY TO DEPARTMENT OF
19 DEFENSE.—The Administrator shall make
20 available to the Secretary of Defense informa-
21 tion regarding the Boots to Business Program,
22 including all course materials and outreach ma-
23 terials related to the Boots to Business Pro-
24 gram, for inclusion on the website of the De-
25 partment of Defense relating to the Transition

1 Assistance Program, in the Transition Assist-
2 ance Program manual, and in other relevant
3 materials available for distribution from the
4 Secretary of Defense.

5 “(E) AVAILABILITY TO VETERANS AF-
6 FAIRS.—In consultation with the Secretary of
7 Veterans Affairs, the Administrator shall make
8 available for distribution and display at local fa-
9 cilities of the Department of Veterans Affairs
10 outreach materials regarding the Boots to Busi-
11 ness Program which shall, at a minimum—

12 “(i) describe the Boots to Business
13 Program and the services provided; and

14 “(ii) include eligibility requirements
15 for participating in the Boots to Business
16 Program.

17 “(5) REPORT.—Not later than 180 days after
18 the date of the enactment of this subsection and
19 every year thereafter, the Administrator shall submit
20 to the Committee on Small Business and Entrepre-
21 neurship of the Senate and the Committee on Small
22 Business of the House of Representatives a report
23 on the performance and effectiveness of the Boots to
24 Business Program, which may be included as part of

1 another report submitted to such Committees by the
2 Administrator, and which shall include—

3 “(A) information regarding grants award-
4 ed under paragraph (4)(C);

5 “(B) the total cost of the Boots to Busi-
6 ness Program;

7 “(C) the number of program participants
8 using each component of the Boots to Business
9 Program;

10 “(D) the completion rates for each compo-
11 nent of the Boots to Business Program;

12 “(E) to the extent possible—

13 “(i) the demographics of program par-
14 ticipants, to include gender, age, race, rela-
15 tionship to military, military occupational
16 specialty, and years of service of program
17 participants;

18 “(ii) the number of small business
19 concerns formed or expanded with assist-
20 ance under the Boots to Business Pro-
21 gram;

22 “(iii) the gross receipts of small busi-
23 ness concerns receiving assistance under
24 the Boots to Business Program;

1 “(iv) the number of jobs created with
2 assistance under the Boots to Business
3 Program;

4 “(v) the number of referrals to other
5 resources and programs of the Administra-
6 tion;

7 “(vi) the number of program partici-
8 pants receiving financial assistance under
9 loan programs of the Administration;

10 “(vii) the type and dollar amount of
11 financial assistance received by program
12 participants under any loan program of the
13 Administration; and

14 “(viii) results of participant satisfac-
15 tion surveys, including a summary of any
16 comments received from program partici-
17 pants;

18 “(F) an evaluation of the effectiveness of
19 the Boots to Business Program in each region
20 of the Administration during the most recent
21 fiscal year;

22 “(G) an assessment of additional perform-
23 ance outcome measures for the Boots to Busi-
24 ness Program, as identified by the Adminis-
25 trator;

1 “(H) any recommendations of the Admin-
 2 istrator for improvement of the Boots to Busi-
 3 ness Program, which may include expansion of
 4 the types of individuals who are covered individ-
 5 uals;

6 “(I) an explanation of how the Boots to
 7 Business Program has been integrated with
 8 other transition programs and related resources
 9 of the Administration and other Federal agen-
 10 cies; and

11 “(J) any additional information the Ad-
 12 ministrator determines necessary.”.

13 **SEC. 887. MODIFICATIONS TO BUDGET DISPLAY REQUIRE-**
 14 **MENTS FOR THE DEPARTMENT OF DEFENSE**
 15 **SMALL BUSINESS INNOVATION RESEARCH**
 16 **PROGRAM AND SMALL BUSINESS TECH-**
 17 **NOLOGY TRANSFER PROGRAM.**

18 Section 857 of the John S. McCain National Defense
 19 Authorization Act for Fiscal Year 2019 (Public Law 115–
 20 232; 132 Stat. 1891) is amended—

21 (1) in subsection (a)—

22 (A) by inserting “Under Secretary of De-
 23 fense (Comptroller) and the” before “Under
 24 Secretary of Defense for Research and Engi-
 25 neering”; and

1 (B) by striking “a budget display” and in-
2 serting “one or more budget displays”;

3 (2) in subsection (b), by striking “The budget
4 display” and inserting “The budget displays”; and

5 (3) in subsection (d), by striking “The budget
6 display” and inserting “The budget displays”.

7 **SEC. 888. SMALL BUSINESS CONTRACTING CREDIT FOR**
8 **SUBCONTRACTORS THAT ARE PUERTO RICO**
9 **BUSINESSES.**

10 Section 15(x)(1) of the Small Business Act (15
11 U.S.C. 644(x)(1)) is amended—

12 (1) by inserting “, or a prime contractor awards
13 a subcontract (at any tier) to a subcontractor that
14 is a Puerto Rico business,” after “Puerto Rico busi-
15 ness”;

16 (2) by inserting “or subcontract” after “the
17 contract”; and

18 (3) by striking “subsection (g)(1)(A)(i)” and
19 inserting “subsection (g)(1)(A)”.

20 **SEC. 889. SMALL BUSINESS CONTRACTING CREDIT FOR**
21 **CERTAIN SMALL BUSINESSES LOCATED IN**
22 **UNITED STATES TERRITORIES.**

23 Section 15(x) of the Small Business Act (15 U.S.C.
24 644(x)) is amended—

1 (1) in the subsection heading, by inserting
 2 “AND COVERED TERRITORY BUSINESSES” after
 3 “PUERTO RICO BUSINESSES”;

4 (2) in paragraph (1), by inserting “or a covered
 5 territory business” after “Puerto Rico business”;
 6 and

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

9 “(3) COVERED TERRITORY BUSINESS DE-
 10 FINED.—In this subsection, the term ‘covered terri-
 11 tory business’ means a small business concern that
 12 has its principal office located in one of the fol-
 13 lowing:

14 “(A) The United States Virgin Islands.

15 “(B) American Samoa.

16 “(C) Guam.

17 “(D) The Northern Mariana Islands.”.

18 **Subtitle G—Other Matters**

19 **SEC. 891. REQUIREMENT TO USE MODELS OF COMMERCIAL** 20 **E-COMMERCE PORTAL PROGRAM.**

21 (a) IN GENERAL.—Before the award of a final con-
 22 tract to a commercial e-commerce portal provider pursu-
 23 ant to section 846 of the National Defense Authorization
 24 Act for Fiscal Year 2018 (Public Law 115–91; 41 U.S.C.
 25 1901 note), the Administrator of General Services shall

1 establish a five-year program to test the three models for
2 commercial e-commerce portals identified in section 4.1 of
3 “Procurement Through Commercial E-Commerce Portals
4 Phase II Report: Market Research & Consultation” issued
5 by the Administrator in April 2019.

6 (b) ANALYSIS.—The Administrator shall conduct an
7 analysis of the use of the three models described in sub-
8 section (a) to determine which model is the most effective
9 for procurement through commercial e-commerce portals.

10 **SEC. 892. REPORT AND DATABASE ON ITEMS MANUFAC-**
11 **TURED IN THE UNITED STATES FOR MAJOR**
12 **DEFENSE ACQUISITION PROGRAMS.**

13 (a) SENSE OF CONGRESS.—It is the sense of Con-
14 gress that any equipment or products purchased for major
15 defense acquisition programs (as defined in section 2430
16 of title 10, United States Code) should be manufactured
17 in the United States substantially all from articles, mate-
18 rials, or supplies mined, produced, or manufactured in the
19 United States, and that any such equipment or products
20 purchased by any entity of the Department of Defense
21 should be American-made, provided that American-made
22 equipment and products are of a quality similar to that
23 of competitive offers and are available in a timely manner
24 to meet mission requirements.

1 (b) IN GENERAL.—Chapter 144 of title 10, United
2 States Code, is amended by inserting after section 2436
3 the following new section:

4 **“§ 2436a. Major defense acquisition programs: report**
5 **and database on items manufactured in**
6 **the United States**

7 “(a) REPORT.—Beginning not later than one year
8 after the date of the enactment of this Act, the Secretary
9 of Defense shall submit to the congressional defense com-
10 mittees an annual report on the percentage of any items
11 procured in connection with a major defense acquisition
12 program that are manufactured in the United States sub-
13 stantially all from articles, materials, or supplies mined,
14 produced, or manufactured in the United States.

15 “(b) DATABASE.—The Secretary of Defense shall es-
16 tablish a database for information related to items de-
17 scribed in the report required under subsection (a) that
18 can be used for continuous data analysis to inform acquisi-
19 tion decisions relating to major defense acquisition pro-
20 grams.”.

21 (c) CLERICAL AMENDMENT.—The table of section at
22 the beginning of such chapter is amended by inserting
23 after the item relating to section 2436 the following new
24 item:

“2436a. Major defense acquisition programs: report and database on items man-
ufactured in the United States.”.

1 **SEC. 893. REQUIREMENTS RELATING TO SELECTED ACQUI-**
2 **SITION REPORTS.**

3 (a) INAPPLICABILITY OF TERMINATION OF REPORT
4 SUBMITTAL TO CONGRESS.—

5 (1) IN GENERAL.—Selected Acquisition Reports
6 required by section 2432 of title 10, United States
7 Code, shall not constitute reports covered by sub-
8 section (b) of section 1080 of the National Defense
9 Authorization Act for Fiscal Year 2016 (Public Law
10 114–92; 129 Stat. 1000; 10 U.S.C. 111 note), and
11 their submittal to Congress as required by such sec-
12 tion 2432 shall not be terminated by operation of
13 subsection (a) of such section 1080.

14 (2) CONFORMING AMENDMENT.—Effective on
15 December 30, 2021, section 1051(x) of the National
16 Defense Authorization Act for Fiscal Year 2018
17 (Public Law 115–91; 131 Stat. 1567) is amended by
18 striking paragraph (4).

19 (b) FORM OF SELECTED ACQUISITION REPORTS.—
20 Section 2432 of title 10, United States Code, is amended
21 by adding at the end the following new subsection:

22 “(i) A report required under this section shall be sub-
23 mitted in unclassified form without any designation relat-
24 ing to dissemination control, but may contain a classified
25 annex.”.

1 (c) REPORT ON ALTERNATIVE METHODOLOGY.—The
2 Secretary of Defense shall include with the budget for fis-
3 cal year 2021, as submitted to Congress pursuant to sec-
4 tion 1105(a) of title 31, United States Code, a report pro-
5 posing an alternative methodology for providing status re-
6 ports on major defense acquisition programs and other ac-
7 quisition activities, including programs carried out under
8 section 804 of the National Defense Authorization Act for
9 Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 2302
10 note), where such status reports shall include information
11 on—

12 (1) scheduled and completed cybersecurity tests
13 of software acquired through a program covered by
14 the status report, including assessments on coopera-
15 tive vulnerability and penetration and adversarial as-
16 sessments;

17 (2) software development metrics, including ini-
18 tial and most recent estimates of the projected value,
19 sizing, schedule, and level of effort for software ac-
20 quired through a program covered by the status re-
21 port; and

22 (3) quality metrics for software acquired
23 through a program covered by the status report.

24 (d) GUIDANCE ON CYBERSECURITY TESTS.—With
25 respect to cybersecurity tests included in the alternative

1 methodology report described in subsection (c)(1), the
2 Secretary of Defense, in coordination with the Director of
3 Operational Test and Evaluation, shall develop policies on
4 the selection of cybersecurity tests, methods to consist-
5 ently describe the cybersecurity tests, and methods to as-
6 sociate cybersecurity tests with a component part of a sys-
7 tem or a version of the software tested.

8 **SEC. 894. CONTRACTOR SCIENCE, TECHNOLOGY, ENGI-**
9 **NEERING, AND MATH PROGRAMS.**

10 (a) IN GENERAL.—Section 862 of National Defense
11 Authorization Act for Fiscal Year 2012 (Public Law 112–
12 181; 125 Stat. 1521; 10 U.S.C. note prec. 2191) is
13 amended—

14 (1) in subsection (a), in the matter preceding
15 paragraph (1)—

16 (A) by striking “Under Secretary of De-
17 fense for Acquisition, Technology, and Logis-
18 tics” and inserting “Under Secretary of De-
19 fense for Research and Engineering”; and

20 (B) by striking “ensure that Department
21 of Defense contractors” and inserting “encour-
22 age Department of Defense contractors to”;
23 and

24 (2) by amending subsection (b) to read as fol-
25 lows:

1 “(b) ALLOWABLE COST.—The cost of participating
2 in activities described in subsection (a) to a Department
3 of Defense contractor shall be deemed to be an allowable
4 cost under a contract between the contractor and the De-
5 partment of Defense.”.

6 (b) IMPLEMENTATION.—Not later than 180 days
7 after the date of the enactment of this Act, the Secretary
8 of Defense shall issue such rules or guidance necessary
9 to implement the amendments made by this section.

10 **SEC. 895. EXTENSION OF SUNSET RELATING TO FEDERAL**
11 **DATA CENTER CONSOLIDATION INITIATIVE.**

12 Subsection (e) of section 834 of the National Defense
13 Authorization Act for Fiscal Year 2015 (44 U.S.C. 3601
14 note) is amended by striking “2020” and inserting
15 “2022”.

16 **SEC. 896. REQUIREMENTS RELATING TO CERTAIN RAIL**
17 **ROLLING STOCK PROCUREMENTS AND OPER-**
18 **ATIONS.**

19 (a) LIMITATION ON CERTAIN RAIL ROLLING STOCK
20 PROCUREMENTS.—Section 5323 of title 49, United States
21 Code, is amended by adding at the end the following:

22 “(u) LIMITATION ON CERTAIN RAIL ROLLING STOCK
23 PROCUREMENTS.—

24 “(1) IN GENERAL.—Except as provided in para-
25 graph (5), financial assistance made available under

1 this chapter shall not be used in awarding a contract
2 or subcontract to an entity on or after the date of
3 enactment of this subsection for the procurement of
4 rail rolling stock for use in public transportation if
5 the manufacturer of the rail rolling stock—

6 “(A) is incorporated in or has manufac-
7 turing facilities in the United States; and

8 “(B) is owned or controlled by, is a sub-
9 sidiary of, or is otherwise related legally or fi-
10 nancially to a corporation based in a country
11 that—

12 “(i) is identified as a nonmarket econ-
13 omy country (as defined in section 771(18)
14 of the Tariff Act of 1930 (19 U.S.C.
15 1677(18))) as of the date of enactment of
16 this subsection;

17 “(ii) was identified by the United
18 States Trade Representative in the most
19 recent report required by section 182 of
20 the Trade Act of 1974 (19 U.S.C. 2242)
21 as a priority foreign country under sub-
22 section (a)(2) of that section; and

23 “(iii) is subject to monitoring by the
24 Trade Representative under section 306 of
25 the Trade Act of 1974 (19 U.S.C. 2416).

1 “(2) EXCEPTION.—For purposes of paragraph
2 (1), the term ‘otherwise related legally or financially’
3 does not include a minority relationship or invest-
4 ment.

5 “(3) INTERNATIONAL AGREEMENTS.—This sub-
6 section shall be applied in a manner consistent with
7 the obligations of the United States under inter-
8 national agreements.

9 “(4) CERTIFICATION FOR RAIL ROLLING
10 STOCK.—

11 “(A) IN GENERAL.—Except as provided in
12 paragraph (5), as a condition of financial as-
13 sistance made available in a fiscal year under
14 section 5337, a recipient that operates rail fixed
15 guideway service shall certify in that fiscal year
16 that the recipient will not award any contract
17 or subcontract for the procurement of rail roll-
18 ing stock for use in public transportation with
19 a rail rolling stock manufacturer described in
20 paragraph (1).

21 “(B) SEPARATE CERTIFICATION.—The cer-
22 tification required under this paragraph shall be
23 in addition to any certification the Secretary es-
24 tablishes to ensure compliance with the require-
25 ments of paragraph (1).

1 “(5) EXCEPTION.—This subsection, including
2 the certification requirement under paragraph (4),
3 shall not apply to the award of a contract or sub-
4 contract made by a public transportation agency
5 with a rail rolling stock manufacturer described in
6 paragraph (1) if the manufacturer and the public
7 transportation agency have a contract for rail rolling
8 stock that was executed before the date of enact-
9 ment of this subsection.”.

10 (b) CYBERSECURITY CERTIFICATION FOR RAIL
11 ROLLING STOCK AND OPERATIONS.—Section 5323 of title
12 49, United States Code, as amended by subsection (a),
13 is amended by adding at the end the following:

14 “(v) CYBERSECURITY CERTIFICATION FOR RAIL
15 ROLLING STOCK AND OPERATIONS.—

16 “(1) CERTIFICATION.—As a condition of finan-
17 cial assistance made available under this chapter, a
18 recipient that operates a rail fixed guideway public
19 transportation system shall certify that the recipient
20 has established a process to develop, maintain, and
21 execute a written plan for identifying and reducing
22 cybersecurity risks.

23 “(2) COMPLIANCE.—For the process required
24 under paragraph (1), a recipient of assistance under
25 this chapter shall—

1 “(A) utilize the approach described by the
2 voluntary standards and best practices devel-
3 oped under section 2(c)(15) of the National In-
4 stitute of Standards and Technology Act (15
5 U.S.C. 272(c)(15)), as applicable;

6 “(B) identify hardware and software that
7 the recipient determines should undergo third-
8 party testing and analysis to mitigate cyberse-
9 curity risks, such as hardware or software for
10 rail rolling stock under proposed procurements;
11 and

12 “(C) utilize the approach described in any
13 voluntary standards and best practices for rail
14 fixed guideway public transportation systems
15 developed under the authority of the Secretary
16 of Homeland Security, as applicable.

17 “(3) LIMITATIONS ON STATUTORY CONSTRUC-
18 TION.—Nothing in this subsection shall be construed
19 to interfere with the authority of—

20 “(A) the Secretary of Homeland Security
21 to publish or ensure compliance with require-
22 ments or standards concerning cybersecurity for
23 rail fixed guideway public transportation sys-
24 tems; or

1 “(B) the Secretary of Transportation
2 under section 5329 to address cybersecurity
3 issues as those issues relate to the safety of rail
4 fixed guideway public transportation systems.”.

5 **SEC. 897. PROHIBITION ON CONTRACTING WITH PERSONS**
6 **THAT HAVE BUSINESS OPERATIONS WITH**
7 **THE MADURO REGIME.**

8 (a) PROHIBITION.—Except as provided under sub-
9 sections (c), (d), and (e), the Department of Defense may
10 not enter into a contract for the procurement of goods
11 or services with any person that has business operations
12 with an authority of the Government of Venezuela that
13 is not recognized as the legitimate Government of Ven-
14 ezuela by the United States Government.

15 (b) DEFINITIONS.—In this section:

16 (1) BUSINESS OPERATIONS.—The term “busi-
17 ness operations” means engaging in commerce in
18 any form, including acquiring, developing, maintain-
19 ing, owning, selling, possessing, leasing, or operating
20 equipment, facilities, personnel, products, services,
21 personal property, real property, or any other appa-
22 ratus of business or commerce.

23 (2) GOVERNMENT OF VENEZUELA.—(A) The
24 term “Government of Venezuela” includes the gov-
25 ernment of any political subdivision of Venezuela,

1 and any agency or instrumentality of the Govern-
2 ment of Venezuela.

3 (B) For purposes of subparagraph (A), the
4 term “agency or instrumentality of the Government
5 of Venezuela” means an agency or instrumentality
6 of a foreign state as defined in section 1603(b) of
7 title 28, United States Code, with each reference in
8 such section to “a foreign state” deemed to be a ref-
9 erence to “Venezuela”.

10 (3) PERSON.—The term “person” means—

11 (A) a natural person, corporation, com-
12 pany, business association, partnership, society,
13 trust, or any other nongovernmental entity, or-
14 ganization, or group;

15 (B) any governmental entity or instrumen-
16 tality of a government, including a multilateral
17 development institution (as defined in section
18 1701(c)(3) of the International Financial Insti-
19 tutions Act (22 U.S.C. 262r(c)(3))); and

20 (C) any successor, subunit, parent entity,
21 or subsidiary of, or any entity under common
22 ownership or control with, any entity described
23 in subparagraph (A) or (B).

24 (c) EXCEPTIONS.—

1 (1) IN GENERAL.—The prohibition under sub-
2 section (a) does not apply to a contract that the Sec-
3 retary of Defense and the Secretary of State jointly
4 determine—

5 (A) is necessary—

6 (i) for purposes of providing humani-
7 tarian assistance to the people of Ven-
8 ezuela,

9 (ii) for purposes of providing disaster
10 relief and other urgent life-saving meas-
11 ures; or

12 (iii) to carry out noncombatant evacu-
13 ations; or

14 (B) is vital to the national security inter-
15 ests of the United States.

16 (2) NOTIFICATION REQUIREMENT.—The Sec-
17 retary of Defense shall notify the congressional de-
18 fense committees, the Committee on Foreign Affairs
19 of the House of Representatives, and the Committee
20 on Foreign Relations of the Senate of any contract
21 entered into on the basis of an exception provided
22 for under paragraph (1).

23 (d) OFFICE OF FOREIGN ASSETS CONTROL LI-
24 CENSES.—The prohibition in subsection (a) shall not

1 apply to a person that has a valid license to operate in
2 Venezuela issued by the Office of Foreign Assets Control.

3 (e) AMERICAN DIPLOMATIC MISSION IN VEN-
4 EZUELA.—The prohibition in subsection (a) shall not
5 apply to contracts related to the operation and mainte-
6 nance of the United States Government’s consular offices
7 and diplomatic posts in Venezuela.

8 (f) APPLICABILITY.—This section shall apply with re-
9 spect to any contract entered into on or after the date
10 of the enactment of this section.

11 **SEC. 898. REPORT ON COST GROWTH OF MAJOR DEFENSE**
12 **ACQUISITIONS PROGRAMS.**

13 The Comptroller General shall submit to the Com-
14 mittee on Armed Services of the Senate and the Com-
15 mittee on Armed Services of the House of Representatives
16 a report analyzing cost growth of major defense acquisi-
17 tion programs (as defined in section 2430 of title 10,
18 United States Code) during the 15 fiscal years preceding
19 the date of the enactment of this Act.

20 **SEC. 899. INCLUSION OF OPERATIONAL ENERGY PROJECTS**
21 **FOR USES OF ENERGY COST SAVINGS.**

22 Section 2912(b)(1) of title 10, United States Code,
23 is amended by inserting “operational energy projects,”
24 after “including”.

1 **SEC. 899A. REPORT AND STRATEGY ON TERMINATED FOR-**
2 **EIGN CONTRACTS.**

3 (a) REPORT.—Not later than 90 days after the date
4 of the enactment of this Act, the Secretary of Defense
5 shall submit to Congress a report on contracts performed
6 in foreign countries for which the contract was terminated
7 for convenience because of actions taken by the govern-
8 ment of, or an entity located in, the foreign country that
9 impeded the ability of the contractor to perform the con-
10 tract. Such report shall include, for each contract so ter-
11 minated—

12 (1) the specific contract type;

13 (2) the good or service that is the subject of the
14 contract;

15 (3) the contracting entity within the Depart-
16 ment of Defense;

17 (4) the annual and total value of the contract;

18 (5) the foreign countries involved in imple-
19 menting the contract;

20 (6) an identification of the government of, or
21 entity located in, the foreign country that impeded
22 the ability of the contractor to perform the contract;

23 (7) the rationale, if any, for impeding the abil-
24 ity of the contractor to perform the contract, and an
25 analysis of whether the rationale contradicted and
26 requirements of the Federal Acquisition Regulation;

1 (8) the increased costs incurred by the Depart-
2 ment of Defense because of the termination; and

3 (9) any additional information, as determined
4 by the Secretary.

5 (b) STRATEGY.—The Secretary of Defense, in col-
6 laboration with the Secretary of State, shall develop a
7 strategy and accompanying guidelines for contractors and
8 other Federal Government employees involved in the per-
9 formance of Department of Defense contracts in foreign
10 countries to ensure such contracts are not subject to inter-
11 ference, contract meddling, or favoritism by government
12 of, or an entity located in, the foreign country. Not later
13 than 90 days after the date of the enactment of this Act,
14 the Secretary of Defense shall submit to Congress a report
15 on the strategy and accompanying guidelines.

16 **SEC. 899B. INDIVIDUAL ACQUISITION FOR COMMERCIAL**
17 **LEASING SERVICES.**

18 (a) EXTENSION.—Section 877(c) of the John S.
19 McCain National Defense Authorization Act For Fiscal
20 Year 2019 (41 U.S.C. 3302 note) is amended by striking
21 “2022” and inserting “2025”.

22 (b) AUDIT.—Section 887(b)(1) of such Act is amend-
23 ed by striking “biennial audits” and inserting “audits
24 every five years”.

1 **SEC. 899C. PROHIBITION ON CONTRACTING WITH ENTITIES**
2 **LACKING A SEXUAL HARASSMENT POLICY.**

3 (a) IN GENERAL.—Not later than 270 days after the
4 date of the enactment of this Act, the Secretary of Defense
5 shall revise the Defense Federal Acquisition Regulation
6 Supplement to state that the policy of the Department of
7 Defense is that the Secretary of Defense may enter into
8 a contract only with an entity that has an employee policy
9 penalizing instances of sexual harassment.

10 (b) DEBARMENT.—If an entity that does not have an
11 employee policy penalizing instances of sexual harassment
12 seeks to enter into a contract with the Department of De-
13 fense, the Secretary of Defense shall initiate a debarment
14 proceeding in accordance with procedures in the Federal
15 Acquisition Regulation against such entity.

16 **SEC. 899D. DOMESTIC PRODUCTION OF SMALL UNMANNED**
17 **AIRCRAFT SYSTEMS.**

18 The Secretary of Defense shall take such action as
19 necessary to strengthen the domestic production of small
20 unmanned aircraft systems (as defined in section 331 of
21 the FAA Modernization and Reform Act of 2012 (Public
22 Law 112–95; 49 U.S.C. 44802 note)), as described under
23 Presidential Determination No. 2019–13 of June 10,
24 2019.

1 **SEC. 899E. PROHIBITION ON CONTRACTING WITH PERSONS**
2 **WITH WILLFUL OR REPEATED VIOLATIONS**
3 **OF THE FAIR LABOR STANDARDS ACT OF**
4 **1938.**

5 The head of a Federal department or agency (as de-
6 fined in section 102 of title 40, United States Code) shall
7 initiate a debarment proceeding with respect to a person
8 for whom information regarding a willful or repeated vio-
9 lation of the Fair Labor Standards Act of 1938 (29
10 U.S.C. 201 et seq.) as determined by a disposition de-
11 scribed under subsection (c)(1) of section 2313 of title 41,
12 United States Code, is included in the database estab-
13 lished under subsection (a) of such section.

14 **SEC. 899F. COMPTROLLER GENERAL REPORT ON CON-**
15 **TRACTOR VIOLATIONS OF CERTAIN LABOR**
16 **LAWS.**

17 Not later than 180 days after the date of the enact-
18 ment of this Act, the Comptroller of the United States
19 shall submit a report to Congress on the number of con-
20 tractors—

21 (1) that performed a contract with the Depart-
22 ment of Defense during the five-year period pre-
23 ceding the date of the enactment of this Act; and

24 (2) that have been found by the Department of
25 Labor to have committed willful or repeat violations
26 of the Occupational Safety and Health Act of 1970

1 (29 U.S.C. 651 et seq.) or the Fair Labor Standards
2 Act of 1938 (29 U.S.C. 201 et seq.), and the nature
3 of the violations committed.

4 **SEC. 899G. REESTABLISHMENT OF COMMISSION ON WAR-**
5 **TIME CONTRACTING.**

6 (a) IN GENERAL.—There is hereby reestablished in
7 the legislative branch under section 841 of the National
8 Defense Authorization Act for Fiscal Year 2008 (Public
9 Law 110–181; 122 Stat. 230) the Commission on War-
10 time Contracting.

11 (b) AMENDMENT TO DUTIES.—Section 841(c)(1) of
12 the National Defense Authorization Act for Fiscal Year
13 2008 (Public Law 110–181; 122 Stat. 231) is amended
14 to read as follows:

15 “(1) GENERAL DUTIES.—The Commission shall
16 study the following matters:

17 “(A) Federal agency contracting funded by
18 overseas contingency operations funds.

19 “(B) Federal agency contracting for the
20 logistical support of coalition forces operating
21 under the authority of the 2001 or 2002 Au-
22 thorization for the Use of Military Force.

23 “(C) Federal agency contracting for the
24 performance of security functions in countries
25 where coalition forces operate under the author-

1 ity of the 2001 or 2002 Authorization for the
2 Use of Military Force”.

3 (c) CONFORMING AMENDMENTS.—Section 841 of the
4 National Defense Authorization Act for Fiscal Year 2008
5 (Public Law 110–181; 122 Stat. 230) is amended—

6 (1) in subsection (b)—

7 (A) in paragraph (1), by striking “the
8 Committee on Oversight and Government Re-
9 form” each place it appears and inserting “the
10 Committee on Oversight and Reform”;

11 (B) in paragraph (2), by striking “of this
12 Act” and inserting “of the Wartime Con-
13 tracting Commission Reauthorization Act of
14 2019”; and

15 (C) in paragraph (4), by striking “was
16 first established” each place it appears and in-
17 serting “was reestablished by the Wartime Con-
18 tracting Commission Reauthorization Act of
19 2019”; and

20 (2) in subsection (d)(1), by striking “On March
21 1, 2009” and inserting “Not later than one year
22 after the date of enactment of the Wartime Con-
23 tracting Commission Reauthorization Act of 2019”.

1 **SEC. 899H. FEDERAL CONTRACTOR DISCLOSURE OF UN-**
2 **PAID FEDERAL TAX LIABILITY.**

3 Section 2313(c) of title 41, United States Code, is
4 amended by adding at the end the following:

5 “(9) Any unpaid Federal tax liability of the
6 person, but only to the extent all judicial and admin-
7 istrative remedies have been exhausted or have
8 lapsed with respect to the Federal tax liability.”.

9 **SEC. 899I. UNIFORMITY IN APPLICATION OF MICRO-PUR-**
10 **CHASE THRESHOLD TO CERTAIN TASK OR**
11 **DELIVERY ORDERS.**

12 Section 4106(c) of title 41, United States Code, is
13 amended by striking “\$2,500” and inserting “the micro-
14 purchase threshold under section 1902 of this title”.

15 **SEC. 899J. PILOT PROGRAM ON PAYMENT OF COSTS FOR**
16 **DENIED GOVERNMENT ACCOUNTABILITY OF-**
17 **FICE BID PROTESTS.**

18 Section 827 of the National Defense Authorization
19 Act for Fiscal Year 2018 (10 U.S.C. 2304 note) is amend-
20 ed—

21 (1) in subsection (a)—

22 (A) by inserting “direct” before “costs in-
23 curred”; and

24 (B) by striking “in processing” and insert-
25 ing “by the Department in support of hearings
26 to adjudicate”; and

1 (2) in subsection (b), by striking “two years
2 after the date of the enactment of this Act” and in-
3 serting “60 days after the Secretary of Defense cer-
4 tifies in writing to the congressional defense commit-
5 tees that the Department of Defense has business
6 systems that have been independently audited and
7 that can accurately identify the direct costs incurred
8 by the Department of Defense in support of hear-
9 ings to adjudicate covered protests”.

10 **SEC. 899K. REQUIREMENT FOR CONTRACTORS TO REPORT**
11 **GROSS VIOLATIONS INTERNATIONALLY REC-**
12 **OGNIZED HUMAN RIGHTS.**

13 (a) IN GENERAL.—A contractor performing a De-
14 partment of Defense contract in a foreign country shall
15 report possible cases of gross violations of internationally
16 recognized human rights to the Secretary of Defense.

17 (b) REPORT.—Not later than 180 days after the en-
18 actment of this Act, the Secretary of Defense, with the
19 concurrence of the Secretary of State, shall submit to the
20 appropriate congressional committees a report that de-
21 scribes—

22 (1) the policies and procedures in place to ob-
23 tain information about possible cases of gross viola-
24 tions of internationally recognized human rights
25 from contractors described in subsection (a); and

1 (2) the resources needed to investigate reports
2 made pursuant to subsection (a).

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

6 (d) DEFINITIONS.—In this section:

7 (1) APPROPRIATE CONGRESSIONAL COMMIT-
8 TEES.—the term “appropriate congressional commit-
9 tees” means—

10 (A) the congressional defense committees;
11 and

12 (B) the Committee on Foreign Relations of
13 the Senate and the Committee on Foreign Af-
14 fairs of the House of Representatives.

15 (2) GROSS VIOLATIONS OF INTERNATIONALLY
16 RECOGNIZED HUMAN RIGHTS.—The term “gross vio-
17 lations of internationally recognized human rights”
18 means torture or cruel, inhuman, or degrading treat-
19 ment or punishment, prolonged detention without
20 charges and trial, causing the disappearance of per-
21 sons by the abduction and clandestine detention of
22 those persons, child sexual assault, and other fla-
23 grant denial of the right to life, liberty, or the secu-
24 rity of person.

1 **SEC. 899L. CONGRESSIONAL OVERSIGHT OF PRIVATE SE-**
2 **URITY CONTRACTOR CONTRACTS.**

3 (a) REPORT OF CERTAIN CONTRACTS AND TASK OR-
4 DERS.—

5 (1) REQUIREMENT REGARDING CONTRACTS
6 AND TASK ORDERS.—The Inspector General of the
7 Department of Defense shall compile a report of the
8 work performed or to be performed under a covered
9 contract during the period beginning on October 1,
10 2001, and ending on the last day of the month dur-
11 ing which this Act is enacted for work performed or
12 work to be performed in areas of contingency oper-
13 ations.

14 (2) FORM OF SUBMISSIONS.—The report re-
15 quired by paragraph (1) shall be submitted in un-
16 classified form, to the maximum extent possible, but
17 may contain a classified annex, if necessary.

18 (b) REPORTS ON CONTRACTS FOR WORK TO BE
19 PERFORMED IN AREAS OF CONTINGENCY OPERATIONS
20 AND OTHER SIGNIFICANT MILITARY OPERATIONS.—The
21 Inspector General of the Department of Defense shall sub-
22 mit to each specified congressional committee a report not
23 later than 60 days after the date of the enactment of this
24 Act that contains the following information:

1 (1) The number of civilians performing work in
2 areas of contingency operations under covered con-
3 tracts.

4 (2) The total cost of such covered contracts.

5 (3) The total number of civilians who have been
6 wounded or killed in performing work under such
7 covered contracts.

8 (4) A description of the disciplinary actions
9 that have been taken against persons performing
10 work under such covered contracts by the con-
11 tractor, the United States Government, or the gov-
12 ernment of any country in which the area of contin-
13 gency operations is located.

14 (c) DEFINITIONS.—In this section:

15 (1) COVERED CONTRACT.—The term “covered
16 contract” means a contract for private security en-
17 tered into by the Secretary of Defense in an amount
18 greater than \$5,000,000.

19 (2) CONTINGENCY OPERATION.—The term
20 “contingency operation” has the meaning provided
21 by section 101(a)(13) of title 10, United States
22 Code.

23 (3) SPECIFIED CONGRESSIONAL COMMIT-
24 TEES.—The term “specified congressional commit-

tees” means the Committees on Armed Services of the Senate and the House of Representatives.

SEC. 899M. GAO REPORT ON CONTRACTING PRACTICES OF THE CORPS OF ENGINEERS.

(a) STUDY REQUIRED.—The Comptroller General of the United States shall conduct a study on the contracting practices of the Corps of Engineers, with a specific focus on how the Corps of Engineers complies with and enforces the requirement to pay prevailing wages on federally financed construction jobs, as required by subchapter IV of chapter 31 of title 40, United States Code (commonly referred to as the Davis-Bacon Act). The study shall consider the following:

(1) Any programs or protocols the Corps of Engineers has in place for the purpose of carrying out its Davis-Bacon Act enforcement obligations as set forth in the Federal Acquisition Regulation.

(2) Any programs or protocols the Corps of Engineers has in place for the purpose of identifying and addressing independent contractor misclassification on projects subject to the Davis-Bacon Act.

(3) The frequency with which the Corps of Engineers conducts site visits on each covered project to monitor Davis-Bacon Act compliance.

1 (4) The frequency with which the Corps of En-
2 gineers monitors certified payroll reports submitted
3 by contractors and subcontractors on each covered
4 project.

5 (5) Whether the Corps of Engineers accepts
6 and investigates complaints of Davis-Bacon Act vio-
7 lations submitted by third parties, such as contrac-
8 tors and workers' rights organizations.

9 (6) Whether the Corps of Engineers maintains
10 a database listing all contractors and subcontractors
11 who have, in one way or another, violated the Davis-
12 Bacon Act and whether the Corps consults this
13 database as part of its contract award process.

14 (7) The frequency, over the last five years, with
15 which the Corps of Engineers penalized, disqualified,
16 terminated, or moved for debarment of a contractor
17 for Davis-Bacon violations.

18 (8) How the Corps of Engineers verifies that
19 the contractors it hires for its projects are properly
20 licensed.

21 (b) REPORT TO CONGRESS.—Not later than 1 year
22 after the date of enactment of this Act, the Comptroller
23 General of the United States shall submit to the Com-
24 mittee on Education and Labor, the Committee on Armed
25 Services, and the Committee on Transportation and Infra-

1 structure of the House of Representatives and the Com-
2 mittee on Health, Education, Labor, and Pensions, the
3 Committee on Armed Services, and the Committee on
4 Commerce, Science, and Transportation of the Senate a
5 report that summarizes the results of the study required
6 under subsection (a), together with any recommendations
7 for legislative or regulatory action that would improve the
8 efforts of enforcing the requirement to pay prevailing
9 wages on federally financed construction jobs.

10 **SEC. 899N. COMPTROLLER GENERAL REPORT ON DEFENSE**
11 **BUSINESS PROCESSES.**

12 The Comptroller General of the United States shall
13 submit to the congressional defense committees a report
14 on the use of defense business processes (as described
15 under section 2222 of title 10, United States Code) that
16 includes—

17 (1) an analysis of the extent to which the De-
18 partment of Defense is developing a culture that rec-
19 ognizes the importance of business processes to
20 achieving operational success;

21 (2) an analysis of the extent to which the De-
22 partment of Defense components are implementing
23 business process reengineering initiatives necessary
24 to achieving improved financial management;

1 (3) an analysis of the quality of financial man-
2 agement training provided to employees of the De-
3 partment; and

4 (4) an identification of the steps taken by the
5 Department of the Defense to institutionalize a cul-
6 ture that recognizes the importance of financial
7 management.

8 **TITLE IX—DEPARTMENT OF DE-**
9 **FENSE ORGANIZATION AND**
10 **MANAGEMENT**

11 **Subtitle A—Office of the Secretary**
12 **of Defense and Related Matters**

13 **SEC. 901. UPDATE OF AUTHORITIES RELATING TO NU-**
14 **CLEAR COMMAND, CONTROL, AND COMMU-**
15 **NICATIONS.**

16 (a) DUTIES AND POWERS OF UNDER SECRETARY OF
17 DEFENSE FOR ACQUISITION AND SUSTAINMENT.—Sec-
18 tion 133b(b) of title 10, United States Code, is amended—

19 (1) by redesignating paragraphs (4), (5), (6),
20 and (7) as paragraphs (5), (6), (7), and (8), respec-
21 tively;

22 (2) by inserting after paragraph (3) the fol-
23 lowing new paragraph (4):

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

4 (3) in paragraph (6), as so redesignated, by in-
 5 serting after “overseeing the modernization of nu-
 6 clear forces” the following: “, including the nuclear
 7 command, control, and communications system,”.

8 (b) CHIEF INFORMATION OFFICER.—Section
 9 142(b)(1) of such title is amended—

10 (1) by striking subparagraph (G); and

11 (2) by redesignating subparagraphs (H) and (I)
 12 as subparagraphs (G) and (H), respectively.

13 **Subtitle B—Other Department of**
 14 **Defense Organization and Man-**
 15 **agement Matters**

16 **SEC. 911. CODIFICATION OF ASSISTANT SECRETARIES FOR**
 17 **ENVIRONMENT, INSTALLATIONS, AND EN-**
 18 **ERGY OF THE ARMY, NAVY, AND AIR FORCE.**

19 (a) ASSISTANT SECRETARY OF THE ARMY.—Section
 20 7016(b) of title 10, United States Code, is amended by
 21 adding at the end the following new paragraph:

22 “(6)(A) One of the Assistant Secretaries shall be the
 23 Assistant Secretary for Installations, Energy, and Envi-
 24 ronment.

1 “(B) The principal duty of the Assistant Secretary
2 for Installations, Energy, and Environment shall be the
3 overall supervision of installation, energy, and environ-
4 ment matters for the Department of the Army.”.

5 (b) ASSISTANT SECRETARY OF THE NAVY.—Section
6 8016(b) of title 10, United States Code, is amended by
7 adding at the end the following new paragraph:

8 “(5)(A) One of the Assistant Secretaries shall be the
9 Assistant Secretary for Energy, Installations, and Envi-
10 ronment.

11 “(B) The principal duty of the Assistant Secretary
12 for Energy, Installations, and Environment shall be the
13 overall supervision of installation, energy, and environ-
14 ment matters for the Department of the Navy.”.

15 (c) ASSISTANT SECRETARY OF THE AIR FORCE.—
16 Section 9016(b) of title 10, United States Code, is amend-
17 ed by adding at the end the following new paragraph:

18 “(5)(A) One of the Assistant Secretaries shall be the
19 Assistant Secretary for Installations, Environment, and
20 Energy.

21 “(B) The principal duty of the Assistant Secretary
22 for Installations, Environment, and Energy shall be the
23 overall supervision of installation, energy, and environ-
24 ment matters for the Department of the Air Force.”.

1 **SEC. 912. LIMITATION ON AVAILABILITY OF FUNDS FOR**
2 **CONSOLIDATION OF DEFENSE MEDIA ACTIV-**
3 **ITY.**

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

6 (1) the Defense Media Activity serves as a pre-
7 mier broadcasting and production center for Amer-
8 ica’s servicemembers and their families worldwide;
9 and

10 (2) as the Department of Defense considers re-
11 locating some or all of the functions of the Defense
12 Media Activity, Congress must have the opportunity
13 to consider the impact and scope that such a deci-
14 sion would have on the Department’s ability to meet
15 its current warfighting capabilities and ensure that
16 the Defense Media Activity does not consolidate its
17 facilities at the expense of satisfying its current mis-
18 sion requirements.

19 (b) LIMITATION.—None of the funds authorized to
20 be appropriated by this Act or otherwise made available
21 for fiscal year 2020 or any subsequent fiscal year for the
22 Department of Defense may be used to consolidate the
23 Defense Media Activity until a period of 180 days has
24 elapsed following the date on which the Secretary of De-
25 fense submits the report required under subsection (c).

1 (c) REPORT REQUIRED.—The Secretary of Defense
2 shall submit to the congressional defense committees a re-
3 port that includes the following:

4 (1) Any current or future plans to restructure,
5 reduce, or eliminate the functions, personnel, facili-
6 ties, or capabilities of the Defense Media Activity,
7 including the timelines associated with such plans.

8 (2) Any modifications that have been made, or
9 that may be made, to personnel compensation or
10 funding accounts in preparation for, or in response
11 to, efforts to consolidate the Defense Media Activity.

12 (3) Any contractual agreements that have been
13 entered into to consolidate or explore the consolida-
14 tion of the Defense Media Activity.

15 (4) Any Department of Defense directives or
16 Administration guidance relating to efforts to con-
17 solidate the Defense Media Activity, including any
18 directives or guidance intended to inform or instruct
19 such efforts.

20 (d) CONSOLIDATE DEFINED.—In this section, the
21 term “consolidate”, means any action to reduce or limit
22 the functions, personnel, facilities, or capabilities of the
23 Defense Media Activity, including entering into contracts
24 or developing plans for such reduction or limitation.

1 **SEC. 913. MODERNIZATION OF CERTAIN FORMS AND SUR-**
2 **VEYS.**

3 (a) STUDY.—The Secretary of Defense shall conduct
4 a study to identify each form and survey of the Depart-
5 ment of Defense, in use on the date of the enactment of
6 this Act, that contains a term or classification that the
7 Secretary determines may be considered racially or eth-
8 nically insensitive.

9 (b) REPORTS.—

10 (1) INTERIM REPORTS.—On the date that is 90
11 days after the date of the enactment of this Act, and
12 on the date that is 180 days after such date of en-
13 actment, the Secretary shall submit to the Commit-
14 tees on Armed Services of the House of Representa-
15 tives and the Senate a report on the status of the
16 study conducted under subsection (a).

17 (2) FINAL REPORT.—Not later than one year
18 after the date of the enactment of this Act, the Sec-
19 retary shall submit to the Committees on Armed
20 Services of the House of Representatives and the
21 Senate a report on the results of the study con-
22 ducted under subsection (a) that includes—

23 (A) a list of each form and survey identi-
24 fied under such study; and

1 (B) a plan for modernizing the terms and
 2 classifications contained in such forms and sur-
 3 veys, including legislative recommendations.

4 (c) MODERNIZATION REQUIRED.—Not later than 18
 5 months after the date of the enactment of this Act, the
 6 Secretary shall carry out the plan included in the report
 7 submitted under subsection (b).

8 **Subtitle C—Space Matters**

9 **PART 1—UNITED STATES SPACE CORPS**

10 **SEC. 921. ESTABLISHMENT OF UNITED STATES SPACE** 11 **CORPS IN THE DEPARTMENT OF THE AIR** 12 **FORCE.**

13 (a) ESTABLISHMENT.—Part I of subtitle D of title
 14 10, United States Code, is amended by adding at the end
 15 the following new chapter:

16 **“CHAPTER 909—THE SPACE CORPS**

“Sec.
 “9091. Establishment of the Space Corps.
 “9093. Commandant of the Space Corps.
 “9095. Officer career field for space.

17 **“§ 9091. Establishment of the Space Corps**

18 “(a) ESTABLISHMENT.—There is established a
 19 United States Space Corps as an armed force within the
 20 Department of the Air Force.

21 “(b) COMPOSITION.—(1) The Space Corps shall be
 22 composed of the following:

23 “(A) The Commandant of the Space Corps.

1 “(B) The space forces and such assets as may
2 be organic therein.

3 “(2)(A) The space forces specified in paragraph
4 (1)(B) shall include the personnel and assets of the Air
5 Force transferred to the Space Corps pursuant to the Na-
6 tional Defense Authorization Act for Fiscal Year 2020.

7 “(B) The space forces specified in paragraph (1)(B)
8 may not include the personnel or assets of the National
9 Reconnaissance Office or the National Geospatial-Intel-
10 ligence Agency. Nothing in this section shall affect the au-
11 thorities, duties, or responsibilities of the Director of the
12 National Reconnaissance Office and the Director of the
13 National Geospatial-Intelligence Agency, including with
14 respect to the authority of each such Director to—

15 “(i) carry out the research, development, test,
16 and evaluation and procurement of satellites and
17 user satellite terminals of the Defense Agency of the
18 Director;

19 “(ii) operate such terminals; and

20 “(iii) develop requirements to ensure that the
21 space programs of the Department of Defense sup-
22 port the mission of the Director.

23 “(c) FUNCTIONS.—The Space Corps shall be orga-
24 nized, trained, and equipped to provide—

1 “(1) freedom of operation for the United States
2 in, from, and to space; and

3 “(2) prompt and sustained space operations.

4 “(d) DUTIES.—It shall be the duty of the Space
5 Corps to—

6 “(1) protect the interests of the United States
7 in space;

8 “(2) deter aggression in, from, and to space;
9 and

10 “(3) conduct space operations.

11 “(e) ACQUISITION SYSTEM.—(1) The Secretary of
12 the Air Force may establish a separate, alternative acqui-
13 sition system for defense space acquisitions, including with
14 respect to procuring space vehicles, ground segments re-
15 lating to such vehicles, and satellite terminals, pursuant
16 to the plan specified in paragraph (2).

17 “(2) The Deputy Secretary of Defense shall develop
18 the plan, and submit such plan to the congressional de-
19 fense committees, under section 1601(b) of the John S.
20 McCain National Defense Authorization Act for Fiscal
21 Year 2019 (Public Law 115–232; 132 Stat. 2103).

22 “(3) The alternative acquisition system under para-
23 graph (1) shall cover defense space acquisitions except
24 with respect to the National Reconnaissance Office and
25 other elements of the Department of Defense that are ele-

1 ments of the intelligence community (as defined in section
2 3 of the National Security Act of 1947 (50 U.S.C. 3003)).

3 “(f) PERSONNEL DEVELOPMENT.—(1) The Sec-
4 retary may ensure the quality of the members of the Space
5 Corps pursuant to the plan specified in paragraph (2) and
6 section 9095 of this title.

7 “(2) The Secretary shall develop the plan, and submit
8 such plan to the congressional defense committees, under
9 section 1601(c) of the John S. McCain National Defense
10 Authorization Act for Fiscal Year 2019 (Public Law 115–
11 232; 132 Stat. 2103).

12 “(3) In carrying out paragraph (1), the Secretary
13 shall address the following:

14 “(A) Managing the career progression of mem-
15 bers of the Space Corps and civilian employees of
16 the Space Corps throughout the military or civilian
17 career of the member or the employee, as the case
18 may be, including with respect to—

19 “(i) defining career professional mile-
20 stones;

21 “(ii) pay and incentive structures;

22 “(iii) the management and oversight of the
23 Space Corps;

1 “(iv) training relating to planning and exe-
2 cuting warfighting missions and operations in
3 space;

4 “(v) conducting periodic Space Corps-wide
5 professional assessments to determine how the
6 Space Corps is developing as a group; and

7 “(vi) establishing a centralized method to
8 control personnel assignments and distribution.

9 “(B) The identification of future space-related
10 career fields that the Secretary determines appro-
11 priate, including a space acquisition career field.

12 “(C) The identification of any overlap that ex-
13 ists among operations and acquisitions career fields
14 to determine opportunities for cross-functional ca-
15 reer opportunities.

16 **“§ 9093. Commandant of the Space Corps**

17 “(a) APPOINTMENT.—(1) There is a Commandant of
18 the Space Corps, appointed by the President, by and with
19 the advice and consent of the Senate, from the general
20 officers of the Air Force. The Commandant serves at the
21 pleasure of the President.

22 “(2) The Commandant shall be appointed for a term
23 of four years. In time of war or during a national emer-
24 gency declared by Congress, the Commandant may be re-
25 appointed for a term of not more than four years.

1 “(b) GRADE.—The Commandant, while so serving,
2 has the grade of general without vacating the permanent
3 grade of the officer.

4 “(c) RELATIONSHIP TO THE SECRETARY OF THE AIR
5 FORCE.—Except as otherwise prescribed by law and sub-
6 ject to section 9013(f) of this title, the Commandant per-
7 forms the duties of such position under the authority, di-
8 rection, and control of the Secretary of the Air Force and
9 is directly responsible to the Secretary.

10 “(d) DUTIES.—Subject to the authority, direction,
11 and control of the Secretary of the Air Force, the Com-
12 mandant shall—

13 “(1) exercise supervision, consistent with the
14 authority assigned to commanders of unified or spec-
15 ified combatant commands under chapter 6 of this
16 title, over such of the members and organizations of
17 the Space Corps as the Secretary determines; and

18 “(2) perform such other military duties, not
19 otherwise assigned by law, as are assigned to the
20 Commandant by the President, the Secretary of De-
21 fense, or the Secretary of the Air Force.

22 “(e) JOINT CHIEFS OF STAFF.—(1) The Com-
23 mandant shall also perform the duties prescribed for the
24 Commandant as a member of the Joint Chiefs of Staff
25 under section 151 of this title.

1 “(2) To the extent that such action does not impair
2 the independence of the Commandant in the performance
3 of the duties of the Commandant as a member of the Joint
4 Chiefs of Staff, the Commandant shall inform the Sec-
5 retary of the Air Force regarding military advice rendered
6 by members of the Joint Chiefs of Staff on matters affect-
7 ing the Department of the Air Force.

8 “(3) Subject to the authority, direction, and control
9 of the Secretary of Defense, the Commandant shall keep
10 the Secretary of the Air Force fully informed of significant
11 military operations affecting the duties and responsibilities
12 of the Secretary.”.

13 (d) CONFORMING AMENDMENTS.—

14 (1) JOINT CHIEFS OF STAFF.—

15 (A) MEMBERSHIP.—Section 151(a) of title
16 10, United States Code, is amended—

17 (i) by redesignating paragraph (7) as
18 paragraph (8); and

19 (ii) by inserting after paragraph (6)
20 the following new paragraph:

21 “(7) The Commandant of the Space Corps.”.

22 (B) APPOINTMENT.—Section 152(b)(1)(B)
23 of such title is amended by striking “or the
24 Commandant of the Marine Corps” and insert-

1 ing “the Commandant of the Marine Corps, or
2 the Commandant of the Space Corps”.

3 (2) OFFICER CAREERS.—Chapter 907 of such
4 title is amended as follows:

5 (A) In section 9084, by striking “officers
6 in the Air Force” and inserting “officers in the
7 Space Corps”.

8 (B) By transferring section 9084, as
9 amended by subparagraph (A), to chapter 909
10 and redesignating such section as section 9095.

11 (C) In the table of sections, by striking the
12 item relating to section 9084.

13 (3) SECRETARY OF THE AIR FORCE.—Section
14 9013 of such title is amended—

15 (A) in subsection (f), by inserting “and
16 Space Corps” after “Officers of the Air Force”;
17 and

18 (B) in subsection (g)(1), by inserting “and
19 Space Corps” after “members of the Air
20 Force”.

21 (4) DEFINITIONS.—Section 101 of such title is
22 amended—

23 (A) in subsection (a)—

1 (i) in paragraph (4), by inserting
 2 “Space Corps,” after “Marine Corps,”;
 3 and

4 (ii) in paragraph (9)(C), by inserting
 5 “and the Space Corps” after “concerning
 6 the Air Force”; and

7 (B) in subsection (b)—

8 (i) in paragraph (4), by striking “or
 9 Marine Corps” and inserting “Marine
 10 Corps, or Space Corps”; and

11 (ii) in paragraph (13), by striking “or
 12 Marine Corps” and inserting “Marine
 13 Corps, or Space Corps”.

14 (e) CLERICAL AMENDMENT.—The table of chapters
 15 for part I of subtitle D of title 10, United States Code,
 16 is amended by adding at the end the following new item:

“909. The Space Corps”.

17 **SEC. 922. TRANSFER OF PERSONNEL, FUNCTIONS, AND AS-**
 18 **SETS TO THE SPACE CORPS.**

19 (a) TRANSFERS.—

20 (1) TRANSFER OF MILITARY PERSONNEL.—

21 (A) IN GENERAL.—The Secretary of De-
 22 fense shall, during the transition period, trans-
 23 fer all covered military personnel to the Space
 24 Corps.

(B) RETENTION IN GRADE AND STATUS.—

Covered military personnel transferred to the Space Corps pursuant to subparagraph (A) shall retain the grade and date of obtaining such grade that the individual person had before the date of the transfer unless otherwise altered or terminated in accordance with law.

(2) TRANSFER OF FUNCTIONS.—Except as oth-

erwise directed by the Secretary of Defense, all functions, assets, and obligations of the space elements of the Air Force (including all property, records, installations, activities, facilities, agencies, and projects of such elements) shall be transferred to the Space Corps.

(b) CONFORMING REPEAL.—

(1) IN GENERAL.—Chapter 135 of title 10,

United States Code, is amended by striking section 2279c.

(2) CLERICAL AMENDMENT.—The table of sec-

tions at the beginning of such chapter is amended by striking the item relating to section 2279c.

(3) EFFECTIVE DATE.—The amendments made

by paragraphs (1) and (2) shall take effect on the date on which the transition period terminates, as determined by the Secretary of Defense in accord-

1 ance with subsection (c), which date shall be not
2 later than December 30, 2023.

3 (c) NOTICE TO CONGRESS.—Not later than 30 days
4 before the date on which the transition period terminates,
5 the Secretary of Defense shall submit to the congressional
6 defense committees a certification that identifies the date
7 on which transition period will terminate.

8 (d) DEFINITIONS.—In this section:

9 (1) The term “covered military personnel”
10 means commissioned officers and enlisted members
11 of the space elements of the Air Force who are as-
12 signed to such elements as of the date on which such
13 officers and members are transferred under sub-
14 section (a)(1).

15 (2) The term “transition period” means a pe-
16 riod prescribed by the Secretary of Defense that—

17 (A) begins on January 1, 2021; and

18 (B) ends not later than December 30,
19 2023.

20 **SEC. 923. REPORTS ON SPACE CORPS.**

21 (a) REPORT ON STRUCTURE OF SPACE CORPS.—

22 (1) IN GENERAL.—The Secretary of Defense
23 shall submit to the congressional defense committees
24 a report that includes a detailed plan for the organi-
25 zational structure of the Space Corps.

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

3 (A) a detailed description of the structure
4 and organizational elements required for the
5 Space Corps to perform its mission;

6 (B) a detailed description of the organiza-
7 tion and staff required to support the Com-
8 mandant of the Space Corps;

9 (C) a detailed explanation of how establish-
10 ment of the Space Corps is expected to affect
11 the composition and function of the space ele-
12 ments of the Armed Forces;

13 (D) a description of how the Space Corps
14 will be organized, trained, and equipped;

15 (E) a description of how the Space Corps
16 will exercise acquisition authorities;

17 (F) a description of how the Space Corps
18 will coordinate with the United States Space
19 Command, the Space Development Agency, and
20 other space elements of the Armed Forces; and

21 (G) any other matters determined to be
22 appropriate by the Secretary.

23 (b) REPORT ON MILITARY PERSONNEL.—

24 (1) IN GENERAL.—The Secretary of Defense
25 shall submit to the congressional defense committees

1 a report on the military personnel requirements of
2 the Space Corps.

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

5 (A) a detailed plan setting forth—

6 (i) the proposed military personnel
7 composition and structure of the Space
8 Corps; and

9 (ii) plans for the transfer or reassign-
10 ment of military personnel from the space
11 elements of the Armed Forces to the Space
12 Corps;

13 (B) the number of officer and enlisted per-
14 sonnel to be transferred or reassigned to the
15 Space Corps by functional area;

16 (C) a detailed description of the billet re-
17 quirements for the Space Corps, including the
18 staff organizational and rank structure; and

19 (D) the number of additional officer and
20 enlisted billets that will be required for the
21 Space Corps and a description of such billets.

22 (c) REPORT ON CIVILIAN PERSONNEL.—

23 (1) IN GENERAL.—The Secretary of Defense
24 shall submit to the congressional defense committees

1 a report on the civilian personnel requirements of
2 the Space Corps.

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

5 (A) an assessment of the projected size of
6 the civilian workforce of the Space Corps in fis-
7 cal year 2021 and in each fiscal year covered by
8 the most recent future-years defense program
9 submitted to Congress under section 221 of
10 title 10, United States Code;

11 (B) a detailed explanation of any projected
12 changes to the size of the civilian workforce of
13 the Space Corps from year-to-year; and

14 (C) a detailed plan for the transfer of civil-
15 ian personnel from the space elements of the
16 Armed Forces to the Space Corps.

17 (d) REPORT ON TRANSFER OF FUNCTIONS AND AS-
18 SETS.—

19 (1) IN GENERAL.—The Secretary of Defense
20 shall submit to the congressional defense committees
21 a report that includes a detailed plan for the trans-
22 fer of the functions, assets, and obligations of the
23 space elements of the Armed Forces (including any
24 property, records, installations, activities, facilities,

1 agencies, and projects of such elements) to the
2 Space Corps in accordance with section 922.

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

5 (A) a detailed list of the functions and as-
6 sets to be transferred;

7 (B) a justification for each transfer pro-
8 posed to be made under subparagraph (A);

9 (C) the location and value of each item
10 proposed to be transferred under subparagraph
11 (A); and

12 (D) the date on which each item is ex-
13 pected to be transferred.

14 (e) REPORT ON FUNDING REQUIREMENTS.—

15 (1) IN GENERAL.—The Secretary of Defense
16 shall submit to the congressional defense committees
17 a report on the funding requirements for the Space
18 Corps.

19 (2) ELEMENTS.—The report required under
20 paragraph (1) shall include a detailed estimate of
21 the funding that will be required to establish the
22 Space Corps and to conduct the activities and oper-
23 ations of the Corps, including estimated expendi-
24 tures and proposed appropriations for each of fiscal
25 years 2021 through 2025 as follows:

1 (A) With respect to procurement ac-
2 counts—

3 (i) amounts displayed by account,
4 budget activity, line number, line item, and
5 line item title; and

6 (ii) a description of the requirements
7 for each such amount specific to the Space
8 Corps.

9 (B) With respect to research, development,
10 test, and evaluation accounts—

11 (i) amounts displayed by account,
12 budget activity, line number, program ele-
13 ment, and program element title; and

14 (ii) a description of the requirements
15 for each such amount specific to the Space
16 Corps.

17 (C) With respect to operation and mainte-
18 nance accounts—

19 (i) amounts displayed by account title,
20 budget activity title, line number, and sub-
21 activity group title; and

22 (ii) a description of how such amounts
23 will specifically be used.

24 (D) With respect to military personnel ac-
25 counts—

1 (i) amounts displayed by account,
2 budget activity, budget sub-activity, and
3 budget sub-activity title; and

4 (ii) a description of the requirements
5 for each such amount specific to the Space
6 Corps.

7 (E) With respect to each project under
8 military construction accounts (including with
9 respect to unspecified minor military construc-
10 tion and amounts for planning and design), the
11 country, location, project title, and project
12 amount by fiscal year.

13 (F) With respect to any expenditures and
14 proposed appropriations not included the mate-
15 rials submitted under subparagraphs (A)
16 through (E), an explanation with a level of de-
17 tail equivalent to or greater than the level of de-
18 tail provided in the future-years defense pro-
19 gram submitted to Congress under section 221
20 of title 10, United States Code.

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

24 (f) DEADLINE FOR SUBMITTAL.—Each of the reports
25 required under subsections (a) through (e) shall be sub-

mitted to the congressional defense committees not later than February 1, 2020.

SEC. 924. SPACE NATIONAL GUARD.

The Secretary of Defense may not transfer any personnel or resources from any reserve components, including the National Guard, to the Space Corps established by section 921 until the date on which a Space National Guard of the United States has been established by law.

SEC. 925. EFFECTS ON MILITARY INSTALLATIONS.

Nothing in this part, or the amendments made by this part, shall be construed to authorize or require the relocation of any facility, infrastructure, or military installation of the Air Force.

PART 2—OTHER SPACE MATTERS

SEC. 931. UNITED STATES SPACE COMMAND.

(a) RESTORATION OF GENERAL AUTHORITY FOR ESTABLISHMENT OF UNIFIED COMMAND.—

(1) IN GENERAL.—Section 169 of title 10, United States Code, is repealed.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 6 of title 10, United States Code, is amended by striking the item relating to section 169.

(b) CONFORMING AMENDMENT.—Section 2273a(d)(3) of title 10, United States Code, is amended

1 by striking “The Commander of the United States Stra-
2 tegic Command, acting through the United States Space
3 Command,” and inserting “The Commander of the United
4 States Space Command, or, if no such command exists,
5 the Commander of the United States Strategic Com-
6 mand,”.

7 **TITLE X—GENERAL PROVISIONS**

8 **Subtitle A—Financial Matters**

9 **SEC. 1001. GENERAL TRANSFER AUTHORITY.**

10 (a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

11 (1) AUTHORITY.—Upon determination by the
12 Secretary of Defense that such action is necessary in
13 the national interest, the Secretary may transfer
14 amounts of authorizations made available to the De-
15 partment of Defense in this division for fiscal year
16 2019 between any such authorizations for that fiscal
17 year (or any subdivisions thereof). Amounts of au-
18 thorizations so transferred shall be merged with and
19 be available for the same purposes as the authoriza-
20 tion to which transferred.

21 (2) LIMITATION.—Except as provided in para-
22 graph (3), the total amount of authorizations that
23 the Secretary may transfer under the authority of
24 this section may not exceed \$1,000,000,000.

1 (3) EXCEPTION FOR TRANSFERS BETWEEN
2 MILITARY PERSONNEL AUTHORIZATIONS.—A trans-
3 fer of funds between military personnel authoriza-
4 tions under title IV shall not be counted toward the
5 dollar limitation in paragraph (2).

6 (b) LIMITATIONS.—The authority provided by sub-
7 section (a) to transfer authorizations—

8 (1) may only be used to provide authority for
9 items that have a higher priority than the items
10 from which authority is transferred; and

11 (2) may not be used to provide authority for an
12 item that has been denied authorization by Con-
13 gress.

14 (c) ADDITIONAL LIMITATION ON TRANSFERS FOR
15 DRUG INTERDICTION AND COUNTER DRUG ACTIVITIES.—
16 The authority provided by subsection (a) may not be used
17 to transfer any amount to Drug Interdiction and Counter
18 Drug Activities, Defense-wide.

19 (d) EFFECT ON AUTHORIZATION AMOUNTS.—A
20 transfer made from one account to another under the au-
21 thority of this section shall be deemed to increase the
22 amount authorized for the account to which the amount
23 is transferred by an amount equal to the amount trans-
24 ferred.

1 (e) NOTICE TO CONGRESS.—The Secretary shall
2 promptly notify Congress of each transfer made under
3 subsection (a).

4 (f) CERTIFICATION REQUIREMENT.—The authority
5 to transfer any authorization under this section may not
6 be used until the Secretary of Defense and the head of
7 each entity affected by such transfer submits to the con-
8 gressional defense committees certification in writing
9 that—

10 (1) the amount transferred will be used for
11 higher priority items, based on unforeseen military
12 requirements, than the items from which authority is
13 transferred; and

14 (2) the amount transferred will not be used for
15 any item for which funds have been denied author-
16 ization by Congress.

17 **SEC. 1002. ADDITIONAL REQUIREMENTS FOR ANNUAL RE-**
18 **PORT AND BRIEFING ON FINANCIAL IM-**
19 **PROVEMENT AND AUDIT REMEDIATION**
20 **PLAN.**

21 Section 240b(b) of title 10, United States Code, is
22 amended—

23 (1) in paragraph (1)(B)(iv), by adding at the
24 end the following new subclause:

1 “(IV) A current accounting of
2 the defense business systems of the
3 Department of Defense that will be
4 introduced, replaced, updated, modi-
5 fied, or retired in connection with the
6 audit of the full financial statements
7 of the Department, including a com-
8 prehensive roadmap that displays—

9 “(aa) in-service, retirement,
10 and other pertinent dates for af-
11 fected defense business systems;

12 “(bb) current cost-to-com-
13 plete estimates for each affected
14 system; and

15 “(cc) dependencies both be-
16 tween the various defense busi-
17 ness systems and between the in-
18 troduction, replacement, update,
19 modification, and retirement of
20 such systems.”;

21 (2) in paragraph (2), by adding at the end the
22 following new sentence: “Such briefing shall also in-
23 clude a description of any updates to the defense
24 business systems roadmap referred to in paragraph
25 (1)(B)(iv)(IV).”; and

1 (3) by amending paragraph (3) to read as fol-
2 lows:

3 “(3) DEFINITIONS.—In this subsection:

4 “(A) The term ‘critical capabilities’ means
5 the critical capabilities described in the Depart-
6 ment of Defense report titled ‘Financial Im-
7 provement and Audit Readiness (FIAR) Plan
8 Status Report’ and dated May 2016.

9 “(B) The term ‘defense business system’
10 has the meaning given such term in section
11 2222(i)(1)(A) of this title.”.

12 **SEC. 1003. FINANCIAL IMPROVEMENT AND AUDIT REMEDI-**
13 **ATION PLAN.**

14 (a) ELEMENTS OF ANNUAL REPORT.—Subsection
15 (b)(1)(B) of section 240b of title 10, United States Code,
16 is amended—

17 (1) in clause (vii)—

18 (A) by striking “or if less than 50 percent
19 of the audit remediation services”; and

20 (B) by striking “and audit remediation ac-
21 tivities”; and

22 (2) in clause (viii), by striking “or if less than
23 25 percent of the audit remediation services”.

1 (b) SEMIANNUAL BRIEFINGS.—Subsection (b)(2) of
2 such section is amended by striking “or audit remedi-
3 ation”.

4 (c) AUDIT REMEDIATION SERVICES.—Subsection (b)
5 of such section is further amended—

6 (1) in paragraph (1)(B), by adding at the end
7 the following new clauses:

8 “(ix) If less than 50 percent of the
9 audit remediation services under contract,
10 as described in the briefing required under
11 paragraph (2)(B), are being performed by
12 individual professionals meeting the quali-
13 fications described in subsection (c), a de-
14 tailed description of the risks associated
15 with the risks of the acquisition strategy of
16 the Department with respect to conducting
17 audit remediation activities and an expla-
18 nation of how the strategy complies with
19 the policies expressed by Congress.

20 “(x) If less than 25 percent of the
21 audit remediation services under contract,
22 as described in the briefing required under
23 paragraph (2)(B), are being performed by
24 individual professionals meeting the quali-
25 fications described in subsection (c), a

1 written certification that the staffing ratio
2 complies with commercial best practices
3 and presents no increased risk of delay in
4 the Department’s ability to achieve a clean
5 audit opinion.”; and

6 (2) in paragraph (2)—

7 (A) by striking “Not later” and inserting
8 “(A) Not later”; and

9 (B) by adding at the end the following new
10 subparagraph:

11 “(B) Not later than January 31 and June 30
12 each year, the Under Secretary of Defense (Comp-
13 troller) and the comptrollers of the military depart-
14 ments shall provide a briefing to the congressional
15 defense committees on the status of the corrective
16 action plan. Such briefing shall include both the ab-
17 solute number and percentage of personnel per-
18 forming the amount of audit remediation services
19 being performed by professionals meeting the quali-
20 fications described in subsection (c).”.

21 (d) SELECTION OF AUDIT REMEDIATION SERV-
22 ICES.—Such section is further amended by adding at the
23 end the following new subsection:

24 “(c) SELECTION OF AUDIT REMEDIATION SERV-
25 ICES.—The selection of audit remediation service pro-

1 viders shall be based, among other appropriate criteria,
2 on qualifications, relevant experience, and capacity to de-
3 velop and implement corrective action plans to address in-
4 ternal control and compliance deficiencies identified dur-
5 ing a financial statement or program audit.”.

6 **SEC. 1004. REPORTING REQUIREMENTS RELATING TO DE-**
7 **PARTMENT OF DEFENSE AUDITS.**

8 (a) ANNUAL REPORT.—

9 (1) IN GENERAL.—Chapter 9A of title 10,
10 United States Code, is amended by adding at the
11 end the following new section:

12 **“§ 240g. Annual report on auditable financial state-**
13 **ments**

14 “(a) IN GENERAL.—Not later than January 30 of
15 each year, the Secretary of Defense shall submit to the
16 congressional defense committees a report ranking each
17 of the military departments and Defense Agencies in order
18 of how advanced they are in achieving auditable financial
19 statements as required by law. In preparing the report,
20 the Secretary shall seek to exclude information that is oth-
21 erwise available in other reports to Congress.

22 “(b) BOTTOM QUARTILE.—Not later than June 30
23 of each year, the head of each of the military departments
24 and Defense Agencies that were ranked in the bottom
25 quartile of the report submitted under subsection (a) for

1 that year shall submit to the congressional defense com-
2 mittees a report that includes the following information
3 for that military department or Defense Agency:

4 “(1) A description of the material weaknesses
5 of the military department or Defense Agency.

6 “(2) The underlying causes of such weaknesses.

7 “(3) A plan for remediating such weaknesses.”.

8 (2) CLERICAL AMENDMENT.—The table of sec-
9 tions at the beginning of such chapter is amended
10 by adding at the end the following new item:

“240g. Annual report on auditable financial statements.”.

11 (b) LIMITATION ON USE OF FUNDS.—Of the
12 amounts authorized to be appropriated or otherwise made
13 available by this Act for travel of persons for the head
14 of a military department or Defense Agency described in
15 subsection (b) of section 240g of title 10, United States
16 Code, as added by subsection (a), for fiscal year 2020,
17 not more than 80 percent may be obligated or expended
18 before the submittal of the report required under that sub-
19 section for that military department or Defense Agency.

20 (c) PLAN FOR ACHIEVING UNMODIFIED AUDIT OPIN-
21 ION ON CONSOLIDATED AUDIT.—

22 (1) REPORT REQUIRED.—Not later than 90
23 days after the date of the enactment of this Act, the
24 Secretary of Defense shall submit to the congres-
25 sional defense committees a report containing the

1 plan of the Secretary for achieving an unmodified
2 audit opinion of the Department of Defense-wide
3 consolidated audit by not later than five years after
4 the date of the enactment of this Act.

5 (2) LIMITATION ON USE OF FUNDS.—Of the
6 amounts authorized to be appropriated or otherwise
7 made available by this Act for Operation and Main-
8 tenance, Defense-Wide, Office of the Secretary of
9 Defense, for Travel of Persons for fiscal year 2020,
10 not more than 70 percent may be obligated or ex-
11 pended before the date on which the Secretary sub-
12 mits the report required under paragraph (1).

13 **SEC. 1005. ANNUAL BUDGET JUSTIFICATION DISPLAY FOR**
14 **SERVICE-COMMON AND OTHER SUPPORT**
15 **AND ENABLING CAPABILITIES FOR SPECIAL**
16 **OPERATIONS FORCES.**

17 (a) IN GENERAL.—Chapter 9 of title 10, United
18 States Code, is amended by inserting after section 225 the
19 following new section:

20 **“§ 226. Special operations forces: display of service-**
21 **common and other support and enabling**
22 **capabilities**

23 “(a) IN GENERAL.—The Secretary shall include, in
24 the budget materials submitted to Congress under section
25 1105 of title 31 for fiscal year 2021 and any subsequent

1 fiscal year, a consolidated budget justification display
 2 showing service-common and other support and enabling
 3 capabilities for special operations forces requested by a
 4 military service or Defense Agency. Such budget justifica-
 5 tion display shall include any amount for service-common
 6 or other capability development and acquisition, training,
 7 operations, pay, base operations sustainment, and other
 8 common services and support.

9 “(b) SERVICE-COMMON AND OTHER SUPPORT AND
 10 ENABLING CAPABILITIES.—In this section, the term ‘serv-
 11 ice-common and other support and enabling capabilities’
 12 means capabilities provided in support of special oper-
 13 ations that are not reflected in Major Force Program—11
 14 or designated as special operations forces-peculiar.”.

15 (b) CLERICAL AMENDMENT.—The table of sections
 16 at the beginning of such chapter is amended by inserting
 17 after the item relating to section 225 the following new
 18 item:

“226. Special operations forces: display of service-common programs and activi-
 ties.”.

19 **SEC. 1006. DETERMINATION OF BUDGETARY EFFECTS.**

20 The budgetary effects of this Act, for the purpose of
 21 complying with the Statutory Pay-As-You-Go Act of 2010,
 22 shall be determined by reference to the latest statement
 23 titled “Budgetary Effects of PAYGO Legislation” for this
 24 Act, submitted for printing in the Congressional Record

1 by the Chairman of the House Budget Committee, pro-
2 vided that such statement has been submitted prior to the
3 vote on passage.

4 **SEC. 1007. INDEPENDENT PUBLIC ACCOUNTANT AUDIT OF**
5 **FINANCIAL SYSTEMS OF THE DEPARTMENT**
6 **OF DEFENSE.**

7 The Secretary of Defense shall ensure that each
8 major implementation of, or modification to, a financial
9 system of the Department of Defense is reviewed by an
10 independent public accountant to validate that such finan-
11 cial system will meet any applicable Federal requirements.

12 **SEC. 1008. TRANSPARENCY OF ACCOUNTING FIRMS USED**
13 **TO SUPPORT DEPARTMENT OF DEFENSE**
14 **AUDIT.**

15 Section 1006 of the John S. McCain National De-
16 fense Authorization Act for Fiscal Year 2019 (Public Law
17 115–232) is amended—

18 (1) by striking “For all contract actions” and
19 inserting “(a) IN GENERAL.—For all contract ac-
20 tions”;

21 (2) by inserting “fully adjudicated” before “dis-
22 ciplinary proceedings”; and

23 (3) by adding at the end the following new sub-
24 sections:

1 “(b) TREATMENT OF STATEMENT.—A statement set-
 2 ting for the details of a disciplinary proceeding submitted
 3 pursuant to subsection (a), and the information contained
 4 in such a statement, shall be—

5 “(1) treated as confidential to the extent re-
 6 quired by the court or agency in which the pro-
 7 ceeding has occurred; and

8 “(2) treated in a manner consistent with any
 9 protections or privileges established by any other
 10 provision of Federal law.

11 “(c) DEFINITION OF ASSOCIATED PERSON.—In this
 12 section, the term ‘associated persons’ means, with respect
 13 to an accounting firm, any of the key personnel of the
 14 firm who are involved in the performance of a prime con-
 15 tract entered into by the firm with the Department of De-
 16 fense.”.

17 **Subtitle B—Counterdrug Activities**

18 **SEC. 1011. MODIFICATION OF AUTHORITY TO PROVIDE** 19 **SUPPORT TO OTHER AGENCIES FOR** 20 **COUNTERDRUG ACTIVITIES AND ACTIVITIES** 21 **TO COUNTER TRANSNATIONAL ORGANIZED** 22 **CRIME.**

23 (a) TYPES OF SUPPORT.—Paragraph (7) of sub-
 24 section (b) of section 284 of title 10, United States Code,
 25 is amended—

1 (1) by striking “and fences”; and

2 (2) by striking “to block” and inserting
3 “along”.

4 (b) CONGRESSIONAL NOTIFICATION.—Subsection
5 (h)(1) of such section is amended—

6 (1) by redesignating subparagraphs (A) and
7 (B) as subparagraphs (B) and (C), respectively; and

8 (2) by inserting before subparagraph (B), as so
9 redesignated, the following new subparagraph (A):

10 “(A) In case of support for a purpose de-
11 scribed in subsection (b)—

12 “(i) an identification of the recipient
13 of the support;

14 “(ii) a description of the support pro-
15 vided;

16 “(iii) a description of the sources and
17 amounts of funds used to provide such
18 support;

19 “(iv) a description of the amount of
20 funds obligated to provide such support;

21 “(v) an assessment of the efficacy and
22 cost-effectiveness of such support in ad-
23 vancing the objectives and strategy of the
24 department or agency to which the support
25 will be provided;

1 “(vi) any document describing a re-
2 quest for assistance from any other depart-
3 ment or agency of the United States and
4 any response to such a request from an-
5 other department or agency of the United
6 States to which support will be provided;
7 and

8 “(vii) in the case of any support for a
9 purpose described under subsection (b)(7),
10 metrics and analysis that establish that an
11 area is a drug smuggling corridor.”.

12 **SEC. 1012. TECHNICAL CORRECTION AND EXTENSION OF**
13 **REPORTING REQUIREMENT REGARDING EN-**
14 **HANCEMENT OF INFORMATION SHARING**
15 **AND COORDINATION OF MILITARY TRAINING**
16 **BETWEEN DEPARTMENT OF HOMELAND SE-**
17 **CURITY AND DEPARTMENT OF DEFENSE.**

18 Section 1014 of the National Defense Authorization
19 Act for Fiscal Year 2017 (Public Law 114–328) is amend-
20 ed—

- 21 (1) by striking “section 371 of title 10, United
22 States Code” each place it appears and inserting
23 “section 271 of title 10, United States Code”; and
24 (2) in subsection (d)(3) by striking “January
25 31, 2020” and inserting “December 31, 2022”.

1 **SEC. 1013. REPEAL OF SECRETARY OF DEFENSE REVIEW OF**
2 **CURRICULA AND PROGRAM STRUCTURES OF**
3 **NATIONAL GUARD COUNTERDRUG SCHOOLS.**

4 Section 901 of the Office of National Drug Control
5 Policy Reauthorization Act of 2006 (Public Law 109–469;
6 32 U.S.C. 112 note) is amended—

7 (1) by striking subsection (e); and

8 (2) by redesignating subsections (f) through (h)
9 as subsections (e) through (g), respectively.

10 **SEC. 1014. SENSE OF CONGRESS REGARDING DEPARTMENT**
11 **OF DEFENSE COUNTERDRUG ACTIVITIES IN**
12 **THE TRANSIT ZONE AND CARIBBEAN BASIN.**

13 It is the sense of Congress that—

14 (1) combating transnational criminal organiza-
15 tions and illicit narcotics trafficking across the tran-
16 sit zone and the Caribbean basin, particularly in and
17 around Puerto Rico and the United States Virgin Is-
18 lands, is critical to the national security of the
19 United States;

20 (2) the Department of Defense should work
21 with the Department of Homeland Security, the De-
22 partment of State, and other relevant Federal,
23 State, local, and international partners to improve
24 surveillance capabilities and maximize the effective-
25 ness of counterdrug operations in the region; and

1 (3) the Secretary of Defense should, to the
2 greatest extent possible, ensure United States
3 Northern Command and United States Southern
4 Command have the necessary assets to support and
5 increase counter-drug activities within their respec-
6 tive areas of operations in the transit zone and the
7 Caribbean basin.

8 **SEC. 1015. ASSESSMENT OF IMPACT OF PROPOSED BORDER**
9 **WALL ON VOLUME OF ILLEGAL NARCOTICS.**

10 The Secretary of Defense, in consultation with the
11 Secretary of Homeland Security, shall conduct an assess-
12 ment of the impact that any planned or proposed border
13 wall construction would have on the volume of illegal nar-
14 cotics entering the United States.

15 **Subtitle C—Naval Vessels and**
16 **Shipyards**

17 **SEC. 1021. TRANSPORTATION BY SEA OF SUPPLIES FOR**
18 **THE ARMED FORCES AND DEFENSE AGEN-**
19 **CIES.**

20 Section 2631 of title 10, United States Code, is
21 amended—

22 (1) in the first sentence of subsection (a), by in-
23 serting “or for a Defense Agency” after “Marine
24 Corps”; and

25 (2) in subsection (b)—

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

3 (B) by inserting after paragraph (1) the
 4 following new paragraph (2):

5 “(2) Before entering into a contract for the transpor-
 6 tation by sea of fuel products under this section, the Sec-
 7 retary shall provide a minimum variance of three days on
 8 the shipment date.”; and

9 (C) in paragraph (4), as redesignated by
 10 subparagraph (A), by striking “the requirement
 11 described in paragraph (1)” and insert “a re-
 12 quirement under paragraph (1) or (2)”.

13 **SEC. 1022. USE OF NATIONAL DEFENSE SEALIFT FUND FOR**
 14 **PROCUREMENT OF TWO USED VESSELS.**

15 Pursuant to section 2218(f)(3) of title 10, United
 16 States Code, and using amounts authorized to be appro-
 17 priated for Operation and Maintenance, Navy, for fiscal
 18 year 2020, the Secretary of the Navy shall seek to enter
 19 into a contract for the procurement of two used vessels.

20 **SEC. 1023. FORMAL SCHOOLHOUSE TRAINING FOR SHIP-**
 21 **BOARD SYSTEM PROGRAMS OF RECORD.**

22 (a) IN GENERAL.—The Secretary of the Navy shall
 23 ensure that there is a formal schoolhouse available at
 24 which training is provided in any shipboard system that
 25 is program of record on Navy surface vessels.

1 (b) TIMELINE FOR IMPLEMENTATION.—

2 (1) CURRENT PROGRAMS.—In the case of any
3 shipboard system program of record that is in use
4 as of the date of the enactment of this Act for which
5 no formal schoolhouse is available, the Secretary
6 shall ensure that such a schoolhouse is available for
7 the provision of training in such program by not
8 later than 12 months after the date of the enact-
9 ment of this Act.

10 (2) FUTURE PROGRAMS.—In the case of any
11 shipboard system program of record that is first
12 used after the date of the enactment of this Act, the
13 Secretary shall ensure that a formal schoolhouse is
14 established for the provision of training in such pro-
15 gram by not later than 12 months after the date on
16 which the shipboard system program of record is
17 first used.

18 **SEC. 1024. REPORT ON SHIPBUILDER TRAINING AND THE**
19 **DEFENSE INDUSTRIAL BASE.**

20 Not later than 180 days after the date of the enact-
21 ment of this Act, the Secretary of Defense shall submit
22 to the Committees on Armed Services of the Senate and
23 House of Representatives a report on shipbuilder training
24 and hiring requirements necessary to achieve the Navy's
25 30-year shipbuilding plan and to maintain the ship-

1 building readiness of the defense industrial base. Such re-
2 port shall include each of the following:

3 (1) An analysis and estimate of the time and
4 investment required for new shipbuilders to gain
5 proficiency in particular shipbuilding occupational
6 specialties, including detailed information about the
7 occupational specialty requirements necessary for
8 construction of naval surface ship and submarine
9 classes to be included in the Navy's 30-year ship-
10 building plan.

11 (2) An analysis of the age demographics and
12 occupational experience level (measured in years of
13 experience) of the shipbuilding defense industrial
14 workforce.

15 (3) An analysis of the potential time and invest-
16 ment challenges associated with developing and re-
17 taining shipbuilding skills in organizations that lack
18 intermediate levels of shipbuilding experience.

19 (4) Recommendations concerning how to ad-
20 dress shipbuilder training during periods of demo-
21 graphic transition, including whether emerging tech-
22 nologies, such as augmented reality, may aid in new
23 shipbuilder training.

24 (5) Recommendations concerning how to en-
25 courage young adults to enter the defense ship-

1 building industry and to develop the skills necessary
2 to support the shipbuilding defense industrial base.

3 **SEC. 1025. USE OF COMPETITIVE PROCEDURES FOR CVN-80**
4 **AND CVN-81 DUAL AIRCRAFT CARRIER CON-**
5 **TRACT.**

6 To the extent practicable and unless otherwise re-
7 quired by law, the Secretary of the Navy shall ensure that
8 competitive procedures are used with respect to any task
9 order or delivery order issued under a dual aircraft carrier
10 contract relating to the CVN-80 and CVN-81.

11 **SEC. 1026. REPORT ON EXPANDING NAVAL VESSEL MAINTENANCE.**
12

13 (a) REPORT REQUIRED.—Not later than May 1,
14 2020, the Secretary of the Navy shall submit to the con-
15 gressional defense committees a report on allowing main-
16 tenance to be performed on naval vessels at shipyards
17 other than shipyards in the vessels' homeports.

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

20 (1) An assessment of the ability of homeport
21 shipyards to meet the current naval vessel mainte-
22 nance demands.

23 (2) An assessment of the ability of current
24 homeport shipyards to meet the naval vessel mainte-
25 nance demands of a 355-ship Navy.

1 (3) An assessment of the ability of non-home-
2 port firms to augment repair work at homeport ship-
3 yards, which shall include—

4 (A) the capability and proficiency of ship-
5 yards in the Great Lakes, Gulf Coast, East
6 Coast, West Coast, and Alaska regions to per-
7 form technical repair work on naval vessels at
8 locations other than their homeports;

9 (B) the required improvements to the ca-
10 pability of shipyards in the Great Lakes, Gulf
11 Coast, East Coast, West Coast, and Alaska re-
12 gions to enable performance of technical repair
13 work on naval vessels at locations other than
14 their homeports;

15 (C) an identification of naval vessel types
16 (such as noncombatant vessels or vessels that
17 only need limited periods of time in shipyards)
18 best suited for repair work performed by ship-
19 yards in locations other than their homeports;
20 and

21 (D) the potential benefits to fleet readiness
22 of expanding shipyard repair work to include
23 shipyards not located at naval vessel homeports.

24 (4) An assessment of the benefits to the com-
25 mercial shipyard industrial base of expanding repair

1 work for naval vessels to shipyards not eligible for
 2 short-term work in accordance with section 8669a(c)
 3 of title 10, United States Code.

4 (c) HOMEPORT SHIPYARDS DEFINED.—In this sec-
 5 tion, the term “homeport shipyards” means shipyards as-
 6 sociated with firms capable of being awarded short-term
 7 work at the homeport of a naval vessel in accordance with
 8 section 8669a(c) of title 10, United States Code.

9 **Subtitle D—Counterterrorism**

10 **SEC. 1031. EXTENSION OF AUTHORITY FOR JOINT TASK** 11 **FORCES TO PROVIDE SUPPORT TO LAW EN-** 12 **FORCEMENT AGENCIES CONDUCTING** 13 **COUNTER-TERRORISM ACTIVITIES.**

14 (a) EXTENSION.—Subsection (b) of section 1022 of
 15 the National Defense Authorization Act for Fiscal Year
 16 2004 (Public Law 108–136; 10 U.S.C. 271 note) is
 17 amended by striking “2020” and inserting “2022”.

18 (b) TECHNICAL CORRECTIONS.—Subsection (e) of
 19 such section is amended—

20 (1) in paragraph (1), by inserting a period at
 21 the end; and

22 (2) by adding at the end the following para-
 23 graph (2):

24 “(2) For purposes of applying the definition of
 25 transnational organized crime under paragraph (1) to this

1 section, the term ‘illegal means’, as it appears in such defi-
2 nition, includes the trafficking of money, human traf-
3 ficking, illicit financial flows, illegal trade in natural re-
4 sources and wildlife, trade in illegal drugs and weapons,
5 and other forms of illegal means determined by the Sec-
6 retary of Defense.”.

7 **SEC. 1032. PROHIBITION ON USE OF FUNDS FOR TRANSFER**
8 **OR RELEASE OF INDIVIDUALS DETAINED AT**
9 **UNITED STATES NAVAL STATION, GUANTA-**
10 **NAMO BAY, CUBA, TO CERTAIN COUNTRIES.**

11 No amounts authorized to be appropriated or other-
12 wise made available for the Department of Defense may
13 be used during the period beginning on the date of the
14 enactment of this Act and ending on December 31, 2020,
15 to transfer, release, or assist in the transfer or release of
16 any individual detained in the custody or under the control
17 of the Department of Defense at United States Naval Sta-
18 tion, Guantanamo Bay, Cuba, to the custody or control
19 of any country, or any entity within such country, as fol-
20 lows:

- 21 (1) Libya.
- 22 (2) Somalia.
- 23 (3) Syria.
- 24 (4) Yemen.
- 25 (5) Mexico.

- 1 (6) Guatemala.
- 2 (7) Honduras.
- 3 (8) El Salvador.
- 4 (9) Venezuela.
- 5 (10) Cuba.
- 6 (11) Iran.
- 7 (12) Russia.
- 8 (13) North Korea.

9 **SEC. 1033. PROHIBITION ON USE OF FUNDS FOR TRANSFER**
10 **TO AND DETENTION OF ADDITIONAL INDI-**
11 **VIDUALS, INCLUDING UNITED STATES CITI-**
12 **ZENS, AT UNITED STATES NAVAL STATION,**
13 **GUANTANAMO BAY, CUBA.**

14 (a) PROHIBITION ON USE OF FUNDS.—No amounts
15 authorized to be appropriated or otherwise made available
16 to the Department of Defense may be used during the pe-
17 riod beginning on the date of the enactment of this Act
18 and ending on December 31, 2020, to—

- 19 (1) detain or provide assistance relating to the
20 detention of any individual, including any United
21 States citizen, pursuant to the law of war or a pro-
22 ceeding under chapter 47A of title 10, United States
23 Code, at United States Naval Station, Guantanamo
24 Bay, Cuba; or

1 (2) transfer or provide assistance relating to the
2 transfer of any individual, including any United
3 States citizen, for the purpose of detaining such in-
4 dividual pursuant to the law of war or a proceeding
5 under chapter 47A of title 10, United States Code,
6 at United States Naval Station, Guantanamo Bay,
7 Cuba.

8 (b) EXCEPTION.—The prohibition in subsection (a)
9 shall not apply to an individual who is or was detained
10 pursuant to the law of war or a Military Commissions Act
11 proceeding on or after May 2, 2018, at United States
12 Naval Station, Guantanamo Bay, Cuba, by the Depart-
13 ment of Defense.

14 (c) DISPOSITION PLAN.—Not later than 60 days
15 after the date of the enactment of this Act, the Attorney
16 General, in consultation with the Secretary of Defense,
17 shall submit to the congressional defense committees a
18 plan identifying a disposition, other than continued law
19 of war detention at United States Naval Station, Guanta-
20 namo Bay, Cuba, for each individual detained at United
21 States Naval Station, Guantanamo Bay, Cuba, as of the
22 date of the enactment of this Act.

1 **SEC. 1034. SENSE OF CONGRESS REGARDING THE PROVI-**
2 **SION OF MEDICAL CARE TO INDIVIDUALS DE-**
3 **TAINED AT UNITED STATES NAVAL STATION,**
4 **GUANTANAMO BAY, CUBA.**

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

7 (1) The individuals detained at United States
8 Naval Station, Guantanamo Bay, Cuba, are aging,
9 and such individuals are increasingly subject to a
10 number of health conditions exacerbated by age and
11 the circumstances of their cases.

12 (2) Expeditionary medical treatment of individ-
13 uals detained at United States Naval Station, Guan-
14 tanamo Bay, Cuba, is logistically challenging and in-
15 creasingly costly, especially treatment related to
16 complex ailments that may become exacerbated with
17 age.

18 (3) Medical care at United States Naval Sta-
19 tion, Guantanamo Bay, Cuba, is likely to become an
20 increasing challenge for the United States Govern-
21 ment.

22 (4) Medical challenges at United States Naval
23 Station, Guantanamo Bay, Cuba, also cause difficul-
24 ties affecting the functions and processes of the mili-
25 tary commissions and periodic review boards.

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

3 (1) the United States has an ongoing obligation
4 to provide medical care to individuals detained at
5 United States Naval Station, Guantanamo Bay,
6 Cuba, meeting appropriate standards of care; and

7 (2) the Secretary of Defense should take into
8 account the standards of care provided at other rel-
9 evant facilities, including those administered by the
10 Federal Bureau of Prisons, in determining the poli-
11 cies of the Department of Defense regarding the
12 provision of medical care to individuals detained at
13 United States Naval Station, Guantanamo Bay,
14 Cuba.

15 **SEC. 1035. INDEPENDENT ASSESSMENT ON GENDER AND**
16 **COUNTERING VIOLENT EXTREMISM.**

17 (a) IN GENERAL.—The Secretary of Defense shall
18 seek to enter into a contract with a nonprofit entity or
19 a federally funded research and development center inde-
20 pendent of the Department of Defense to conduct research
21 and analysis on the intersection of gender and violent ex-
22 tremism and terrorism.

23 (b) ELEMENTS.—The research and analysis con-
24 ducted under subsection (a) shall include research and
25 analysis of the following:

1 (1) The root and proximate causes of women's
2 participation in terrorist and violent extremist orga-
3 nizations.

4 (2) Ways for the Department of Defense to en-
5 gage women and girls who are vulnerable to extrem-
6 ist and terrorist behavior.

7 (3) Ways women and girls can assist the Armed
8 Forces and partner military organizations in identi-
9 fying individuals of concern.

10 (4) The intersection of violent extremism and
11 terrorism and the following:

12 (A) Gender-based violence.

13 (B) Women's empowerment at the house-
14 hold level, such as property and inheritance
15 rights, bride-price and dowry, and the level of
16 societal sanction for the killing or harming of
17 women.

18 (C) Adolescent girls' empowerment, such
19 as the level of early, child, and forced marriage,
20 and of girls' access to secondary education.

21 (5) Best practices for the Armed Forces to sup-
22 port women preventing and countering violent extre-
23 mism and terrorism.

24 (6) Any other matters the Secretary of Defense
25 determines to be appropriate.

1 (c) UTILIZATION.—The Secretary of Defense shall
2 utilize the results of the research conducted under sub-
3 section (a) to inform each geographic combatant com-
4 mand's strategy report and individual country strategy re-
5 ports, where appropriate.

6 (d) REPORTS.—

7 (1) REPORT TO SECRETARY.—Not later than
8 one year after the date of the enactment of this Act,
9 the nonprofit entity or federally funded research and
10 development center with which the Secretary of De-
11 fense enters into contract under subsection (a) shall
12 submit to the Secretary of Defense a report that
13 contains the assessment required by subsection (a).

14 (2) REPORT TO CONGRESS.—Not later than two
15 years after the date of the enactment of this Act, the
16 Secretary of Defense shall submit to the congres-
17 sional defense committees a report on the results of
18 research conducted under subsection (a).

19 **SEC. 1036. ESTABLISHING A COORDINATOR FOR ISIS DE-**
20 **TAINEE ISSUES.**

21 (a) IN GENERAL.—Not later than 90 days after the
22 date of the enactment of this Act, the President, acting
23 through the Secretary of State, shall designate an existing
24 official within the Department of State to serve as senior-
25 level coordinator to coordinate, in conjunction with the

1 lead and other relevant agencies, all matters for the
2 United States Government relating to the long-term dis-
3 position of Islamic State of Iraq and Syria (ISIS) foreign
4 terrorist fighter detainees, including all matters in connec-
5 tion with—

6 (1) repatriation, transfer, prosecution, and in-
7 telligence-gathering;

8 (2) coordinating a whole-of-government ap-
9 proach with other countries and international orga-
10 nizations, including INTERPOL, to ensure secure
11 chains of custody and locations of ISIS foreign ter-
12 rorist fighter detainees;

13 (3) coordinating technical and evidentiary as-
14 sistance to foreign countries to aid in the successful
15 prosecution of ISIS foreign terrorist fighter detain-
16 ees; and

17 (4) all multilateral and international engage-
18 ments led by the Department of State and other
19 agencies that are related to the current and future
20 handling, detention, and prosecution of ISIS foreign
21 terrorist fighter detainees.

22 (b) RETENTION OF AUTHORITY.—The appointment
23 of a senior-level coordinator pursuant to subsection (a)
24 shall not deprive any agency of any authority to independ-
25 ently perform functions of that agency.

1 (c) ANNUAL REPORT.—

2 (1) IN GENERAL.—Not later than 180 days
3 after the date of the enactment of this Act, and not
4 less frequently than once each year thereafter
5 through January 21, 2021, the individual designated
6 under subsection (a) shall submit to the appropriate
7 committees of Congress a detailed report regarding
8 high-value ISIS detainees that the coordinator rea-
9 sonably determines to be subject to criminal prosecu-
10 tion in the United States.

11 (2) ELEMENTS.—The report under paragraph
12 (1) shall include, at a minimum, the following:

13 (A) A detailed description of the facilities
14 where ISIS foreign terrorist fighter detainees
15 described in paragraph (1) are being held.

16 (B) An analysis of all United States efforts
17 to prosecute ISIS foreign terrorist fighter de-
18 tainees described in paragraph (1) and the out-
19 comes of such efforts. Any information, the dis-
20 closure of which may violate Department of
21 Justice policy or law, relating to a prosecution
22 or investigation may be withheld from a report
23 under paragraph (1).

24 (C) A detailed description of any option to
25 expedite prosecution of any ISIS foreign ter-

1 rorist fighter detainee described in paragraph
2 (1), including in a court of competent jurisdic-
3 tion outside of the United States.

4 (D) An analysis of factors on the ground
5 in Syria and Iraq that may result in the unin-
6 tended release of ISIS foreign terrorist fighter
7 detainees described in paragraph (1), and an
8 assessment of any measures available to miti-
9 gate such releases.

10 (E) A detailed description of all multilat-
11 eral and other international efforts or proposals
12 that would assist in the prosecution of ISIS for-
13 eign terrorist fighter detainees described in
14 paragraph (1).

15 (F) An analysis of all efforts between the
16 United States and partner countries within the
17 Global Coalition to Defeat ISIS or other coun-
18 tries to share intelligence or evidence that may
19 aid in the prosecution of members of the Is-
20 lamic State of Iraq and Syria and associated
21 forces, and any legal obstacles that may hinder
22 such efforts.

23 (G) An analysis of the manner in which
24 the United States Government communicates
25 on such proposals and efforts to the families of

1 United States citizens believed to be a victim of
2 a criminal act by an ISIS foreign terrorist
3 fighter detainee.

4 (3) FORM.—The report under paragraph (1)
5 shall be submitted in unclassified form, but may in-
6 clude a classified annex.

7 (d) DEFINITIONS.—In this section:

8 (1) The term “appropriate committees of Con-
9 gress” means—

10 (A) the Committee on Armed Services, the
11 Committee on Foreign Relations, the Com-
12 mittee on the Judiciary, the Select Committee
13 on Intelligence and the Committee on Appro-
14 priations of the Senate; and

15 (B) the Committee on Armed Services, the
16 Committee on Foreign Affairs, the Committee
17 on the Judiciary, the Permanent Select Com-
18 mittee on Intelligence, and the Committee on
19 Appropriations of the House of Representatives.

20 (2) The term “ISIS foreign terrorist fighter de-
21 tainee” means a detained individual—

22 (A) who allegedly fought for or supported
23 the Islamic State of Iraq and Syria (ISIS); and

24 (B) who is a national of a country other
25 than Iraq or Syria.

1 (e) SUNSET.—The requirements under this section
2 shall sunset on January 21, 2021.

3 **SEC. 1037. MODIFICATION OF SUPPORT OF SPECIAL OPER-**
4 **ATIONS TO COMBAT TERRORISM.**

5 Section 127e of title 10, United States Code, is
6 amended—

7 (1) in subsection (a), by inserting “authorized”
8 before “ongoing”; and

9 (2) in subsection (d)(2)—

10 (A) in subparagraph (A), by inserting
11 “and a description of the authorized ongoing
12 operation” before the period at the end;

13 (B) by redesignating subparagraph (C) as
14 subparagraph (D);

15 (C) by striking subparagraphs (B) and in-
16 serting the following new subparagraphs after
17 subparagraph (A):

18 “(B) A description of the foreign forces, ir-
19 regular forces, groups, or individuals engaged in
20 supporting or facilitating the authorized ongoing
21 operation who will receive the funds pro-
22 vided under this section.

23 “(C) A detailed description of the support
24 provided or to be provided to the recipient of
25 the funds.”; and

1 (D) by adding at the end the following new
2 subparagraphs:

3 “(E) A detailed description of the legal
4 and operational authorities related to the au-
5 thorized ongoing operation, including relevant
6 execute orders issued by the Secretary of De-
7 fense and combatant commanders related to the
8 authorized ongoing operation, including an
9 identification of operational activities United
10 States Special Operations Forces are authorized
11 to conduct under such execute orders.

12 “(F) The duration for which the support is
13 expected to be provided and an identification of
14 the timeframe in which the provision of support
15 will be reviewed by the combatant commander
16 for a determination regarding the necessity of
17 continuation of support.”.

18 **SEC. 1038. PUBLIC AVAILABILITY OF MILITARY COMMIS-**
19 **SION PROCEEDINGS.**

20 Section 949d(c) of title 10, United States Code, is
21 amended by adding at the end the following new para-
22 graph:

23 “(4) In the case of any proceeding of a military com-
24 mission under this chapter that is made open to the public,
25 the military judge may order arrangements for the avail-

1 ability of the proceeding to be watched remotely by the
 2 public through the internet.”.

3 **Subtitle E—Miscellaneous** 4 **Authorities and Limitations**

5 **SEC. 1041. SCHEDULING OF DEPARTMENT OF DEFENSE EX-**
 6 **ECUTIVE AIRCRAFT CONTROLLED BY SECRE-**
 7 **TARIES OF MILITARY DEPARTMENTS.**

8 (a) IN GENERAL.—Chapter 2 of title 10, United
 9 States Code, is amended by adding at the end the fol-
 10 lowing new section:

11 **“§ 120. Department of Defense executive aircraft con-**
 12 **trolled by Secretaries of military depart-**
 13 **ments**

14 “(a) IN GENERAL.—The Secretary of Defense shall
 15 ensure that the Chief of the Air Force Special Air Mission
 16 Office is given the responsibility for scheduling all Depart-
 17 ment of Defense executive aircraft controlled by the Secre-
 18 taries of the military departments.

19 “(b) RESPONSIBILITIES.—(1) The Secretary of each
 20 of the military departments shall ensure that there is rep-
 21 resentation from each of the armed forces within the Air
 22 Force Special Air Mission Office to provide for daily man-
 23 agement and scheduling of the aircraft controlled by that
 24 military department.

1 “(2) The Secretary of Defense shall be responsible
2 for resolving conflicts and arbitrating the allocation of air-
3 craft based on demand and priority.

4 “(c) LIMITATIONS.—(1) The Secretary of Defense
5 may not establish a new command and control organiza-
6 tion to support aircraft controlled by the Secretary of a
7 military department.

8 “(2) No aircraft controlled by the Secretary of a mili-
9 tary department may be permanently stationed at any lo-
10 cation without required users.

11 “(d) DEFINITIONS.—In this section:

12 “(1) The term ‘required use traveler’ has the
13 meaning given such term in Department of Defense
14 directive 4500.56, as in effect on the date of the en-
15 actment of this section.

16 “(2) The term ‘executive aircraft’ has the
17 meaning given such term in Department of Defense
18 directive 4500.43, as in effect on the date of the en-
19 actment of this section.”.

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

“120. Department of Defense executive aircraft controlled by Secretaries of mili-
tary departments.”.

1 **SEC. 1042. EXPLOSIVE ORDNANCE DEFENSE DISPOSAL**
2 **PROGRAM.**

3 (a) ROLES, RESPONSIBILITIES, AND AUTHORITIES.—

4 Subsection (b) of section 2284 of title 10, United States
5 Code, is amended—

6 (1) in paragraph (1)—

7 (A) in subparagraph (B), by inserting
8 “and” after the semicolon;

9 (B) in subparagraph (C),

10 (i) by striking “joint program execu-
11 tive officer who” and inserting “training
12 and technology program that”;

13 (ii) by inserting “, provides common
14 individual training,” after “explosive ord-
15 nance disposal”;

16 (iii) by striking “and procurement”;

17 (iv) by inserting “for common tools”
18 after “activities”;

19 (v) by striking “and combatant com-
20 mands”; and

21 (vi) by inserting “and” after the semi-
22 colon; and

23 (C) by striking subparagraphs (D) and
24 (E);

25 (2) in paragraph (2), by striking “such as
26 weapon systems, manned and unmanned vehicles

1 and platforms, cyber and communication equipment,
2 and the integration of explosive ordnance disposal
3 sets, kits and outfits and explosive ordnance disposal
4 tools, equipment, sets, kits, and outfits developed by
5 the department.” and inserting “; and”; and

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

8 “(3) the Secretary of the Army shall designate
9 an Army explosive ordnance disposal-qualified gen-
10 eral officer to serve as the co-chair of the Depart-
11 ment of Defense explosive ordnance disposal defense
12 program.”.

13 (b) DEFINITIONS.—Such section is further amended
14 by adding at the end the following new subsection:

15 “(d) DEFINITIONS.—In this section:

16 “(1) The term ‘explosive ordnance’ has the
17 meaning given such term in section 283(d) of this
18 title.

19 “(2) The term ‘explosive ordnance disposal’
20 means the detection, identification, on-site evalua-
21 tion, rendering safe, exploitation, recovery, and final
22 disposal of explosive ordnance.”.

1 **SEC. 1043. NOTIFICATION ON THE PROVISION OF DEFENSE**
2 **SENSITIVE SUPPORT.**

3 Section 1055(b) of the National Defense Authoriza-
4 tion Act for Fiscal Year 2017 (Public Law 114–328; 10
5 U.S.C. 113 note) is amended—

6 (1) in paragraph (2)—

7 (A) by redesignating subparagraph (C) as
8 subparagraph (E); and

9 (B) by inserting after subparagraph (B)
10 the following new subparagraphs:

11 “(C) A description of the required duration
12 of the support.

13 “(D) A description of the initial costs for
14 the support.”; and

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

17 “(5) SUSTAINMENT COSTS.—If the Secretary
18 determines that sustainment costs will be incurred
19 as a result of the provision of defense sensitive sup-
20 port, the Secretary, not later than 72 hours after
21 the initial provision of such support, shall certify to
22 the congressional defense committees (and the con-
23 gressional intelligence committees with respect to
24 matters relating to members of the intelligence com-
25 munity) that such sustainment costs will not inter-
26 fere with the ability of the Department to execute

1 operations, accomplish mission objectives, and main-
2 tain readiness.”.

3 **SEC. 1044. MODIFICATION AND TECHNICAL CORRECTION**
4 **OF AUTHORITY FOR DEPLOYMENT OF MEM-**
5 **BERS OF THE ARMED FORCES TO THE**
6 **SOUTHERN LAND BORDER OF THE UNITED**
7 **STATES.**

8 (a) **AUTHORITY.**—Subsection (a) of section 1059 of
9 the National Defense Authorization Act for Fiscal Year
10 2016 (Public Law 114–92; 129 Stat. 986; 10 U.S.C. 271
11 note prec.) is amended to read as follows:

12 “(a) **AUTHORITY.**—

13 “(1) **IN GENERAL.**—The Secretary of Defense
14 may provide assistance to United States Customs
15 and Border Protection for purposes of increasing on-
16 going efforts to secure the southern land border of
17 the United States in accordance with the require-
18 ments of this section.

19 “(2) **CERTIFICATION REQUIREMENT.**—If the
20 Secretary of Defense provides assistance under para-
21 graph (1), not later than 30 days before the provi-
22 sion of such assistance, the Secretary shall submit to
23 the Committees on Armed Services of the Senate
24 and House of Representatives certification, in writ-
25 ing, that—

1 “(A) the provision of the assistance will
2 not negatively affect military training, oper-
3 ations, readiness, or other military requirement,
4 including the readiness of the National Guard
5 and reserve components;

6 “(B) the tasks associated with the support
7 provided align with the mission or occupational
8 specialty of any members of the Armed Forces
9 or units of the Armed Forces that are deployed;
10 and

11 “(C) any task associated with the support
12 is inherently governmental and cannot be per-
13 formed by a contractor.

14 “(3) NOTIFICATION REQUIREMENT.—Not later
15 than 30 days before the deployment of any member
16 of the Armed Forces or unit of the Armed Forces
17 to the southern land border of the United States in
18 support United States Customs and Border Protec-
19 tion pursuant to this section or any other provision
20 of law, the Secretary of Defense shall provide to the
21 Committees on Armed Forces of the Senate and
22 House of Representatives notice of such deploy-
23 ment.”.

24 (b) SUPPORT.—Subsection (e) of such section is
25 amended—

1 (1) by striking “Of the amounts authorized to
2 be appropriated for the Department of Defense by
3 this Act, the” and inserting “The”;

4 (2) by striking “use up to \$75,000,000 to”; and

5 (3) by inserting “on a reimbursable basis” after
6 “subsection (a)”.

7 (c) REPORTING REQUIREMENTS.—Subsection (f) of
8 such section is amended to read as follows:

9 “(f) REPORTS.—

10 “(1) REPORT REQUIRED.—Not later than 30
11 days after the date on which any member of the
12 Armed Forces is deployed along the southern land
13 border of the United States at the request of the
14 Secretary of Homeland Security, and every 90 days
15 thereafter until no members are so deployed, the
16 Secretary of Defense shall submit to the Committee
17 on Armed Services and the Committee on Homeland
18 Security and Governmental Affairs of the Senate
19 and the Committee on Armed Services and the Com-
20 mittee on Homeland Security of the House of Rep-
21 resentatives a report that includes, for both the pe-
22 riod covered by the report and the total period of the
23 deployment, each of the following:

1 “(A) An identification of each unit of the
2 Armed Forces so deployed, including for each
3 such unit—

4 “(i) the duty station or location to
5 which the unit is assigned;

6 “(ii) the unit designation;

7 “(iii) the size of the unit; and

8 “(iv) whether any personnel in the
9 unit deployed under section 12302 of title
10 10, United States Code.

11 “(B) An identification of any training ex-
12 ercises that were planned prior to such deploy-
13 ment that included deployed units and were
14 planned to be executed after the date of the de-
15 ployment.

16 “(C) For each unit so deployed, the readi-
17 ness rating of the unit before deployment and
18 15 days after the last day of such deployment.

19 “(D) The projected length of the deploy-
20 ment and any special pay and incentives for
21 which deployed personnel may qualify during
22 the deployment.

23 “(E) A description of any specific pre-de-
24 ployment training provided to any individual or

1 unit before being so deployed, including the lo-
2 cation and duration of any such training.

3 “(F) A description of the rules and addi-
4 tional guidance applicable to the deployment,
5 including—

6 “(i) any special instructions provided
7 to units so deployed prior to deployment;

8 “(ii) the standing rules for the use of
9 force for deployed personnel; and

10 “(iii) whether personnel carry as-
11 signed weapons and are issued ammuni-
12 tion.

13 “(G) A description of the life support con-
14 ditions, including living quarters and food ra-
15 tion cycles, associated with such deployment
16 and associated costs.

17 “(H) A map indicating the locations where
18 units so deployed are housed.

19 “(I) A map indicating the locations where
20 units so deployed are conducting their assigned
21 mission and an explanation for the choice of
22 such locations.

23 “(J) A description of the specific missions
24 and tasks, by location, that are assigned to the

1 members of the Armed Forces who are so de-
2 ployed.

3 “(K) The total amount of funds obligated
4 or expended to provide support along the south-
5 ern border of the United States, including costs
6 associated with personnel (set forth separately
7 from any special pay and allowances), transpor-
8 tation, operations, and any materials used in
9 support of any such deployment or support pro-
10 vided.

11 “(L) An assessment of the ongoing efficacy
12 and cost-effectiveness of the provision of such
13 assistance, including a comparison to the execu-
14 tion by United States Customs and Border Pro-
15 tection, the strategy and recommendations of
16 the Secretary to address the challenges on the
17 southern border of the United States and to en-
18 hance the effectiveness of such assistance, and
19 a plan to transition the functions performed by
20 the members of the Armed Forces pursuant to
21 such assistance.

22 “(M) The justification of United States
23 Customs and Border Protection determining
24 each location where the Department of Defense
25 provides support under this section and any ac-

1 tions taken by the Department of Homeland
2 Security to complete the mission or tasks before
3 requesting support from the Department of De-
4 fense and determining when support from the
5 Department of Defense is needed, including—

6 “(i) copies of any relevant documents
7 that describe the factors taken into consid-
8 eration in requesting support from the De-
9 partment of Defense;

10 “(ii) the analysis that informs the
11 placement of members of the Armed
12 Forces along the southern land border of
13 the United States; and

14 “(iii) any memorandum, including re-
15 quests for assistance and responses to such
16 requests, shared between the Department
17 of Homeland Security and the Department
18 of Defense regarding the need for the de-
19 ployment of members of the Armed Forces
20 along the southern land border of the
21 United States.

22 “(2) FORM OF REPORT.—Each report sub-
23 mitted under this subsection shall be submitted in
24 unclassified form and without any designation relat-

1 ing to dissemination control, but may include a clas-
2 sified annex.”.

3 (d) **TERMINATION OF AUTHORITY.**—Such section is
4 further amended by adding at the end the following new
5 subsection:

6 “(g) **TERMINATION.**—The authority under this sec-
7 tion shall terminate on September 30, 2023.”.

8 (e) **CLASSIFICATION.**—The Law Revision Counsel is
9 directed to place this section in a note following section
10 284 of title 10, United States Code.

11 **SEC. 1045. LIMITATION ON USE OF FUNDS FOR THE INAC-**
12 **TIVATION OF ARMY WATERCRAFT UNITS.**

13 None of the funds authorized to be appropriated by
14 this Act or otherwise made available for fiscal year 2020
15 may be obligated or expended for the inactivation of any
16 Army watercraft unit until the Secretary of Defense sub-
17 mits to Congress certification that—

18 (1) the Secretary has completed the Army
19 Watercraft Requirements Review;

20 (2) the Secretary has entered into a contract
21 with a federally funded research and development
22 corporation for the review of the ability of the Army
23 to meet the watercraft requirements of the combat-
24 ant commanders and the effects on preparedness to
25 provide support to States and territories in connec-

1 tion with natural disasters, threats, and emer-
2 gencies; and

3 (3) the federally funded research and develop-
4 ment corporation has completed such review and
5 validated the findings of such review.

6 **SEC. 1046. PROHIBITION ON USE OF FUNDS FOR CON-**
7 **STRUCTION OF A WALL, FENCE, OR OTHER**
8 **PHYSICAL BARRIER ALONG THE SOUTHERN**
9 **BORDER OF THE UNITED STATES.**

10 (a) PROHIBITION.—National defense funds may not
11 be obligated, expended, or otherwise used to design or
12 carry out a project to construct, replace, or modify a wall,
13 fence, or other physical barrier along the international
14 border between the United States and Mexico.

15 (b) NATIONAL DEFENSE FUNDS DEFINED.—In this
16 section, the term “national defense funds” means—

17 (1) amounts authorized to be appropriated for
18 any purpose in this division or authorized to be ap-
19 propriated in division A of any National Defense Au-
20 thorization Act for any of fiscal years 2015 through
21 2019, including any amounts of such an authoriza-
22 tion made available to the Department of Defense
23 and transferred to another authorization by the Sec-
24 retary of Defense pursuant to transfer authority
25 available to the Secretary; and

1 (2) funds appropriated in any Act pursuant to
2 an authorization of appropriations described in para-
3 graph (1).

4 **SEC. 1047. EXPENDITURE OF FUNDS FOR DEPARTMENT OF**
5 **DEFENSE INTELLIGENCE AND COUNTER-**
6 **INTELLIGENCE ACTIVITIES.**

7 (a) IN GENERAL.—Subject to subsections (b) and (c),
8 the Secretary of Defense may expend amounts made avail-
9 able for the Military Intelligence Program for any of fiscal
10 years 2020 through 2025 for intelligence and counterintel-
11 ligence activities for any purpose the Secretary determines
12 to be proper with regard to intelligence and counterintel-
13 ligence objects of a confidential, extraordinary, or emer-
14 gency nature. Such a determination is final and conclusive
15 upon the accounting officers of the United States.

16 (b) LIMITATION ON AMOUNT.—The Secretary of De-
17 fense may not expend more than five percent of the
18 amounts described in subsection (a) for any fiscal year for
19 objects described in that subsection unless—

20 (1) the Secretary notifies the congressional de-
21 fense committees and the congressional intelligence
22 committees of the intent to expend the amounts and
23 purpose of the expenditure; and

1 (2) 30 days have elapsed from the date on
2 which the Secretary provides the notice described in
3 paragraph (1).

4 (c) CERTIFICATION.—For each expenditure of funds
5 under this section, the Secretary shall certify that such
6 expenditure was made for an object of a confidential, ex-
7 traordinary, or emergency nature.

8 (d) REPORT.—Not later than December 31 of each
9 of 2020 through 2025, the Secretary of Defense shall sub-
10 mit to the congressional defense committees and the con-
11 gressional intelligence committees a report on expendi-
12 tures made under this section during the fiscal year pre-
13 ceding the year in which the report is submitted. Each
14 such report shall include, for each expenditure under this
15 section during the fiscal year covered by the report, a de-
16 scription, the purpose, the program element, and the cer-
17 tification required under section (c).

18 (e) LIMITATION ON DELEGATIONS.—The Secretary
19 of Defense may not delegate the authority under this sec-
20 tion with respect to any expenditure in excess of \$75,000.

21 (f) CONGRESSIONAL INTELLIGENCE COMMITTEES
22 DEFINED.—In this section, the term “congressional intel-
23 ligence committees” means—

24 (1) the Select Committee on Intelligence of the
25 Senate; and

1 (2) the Permanent Select Committee on Intel-
2 ligence of the House of Representatives.

3 **SEC. 1048. LIMITATION ON USE OF FUNDS TO HOUSE CHIL-**
4 **DREN SEPARATED FROM PARENTS.**

5 (a) IN GENERAL.—None of the amounts authorized
6 to be appropriated by this Act or otherwise made available
7 to the Department of Defense for fiscal year 2020 may
8 be used to house a child separated from a parent.

9 (b) CHILD SEPARATED FROM A PARENT.—

10 (1) IN GENERAL.—For purposes of this section,
11 a child shall not be considered to be separated from
12 a parent if the separation is conducted by an agent
13 or officer of Customs and Border Protection at or
14 near a port of entry or within 100 miles of a border
15 of the United States, and one of the following has
16 occurred:

17 (A) A State court, authorized under State
18 law, terminates the rights of the parent or legal
19 guardian, determines that it is in the best inter-
20 ests of the child to be removed from the parent
21 or legal guardian, in accordance with the Adop-
22 tion and Safe Families Act of 1997 (Public
23 Law 105–89), or makes any similar determina-
24 tion that is legally authorized under State law.

1 (B) An official from the State or county
2 child welfare agency with expertise in child
3 trauma and development makes a best interests
4 determination that it is in the best interests of
5 the child to be removed from the parent or legal
6 guardian because the child is in danger of
7 abuse or neglect at the hands of the parent or
8 legal guardian, or is a danger to herself or oth-
9 ers.

10 (C) The separation is authorized based
11 on—

12 (i) the finding of a chief patrol agent
13 or the area port director in an official and
14 undelegated capacity that—

15 (I) the child is a victim of traf-
16 ficking or is at significant risk of be-
17 coming a victim of trafficking;

18 (II) there is a strong likelihood
19 that the adult is not the parent or
20 legal guardian of the child; or

21 (III) the child is in danger of
22 abuse or neglect at the hands of the
23 parent or legal guardian, or is a dan-
24 ger to themselves or others; and

1 (ii) the review and reauthorization of
2 the separation by an independent child
3 welfare expert licensed by the State or
4 county in which the child was separated by
5 not later than 48 hours after the initial de-
6 cision by the Chief Patrol Agent or the
7 Area Port Director.

8 (2) EFFECT OF FAILURE TO REAUTHORIZE.—

9 In the case of a separation referred to in paragraph
10 (1)(C)(ii), if the child welfare expert does not reau-
11 thorize such separation, the child shall be considered
12 separated from a parent for purposes of this sub-
13 section.

14 **SEC. 1049. LIMITATION ON USE OF FUNDS FOR PROVIDING**
15 **HOUSING FOR UNACCOMPANIED ALIEN CHIL-**
16 **DREN.**

17 (a) LIMITATION.—None of the funds authorized to
18 be appropriated by this Act or otherwise made available
19 for the Department of Defense may be used to provide
20 assistance to the Department of Health and Human Serv-
21 ices for the purpose of providing housing for unaccom-
22 panied alien children unless the Secretary of Defense sub-
23 mits to Congress certification that—

24 (1) the proposed site for the housing—

1 (A) will not be used to house any unaccom-
2 panied alien children for longer than the dead-
3 lines set forth in paragraph (12) of the Flores
4 settlement agreement, and complies with the
5 other requirements of such paragraph (12); or

6 (B) if the proposed site will be used to
7 house any unaccompanied alien children for
8 longer than such deadlines, the proposed site
9 meets the standards for “licensed programs” as
10 defined in the Flores settlement agreement, in-
11 cluding by being licensed by an appropriate
12 State agency to provide residential, group, or
13 foster care services for dependent children; and

14 (2) identifies any known or potential environ-
15 mental hazards at or near the proposed site;

16 (3) describes the actions taken or to be taken
17 to mitigate any such hazard; and

18 (4) identifies any waivers or exceptions to
19 standards of the Department of Health and Human
20 Services, including the Flores settlement agreement,
21 that have been requested or granted with regard to
22 the site.

23 (b) DEFINITIONS.—In this section:

1 (1) The term “unaccompanied alien children”
2 has the meaning given such term in section 462 of
3 the Homeland Security Act of 2002 (6 U.S.C. 279)).

4 (2) The term “Flores settlement agreement”
5 means the stipulated settlement agreement filed on
6 January 17, 1997, in the United States District
7 Court for the Central District of California in Flores
8 v. Reno, CV 85–4544–RJK.

9 **SEC. 1050. UNITED STATES MUNITIONS LIST.**

10 The President may not remove from the United
11 States Munitions List any item that was included in cat-
12 egory I, II, or III of the United States Munitions List,
13 as in effect on August 31, 2017.

14 **SEC. 1050A. LIMITATION ON USE OF FUNDS FOR REIM-**
15 **BURSEMENT OF EXPENSES AT CERTAIN**
16 **PROPERTIES.**

17 (a) LIMITATION.—None of the funds made available
18 for the Department of Defense may be obligated or ex-
19 pend to the following properties or to an entity with an
20 ownership interest in such property:

21 (1) Trump Vineyard Estates.

22 (2) Trump International Hotel & Tower, Chi-
23 cago.

24 (3) Mar-A-Lago Club.

25 (4) Trump Grande Sunny Isles.

- 1 (5) Trump Hollywood.
- 2 (6) Trump Towers Sunny Isles.
- 3 (7) Trump Plaza New Jersey.
- 4 (8) Trump International Hotel, Las Vegas.
- 5 (9) The Estates at Trump National.
- 6 (10) 610 Park Avenue, New York City.
- 7 (11) Trump International Hotel & Tower, New
- 8 York.
- 9 (12) Trump Palace.
- 10 (13) Trump Parc.
- 11 (14) Trump Parc East.
- 12 (15) Trump Park Avenue.
- 13 (16) Trump Park Residences, Yorktown.
- 14 (17) Trump Place.
- 15 (18) Trump Plaza, New Rochelle.
- 16 (19) Trump Soho, New York City.
- 17 (20) Trump Tower at City Center, Westchester.
- 18 (21) Trump Tower, New York City.
- 19 (22) Trump World Tower.
- 20 (23) Trump Parc, Stamford.
- 21 (24) Trump International Hotel and Tower,
- 22 Waikiki Beach Walk.
- 23 (25) Trump Towers, Istanbul Sisli.
- 24 (26) Trump Ocean Club.

1 (27) Trump International & Tower Hotel, To-
2 ronto.

3 (28) Trump Tower at City Century City,
4 Makati, Philippines.

5 (29) Trump Tower, Mumbai.

6 (30) Trump Towers, Pune.

7 (31) Trump Tower, Punta Del Este, Uruguay.

8 (32) Trump International Hotel & Tower, Van-
9 couver.

10 (33) 40 Wall Street, New York City.

11 (34) 1290 Avenue of the Americas, New, York
12 City.

13 (35) Trump International Hotel, Washington

14 (36) 555 California Street, San Francisco.

15 (37) Trump Tower, Rio de Janeiro.

16 (38) Trump International Golf Links & Hotel,
17 Doonbeg, Ireland.

18 (39) Trump National Doral, Miami.

19 (40) Trump Ocean Club, Panama City, Pan-
20 ama.

21 (41) Albemarle Estate at Trump Winery, Char-
22 lottesville, Virginia.

23 (42) Trump International Golf Links, Scotland.

24 (43) Trump National Golf Club, Bedminster.

25 (44) Trump National Golf Club, Charlotte.

1 (45) Trump National Golf Club, Colts Neck.

2 (46) Trump International Golf Links, Ireland.

3 (47) Trump Golf Links at Ferry Point, New
4 York.

5 (48) Trump National Golf Club, Hudson Val-
6 ley.

7 (49) Trump National Golf Club, Jupiter.

8 (50) Trump National Golf Club, Los Angeles.

9 (51) Trump International Golf Club, West
10 Palm Beach.

11 (52) Trump National Golf Club, Philadelphia.

12 (53) Trump International Golf Club, Dubai.

13 (54) Trump World Golf Club, Dubai.

14 (55) Trump Turnberry, Scotland.

15 (56) Trump National Golf Club, Potomac Falls,
16 Virginia.

17 (57) Trump National Golf Club, Westchester.

18 (b) WAIVER.—The President may issue a waiver to
19 the limitation under subsection (a) for costs incurred with
20 respect to the properties listed above if the president reim-
21 burses the Department of the Treasury for the amount
22 of the cost associated with the expense.

1 **SEC. 1050B. LIMITATION ON USE OF FUNDS FOR EXHI-**
2 **BITION OF PARADE OF MILITARY FORCES**
3 **AND HARDWARE FOR REVIEW BY THE PRESI-**
4 **DENT.**

5 None of the funds authorized to be appropriated by
6 this Act or otherwise appropriated for Fiscal Year 2020
7 for the Department of Defense may be obligated or ex-
8 pended for any exhibition or parade of military forces and
9 hardware, with the exception of the display of small arms
10 and munitions appropriate for customary ceremonial hon-
11 ors and for the participation of military units that perform
12 customary ceremonial duties, for review by the President
13 in a public or private exercise outside of authorized mili-
14 tary operations or activities.

15 **SEC. 1050C. PROHIBITION ON USE OF DOD EQUIPMENT,**
16 **PERSONNEL, AND FACILITIES FOR ICE DE-**
17 **TENTION.**

18 No facilities, equipment, or personnel of the Depart-
19 ment of Defense may be used to house or construct any
20 housing for any foreign nationals who are in the custody
21 of and detained by U.S. Immigration and Customs En-
22 forcement.

1 **Subtitle F—National Defense**
2 **Strategy Implementation**

3 **SEC. 1051. SHORT TITLE.**

4 This subtitle may be cited as the “National Defense
5 Strategy Implementation Act”.

6 **SEC. 1052. REPORT ON OPERATIONAL CONCEPTS AND**
7 **PLANS REGARDING STRATEGIC COMPETI-**
8 **TORS.**

9 Not later than February 1, 2020, and then biannually
10 thereafter, the Secretary of Defense shall submit to the
11 congressional defense committees a report on the Depart-
12 ment of Defense’s operational concepts and plans regard-
13 ing strategic competitors, including on strategically sig-
14 nificant matters identified in the National Defense Strat-
15 egy, that also addresses each of the following:

16 (1) Ways of employing the force in peace time
17 to effectively deter strategic competitors below the
18 threshold of war while ensuring readiness for poten-
19 tial conflict.

20 (2) Ways of adapting innovative, operational
21 concepts needed for strategically significant and
22 plausible scenarios related to strategic competitors.

23 (3) Ways of addressing operational challenges
24 related to achieving the strategic advantage against
25 strategic competitors related to nuclear, space,

1 cyber, conventional, and unconventional means in
2 warfighting doctrine.

3 (4) The technologies, force developments, pos-
4 ture and capabilities, readiness, infrastructure, orga-
5 nization, personnel, and other elements of the de-
6 fense program necessary to enable these operational
7 concepts and its implementation listed in paragraphs
8 (1) through (3).

9 (5) The ability of the National Security Innova-
10 tion Base to support the operational concepts listed
11 in paragraphs (1) through (3).

12 (6) The resources and defense investments nec-
13 essary to support the operational concepts and its
14 implementation, including budget recommendations.

15 (7) The risks associated with the operational
16 concepts, including the relationship and tradeoffs be-
17 tween missions, risks, and resources.

18 (8) Measures and metrics to track the effective-
19 ness of the operational concepts and plans.

20 **SEC. 1053. ACTIONS TO INCREASE ANALYTIC SUPPORT.**

21 (a) IN GENERAL.—The Secretary of Defense shall di-
22 rect the Under Secretary of Defense for Policy, the Direc-
23 tor of the Joint Staff, and the Director of Cost Assess-
24 ment and Program Evaluation, in consultation with the
25 head of each military service, to jointly develop and imple-

1 ment a plan to strengthen the analytic capabilities, exper-
2 tise, and processes necessary to meet the National Defense
3 Strategy.

4 (b) ELEMENTS.—The plan under subsection (a) shall
5 include—

6 (1) an assessment of the decision support capa-
7 bility of the Department of Defense, specifically the
8 analytic expertise the Department is using to link
9 National Defense Strategy objectives to innovative
10 approaches for meeting future challenges, including
11 winning in conflict and competing effectively against
12 strategic competitors;

13 (2) an approach for comparing competing anal-
14 yses and conducting joint analyses for force struc-
15 ture to support senior leaders in implementing the
16 National Defense Strategy;

17 (3) a determination of the analytic products
18 and support required to implement the National De-
19 fense Strategy, including the ability to update these
20 products to reflect current strategy and future
21 threats; and

22 (4) such other matters as the Secretary of De-
23 fense determines to be appropriate.

24 (c) BRIEFING REQUIRED.—Not later than March 1,
25 2020, the Secretary of Defense shall provide to the con-

gressional defense committees a briefing on the plan under subsection (a).

SEC. 1054. DEFINITIONS.

In this subtitle:

(1) The term “operational challenges” means the principal operational challenges to meeting the defense objectives described in the most recent National Defense Strategy, as such challenges are defined by the Secretary of Defense in guidance issued to the Department of Defense. The guidance issued by the Secretary of under the preceding sentence shall—

(A) specifically identify operational challenges to the Department’s principal strategic priorities of competing effectively with strategic competitors; and

(B) be made available in unclassified and publicly accessible form.

(2) The term “strategic competitors” means a country labeled as a strategic competitor in the “Summary of the 2018 National Defense Strategy of the United States of America: Sharpening the American Military’s Competitive Edge” issued by the Department of Defense pursuant to section 113 of title 10, United States Code.

1 **Subtitle G—Studies and Reports**

2 **SEC. 1061. REPORT ON TRANSFERS OF EQUIPMENT TO PRO-**
3 **HIBITED ENTITIES.**

4 (a) ANNUAL REPORT TO CONGRESS.—

5 (1) IN GENERAL.—Subchapter VIII of chapter
6 16 of title 10, United States Code, is amended by
7 adding at the end the following new section:

8 **“§ 387. Annual report on transfers of equipment to**
9 **prohibited entities**

10 “(a) REPORT REQUIRED.—Not later than March 1,
11 2021, and each subsequent year, the Secretary of Defense,
12 in coordination with the Secretary of State, shall submit
13 to the appropriate committees of Congress a report on the
14 transfer of defense articles during the year preceding the
15 year during which the report is submitted to—

16 “(1) any unit committing a gross violation of
17 human rights; or

18 “(2) any group or organization prohibited from
19 receiving assistance from the United States.

20 “(b) MATTERS TO BE INCLUDED.—Each report re-
21 quired by subsection (a) shall include the following for the
22 year covered by the report:

23 “(1) A description of any confirmed instance in
24 which the government of a foreign state that has re-
25 ceived defense articles pursuant to a Department of

1 Defense assistance authority has subsequently trans-
2 ferred the equipment to a unit of that foreign state
3 that is prohibited from receiving assistance from the
4 United States by reason of a determination by the
5 Secretary of State that there is credible evidence
6 that such unit has committed a gross violation of
7 human rights.

8 “(2) A description of any instance, confirmed or
9 under investigation, in which the government of a
10 foreign state that has received defense articles pur-
11 suant to a Department of Defense assistance author-
12 ity has subsequently transferred the equipment to a
13 group or organization that is prohibited from receiv-
14 ing assistance from the United States.

15 “(c) APPROPRIATE COMMITTEES OF CONGRESS DE-
16 FINED.—In this section, the term ‘appropriate committees
17 of Congress’ means—

18 “(1) the Committee on Armed Services and the
19 Committee on Foreign Relations of the Senate; and

20 “(2) the Committee on Armed Services and the
21 Committee on Foreign Affairs of the House of Rep-
22 resentatives.”.

23 (2) CLERICAL AMENDMENT.—The table of sec-
24 tions at the beginning of such chapter is amended

1 by inserting after the item relating to section 386
2 the following new item:

“387. Annual report on transfers of equipment to prohibited entities.”.

3 (b) REPORT TO CONGRESS.—

4 (1) REPORT REQUIRED.—Not later than March
5 1, 2020, the Secretary of Defense shall submit to
6 the appropriate committees of Congress (as such
7 term is defined in section 387 of title 10, United
8 States Code, as added by subsection (a)), a report
9 on the transfer of defense articles during the period
10 beginning on January 1, 2015, and ending on the
11 date of the enactment of this Act to—

12 (A) any unit committing a gross violation
13 of human rights; or

14 (B) any group or organization prohibited
15 from receiving assistance from the United
16 States.

17 (2) MATTERS FOR INCLUSION.—Such report
18 shall include, for such period, each of the following:

19 (A) A description of any confirmed in-
20 stance in which the government of a foreign
21 state that has received defense articles pursuant
22 to a Department of Defense assistance author-
23 ity has subsequently transferred the equipment
24 to a unit of that foreign state that is prohibited
25 from receiving assistance from the United

1 States by reason of a determination by the Sec-
2 retary of State that there is credible evidence
3 that such unit has committed a gross violation
4 of human rights.

5 (B) A description of any instance, con-
6 firmed or under investigation, in which the gov-
7 ernment of a foreign state that has received de-
8 fense articles pursuant to a Department of De-
9 fense assistance authority has subsequently
10 transferred the equipment to a group or organi-
11 zation that is prohibited from receiving assist-
12 ance from the United States.

13 **SEC. 1062. ELIMINATION OF REQUIREMENT TO SUBMIT RE-**
14 **PORTS TO CONGRESS IN PAPER FORMAT.**

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

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

18 (2) by redesignating subsection (c) as sub-
19 section (d); and

20 (3) by inserting after subsection (b) the fol-
21 lowing new subsection:

22 “(c) **ELIMINATION OF PAPER SUBMISSION REQUIRE-**
23 **MENT.**—Whenever the Secretary (or other official) pro-
24 vides a report to Congress (or any committee of either
25 House of Congress) in an electronic medium under sub-

1 section (a), the Secretary (or other official) shall not be
2 required to submit an additional copy of the report in a
3 paper format.”.

4 **SEC. 1063. MODIFICATION OF ANNUAL REPORT ON CIVIL-**
5 **IAN CASUALTIES IN CONNECTION WITH**
6 **UNITED STATES MILITARY OPERATIONS.**

7 (a) **ADDITIONAL ELEMENT FOR REPORT.**—Sub-
8 section (b) of section 1057 of the National Defense Au-
9 thorization Act for Fiscal Year 2018 (Public Law 115–
10 91; 131 Stat. 1572), as amended by section 1062 of the
11 John S. McCain National Defense Authorization Act for
12 Fiscal Year 2019 (Public Law 115–232), is amended—

13 (1) by redesignating paragraphs (5) and (6) as
14 paragraphs (8) and (9), respectively; and

15 (2) by inserting after paragraph (4) the fol-
16 lowing new paragraphs:

17 “(5) A description of any allegations of civilian
18 casualties made by public or non-governmental
19 sources investigated by the Department of Defense.

20 “(6) An evaluation of the general reasons for
21 any discrepancies between the assessments of the
22 United States and reporting from nongovernmental
23 organizations regarding non-combatant deaths re-
24 sulting from strikes and operations undertaken by
25 the United States.

1 “(7) The definitions of ‘combatant’ and ‘non-
2 combatant’ used in the preparation of the report.”.

3 (b) DEFINITION OF NON-COMBATANT.—Such section
4 is further amended—

5 (1) by redesignating subsection (e) as sub-
6 section (f); and

7 (2) by inserting after subsection (d) the fol-
8 lowing new subsection (e):

9 “(e) DEFINITION OF NON-COMBATANT.—For pur-
10 poses of the preparation of a report under this section,
11 the Secretary of Defense shall define the term ‘non-com-
12 batant’. Such definition shall—

13 “(1) be consistent with the laws of war; and

14 “(2) provide that a male of military age shall
15 not be determined to be a combatant solely on the
16 basis of proximity to a strike or nonstrike kinetic op-
17 eration, or the intended target of such an oper-
18 ation.”.

19 (c) EXTENSION.—Subsection (f) of such section, as
20 so redesignated, is amended by striking “five years” and
21 inserting “ten years”.

22 (d) CLASSIFICATION.—The Law Revision Counsel is
23 directed to place this section in a note following section
24 113 of title 10, United States Code.

1 **SEC. 1064. INCLUSION OF CERTAIN INDIVIDUALS INVES-**
2 **TIGATED BY INSPECTORS GENERAL IN THE**
3 **SEMIANNUAL REPORT.**

4 Section 5(a) of the Inspector General Act of 1978
5 (5 U.S.C. App.) is amended—

6 (1) in paragraph (21), by striking “; and” at
7 the end and inserting a semicolon;

8 (2) in paragraph (22), by striking the period at
9 the end and inserting “; and”; and

10 (3) by inserting after paragraph (22) the fol-
11 lowing new paragraph:

12 “(23) the name of each individual who is the
13 subject of an investigation if the individual was an
14 officer in the grade of O–7 and above, including offi-
15 cers who have been selected for promotion to O–7,
16 or a civilian member of the Senior Executive Serv-
17 ice.”.

18 **SEC. 1065. ANNUAL REPORT ON JOINT MILITARY INFORMA-**
19 **TION SUPPORT OPERATIONS WEB OPER-**
20 **ATIONS CENTER.**

21 (a) IN GENERAL.—Not later than March 1 of 2020,
22 and each subsequent year until the termination date speci-
23 fied in subsection (c), the Commander of United States
24 Special Operations Command shall submit to the congres-
25 sional defense committees a report on the activities of the
26 Joint Military Information Support Operations Web Oper-

1 ations Center (hereinafter referred to as the “JMWC”)
2 during the most recently concluded fiscal year.

3 (b) CONTENTS OF REPORT.—The report required by
4 subsection (a) shall include each of the following, for the
5 fiscal year covered by the report:

6 (1) Definitions of initial operating capability
7 and full operational capability as such terms relate
8 to the JMWC.

9 (2) A detailed description of all activities con-
10 ducted toward achieving initial operating capability
11 and full operational capability of the JMWC.

12 (3) A list of all associated funding requested for
13 each program element for achieving initial operating
14 capability and full operational capability.

15 (4) A detailed description of validated doctrine,
16 organization, training, materiel, leadership and edu-
17 cation, personnel, facilities, and policy requirements
18 relating to establishment of the JMWC.

19 (5) A description of current JMWC capabilities,
20 including information technology infrastructure and
21 contractual arrangements.

22 (6) A list of all physical locations hosting
23 JMWC capabilities.

24 (7) The number of military, contractor, and ci-
25 vilian personnel associated with the JMWC and any

1 affiliated agency, service, or other Department of
2 Defense entity.

3 (8) A description of the JMWC personnel orga-
4 nizational structure.

5 (9) An identification of inherently governmental
6 functions relating to administration of the JMWC
7 and execution of Military Information Support Oper-
8 ations (hereinafter referred to as “MISO”) pro-
9 grams hosted by the JMWC.

10 (10) A detailed description of frameworks,
11 metrics, and capabilities established to measure the
12 effectiveness of MISO programs hosted by the
13 JMWC.

14 (11) A list of all associated funding requested
15 by program element from each of the geographic
16 combatant commanders for MISO programs hosted
17 by the JMWC and a description of such MISO ac-
18 tivities.

19 (12) An assessment of the effectiveness of
20 MISO programs hosted by the JMWC.

21 (13) A description of efforts and activities con-
22 ducted to share best practices and leverage lessons
23 learned across the Department of Defense relating
24 to MISO programs hosted by the JMWC, as well as

1 a description of such best practices and lessons
2 learned.

3 (14) An identification of liaisons and detailees
4 to the JMWC from agencies and elements of the De-
5 partment of Defense.

6 (15) Activities and efforts conducted to syn-
7 chronize and deconflict MISO programs within the
8 Department of Defense and with interagency and
9 international partners related to strategic commu-
10 nications, as appropriate.

11 (16) Such other information as the Commander
12 determines appropriate.

13 (c) TERMINATION.—The requirement to submit a re-
14 port under this section shall terminate on January 1,
15 2025.

16 **SEC. 1066. MOBILITY CAPABILITY REQUIREMENTS STUDY.**

17 (a) IN GENERAL.—The Commander of the United
18 States Transportation Command, in coordination with the
19 Chairman of the Joint Chiefs of Staff and the Secretaries
20 of the military departments, shall conduct a study of the
21 end-to-end, full-spectrum mobility requirements to fulfill
22 the national defense strategy required by section 113(g)
23 of title 10, United States Code, for 2018. Such study shall
24 be completed not later than January 1, 2021.

1 (b) ELEMENTS OF STUDY.—The study required
2 under subsection (a) shall include each of the following:

3 (1) An assessment of the ability of the pro-
4 grammed airlift aircraft, tanker aircraft, sealift
5 ships, and key mobility enablers to meet the inte-
6 grated mobility requirements in expected strategic
7 environments, as defined by the guidance in such
8 national defense strategy.

9 (2) An identification, quantification, and de-
10 scription of the associated risk-to-mission (as de-
11 fined by Chairman of the Joint Chiefs of Staff Man-
12 ual 3105.01, Joint Risk Analysis) required to fulfill
13 such strategy, including—

14 (A) as assessment of risk-to-mission associ-
15 ated with achieving strategic and operational
16 objectives using the programmed airlift aircraft,
17 tanker aircraft, sealift ships, and key mobility
18 enablers; and

19 (B) a description of the combinations of
20 airlift aircraft, tanker aircraft, sealift ships, and
21 key mobility enabler requirements and capabili-
22 ties that provide low, moderate, significant, and
23 high levels of risk-to-mission to fulfill such
24 strategy.

1 (3) An identification of any mobility capability
2 gaps, shortfalls, overlaps, or excesses, including—

3 (A) an assessment of associated risks with
4 respect to the ability to conduct operations; and

5 (B) recommended mitigation strategies
6 where possible.

7 (4) The articulation of all key assumptions and
8 decisions made and excursions examined in con-
9 ducting the study with respect to—

10 (A) risk;

11 (B) programmed forces and infrastructure;

12 (C) the availability of commercial airlift
13 and sealift capabilities and resources, when ap-
14 plicable;

15 (D) aircraft usage rates, aircraft mission
16 availability rates, aircraft mission capability
17 rates, aircrew ratios, aircrew production, and
18 aircrew readiness rates;

19 (E) readiness, crewing, and activation
20 rates for sealift ships;

21 (F) prepositioning, forward stationing,
22 seabasing, engineering, and infrastructure;

23 (G) demand signals used to represent mis-
24 sions described in the national defense strategy
25 for 2018, in competition and wartime;

1 (H) concurrency and global integration of
2 demand signals;

3 (I) integrated global presence and basing
4 strategy;

5 (J) host nation or third-country support;

6 (K) adversary actions to degrade and dis-
7 rupt United States mobility operations;

8 (L) adversary actions that threaten free-
9 dom of navigation on international waterways,
10 including attacks on foreign ships and crews;

11 (M) aircraft being used for training or un-
12 dergoing depot maintenance or modernization
13 or ships undergoing depot maintenance;

14 (N) mobility enabling forces availability,
15 readiness, and use;

16 (O) logistics concept of operations, includ-
17 ing any support concepts, methods, combat sup-
18 port forces, and combat service support forces
19 that are required to enable the projection and
20 enduring support to forces both deployed and in
21 combat for each analytic scenario;

22 (P) anticipated attrition rates for the as-
23 sessed force structure; and

24 (Q) such other matters as the Commander
25 determines appropriate.

1 (5) Such other elements as the Commander de-
2 termines appropriate.

3 (c) REPORTS AND BRIEFINGS.—

4 (1) INTERIM REPORT AND BRIEFING.—Not
5 later than June 1, 2020, the Commander of the
6 United States Transportation Command, in coordi-
7 nation with the Chairman of the Joint Chiefs of
8 Staff and the Secretaries of the military depart-
9 ments, shall—

10 (A) submit to the Committee on Armed
11 Services of the House of Representatives an in-
12 terim report on the study; and

13 (B) provide to such Committee a briefing
14 on the report.

15 (2) FINAL REPORT AND BRIEFING.—Not later
16 than January 1, 2021, the Commander of the
17 United States Transportation Command, in coordi-
18 nation with the Chairman of the Joint Chiefs of
19 Staff and the Secretaries of the military depart-
20 ments, shall—

21 (A) submit to the Committee on Armed
22 Services of the House of Representatives a final
23 report on the study; and

24 (B) provide to such Committee a briefing
25 on the report.

1 (3) FORM OF REPORTS.—The reports required
2 by paragraphs (1) and (2) shall be submitted in un-
3 classified form, but may include a classified annex.

4 (d) DEFINITION OF SEALIFT SHIP.—In this section,
5 the term “sealift ship” includes surge sealift vessels, tank-
6 er vessels, and non-governmental vessels incorporated as
7 part of the maritime logistics enterprise.

8 **SEC. 1067. ASSESSMENT OF SPECIAL OPERATIONS FORCE**
9 **STRUCTURE.**

10 (a) ASSESSMENT.—

11 (1) IN GENERAL.—The Secretary of Defense
12 shall enter into an agreement with a federally fund-
13 ed research and development center for the conduct
14 of an independent assessment of the force structure
15 and roles and responsibilities of special operations
16 forces.

17 (2) SUBMISSION TO CONGRESS.—Not later than
18 July 1, 2020, the Secretary shall submit to the con-
19 gressional defense committees the results of the as-
20 sessment required under paragraph (1).

21 (3) FORM.—The assessment required under
22 paragraph (1) shall be submitted in unclassified
23 form, but may contain a classified annex.

24 (b) MATTERS TO BE CONSIDERED.—In performing
25 the assessment under this section, the federally funded re-

1 search and development center shall consider the following
2 matters:

3 (1) The most recent national defense strategy
4 under section 113(g) of title 10, United States Code.

5 (2) Special operations activities, as described in
6 section 167(k) of title 10, United States Code.

7 (3) Potential future national security threats to
8 the United States.

9 (4) Ongoing counterterrorism and contingency
10 operations of the United States.

11 (5) The demand for special operations forces by
12 geographic combatant commanders for security co-
13 operation, exercises, and other missions that could
14 be executed by conventional forces.

15 (6) Other government and non-government
16 analyses that would contribute to the assessment
17 through variations in study assumptions or potential
18 scenarios.

19 (7) The role of emerging technology on special
20 operations forces.

21 (8) Opportunities for reduced operation and
22 sustainment costs of special operations.

23 (9) Current and projected capabilities of other
24 United States Armed Forces that could affect force

1 structure capability and capacity requirements of
2 special operations forces.

3 (10) The process by which United States Spe-
4 cial Operations Command determines force size and
5 structure.

6 (11) The readiness of special operations forces
7 for assigned missions and future conflicts.

8 (12) The adequacy of special operations force
9 structure for meeting the goals of the National Mili-
10 tary Strategy under section 153(b) of title 10,
11 United States Code.

12 (13) Any other matters deemed relevant.

13 (c) ASSESSMENT RESULTS.—The results of the as-
14 sessment under this section shall include each of the fol-
15 lowing:

16 (1) Considerations and recommendations for
17 improving the readiness of special operations forces
18 and alternative force structure options.

19 (2) Legislative recommendations with respect to
20 section 167 of title 10, United States Code, and
21 other relevant provisions of law.

22 (3) The views of United States Special Oper-
23 ations Command on the assessment.

1 **SEC. 1068. ARMY AVIATION STRATEGIC PLAN AND MOD-**
2 **ERNIZATION ROADMAP.**

3 (a) STRATEGIC PLAN AND MODERNIZATION ROAD-
4 MAP.—

5 (1) IN GENERAL.—The Secretary of the Army
6 shall develop a comprehensive strategic plan for
7 Army aviation, which shall be designed to—

8 (A) ensure the alignment between require-
9 ments, both current and future, and Army
10 budget submissions to meet such requirements;
11 and

12 (B) inform the preparation of future de-
13 fense program and budget requests by the Sec-
14 retary, and the consideration of such requests
15 by Congress.

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

18 (A) An assessment of all missions for
19 Army aviation, both current missions and those
20 missions necessary to support the national de-
21 fense strategy and the U.S. Army in Multi-Do-
22 main Operations 2028 concept.

23 (B) An analysis of platforms, capabilities,
24 and capacities necessary to fulfill such current
25 and future Army aviation missions.

1 (C) The required life cycle budget associ-
2 ated with each platform, capability, and capac-
3 ity requirement for both current and future re-
4 quirements.

5 (D) An analysis showing operational, budg-
6 et, and schedule trade-offs between sustainment
7 of currently fielded capabilities, modernization
8 of currently fielded capabilities, and develop-
9 ment and production of new capabilities.

10 (b) REPORT TO CONGRESS.—Not later than March
11 30, 2020, the Secretary of the Army shall submit to the
12 congressional defense committees a report containing—

13 (1) the comprehensive strategic plan required
14 by subsection (a); and

15 (2) a sustainment and modernization plan for
16 carrying out such strategic plan through fiscal year
17 2028.

18 **SEC. 1069. REPORT ON GROUND-BASED LONG-RANGE AR-**
19 **TILLERY TO COUNTER LAND AND MARITIME**
20 **THREATS.**

21 (a) IN GENERAL.—Not later than March 1, 2020, the
22 Secretary of Defense shall submit to the Committees on
23 Armed Services of the Senate and House of Representa-
24 tives a report on the efforts by the Army and Marine
25 Corps to develop and deploy ground-based long-range

1 rocket and cannon artillery to counter land and maritime
2 threats.

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

5 (1) An assessment of ongoing and future Army
6 and Marine Corps efforts to develop and deploy
7 ground-based long-range rocket and cannon artillery
8 to counter land and maritime fires in the areas of
9 operations of United States Indo-Pacific Command
10 and United States European Command.

11 (2) An assessment of and recommendations for
12 how the Department of Defense can improve the de-
13 velopment and deployment of such artillery.

14 (3) An analysis and assessment of how such ar-
15 tillery employed in support of the Armed Forces of
16 the United States and allied forces would be de-
17 ployed, positioned, and controlled to operate effec-
18 tively against potential adversaries throughout the
19 depth of their tactical, operational, and strategic for-
20 mations, including any recommendations of the Sec-
21 retary regarding how such support could be en-
22 hanced.

23 (c) FORM OF REPORT.—The report required by sub-
24 section (a) shall be submitted in unclassified form, but
25 may contain a classified annex.

1 **SEC. 1070. INDEPENDENT REVIEW OF TRANSPORTATION**
2 **WORKING-CAPITAL FUND.**

3 (a) IN GENERAL.—Not later than 30 days after the
4 date of the enactment of this Act, the Secretary of De-
5 fense, in coordination with the Secretary of each of the
6 military departments, shall enter into a contract with a
7 federally funded research and development center for the
8 conduct of an independent review of the transportation
9 working-capital fund (hereinafter referred to as the
10 “TWCF”) of the United States Transportation Command.

11 (b) MATTERS FOR INCLUSION.—The review con-
12 ducted under subsection (a) shall include each of the fol-
13 lowing:

14 (1) The viability of the TWCF as it is struc-
15 tured as of the date of the enactment of this Act.

16 (2) An assessment of any instances in which ex-
17 cess TWCF funds were used for procurement or
18 modernization efforts that would not otherwise have
19 been funded using amounts made available for oper-
20 ation and maintenance.

21 (3) Recommendations for how the TWCF could
22 be restructured in order to make the fund more ef-
23 fective and efficient.

24 (4) Potential alternative funding mechanisms
25 for certain components of the TWCF, including the
26 channel system.

1 (5) Any other matters the Secretaries jointly
2 determine appropriate.

3 (c) REPORT.—Not later than March 1, 2021, the
4 Secretary of Defense and the Secretary of each of the mili-
5 tary departments shall jointly submit the to the congres-
6 sional defense committees a copy of the review conducted
7 under subsection (a).

8 **SEC. 1071. GEOGRAPHIC COMMAND RISK ASSESSMENT OF**
9 **PROPOSED USE OF CERTAIN AIRCRAFT CA-**
10 **PABILITIES.**

11 (a) IN GENERAL.—Not later than March 31, 2020,
12 each commander of a geographic combatant command
13 shall submit to the congressional defense committees a re-
14 port containing an assessment of the level of operational
15 risk to that command posed by the plans of the Depart-
16 ment of the Navy and Department of the Air Force to
17 provide a mix of fifth generation and advanced fourth gen-
18 eration tactical aircraft capabilities to meet contingency
19 and steady-state operational requirements against adver-
20 saries in support of the objectives of the 2018 national
21 defense strategy.

22 (b) ASSESSMENT OF RISK.—In assessing levels of
23 operational risk under subsection (a), a commander shall
24 use the military risk matrix of the Chairman of the Joint

1 Chiefs of Staff, as described in CJCS Instruction
2 3401.01E.

3 (c) GEOGRAPHIC COMBATANT COMMAND.—In this
4 section, the term “geographic combatant command”
5 means each of the following:

6 (1) United States European Command.

7 (2) United States Indo-Pacific Command.

8 (3) United States Africa Command.

9 (4) United States Southern Command.

10 (5) United States Northern Command.

11 (6) United States Central Command.

12 **SEC. 1072. ANNUAL REPORT ON STRIKES UNDERTAKEN BY**
13 **THE UNITED STATES AGAINST TERRORIST**
14 **TARGETS OUTSIDE AREAS OF ACTIVE HOS-**
15 **TILITIES.**

16 (a) ANNUAL REPORT.—Not later than May 1 of each
17 year, the Director of National Intelligence shall submit to
18 Congress a report on the number of strikes undertaken
19 by the United States against terrorist targets outside
20 areas of active hostilities during the preceding calendar
21 year, as well as assessments of combatant and non-com-
22 batant deaths resulting from those strikes.

23 (b) CONTENTS OF REPORT.—The report required by
24 subsection (a) shall include—

1 (1) information obtained from relevant agencies
2 regarding the general sources of information and
3 methodology used to conduct the assessments of
4 combatant and non-combatant deaths;

5 (2) to the extent feasible and appropriate, the
6 general reasons for discrepancies between post-strike
7 assessments from the United States and credible re-
8 porting from nongovernmental organizations regard-
9 ing non-combatant deaths resulting from strikes un-
10 dertaken by the United States against terrorist tar-
11 gets outside areas of active hostilities.

12 (c) REVIEW OF POST-STRIKE REPORTING.—In pre-
13 paring a report under this section, the Director shall re-
14 view relevant and credible post-strike all-source reporting,
15 including such information from nongovernmental sources,
16 for the purpose of ensuring that this reporting is available
17 to and considered by relevant agencies in their assessment
18 of deaths.

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

1 **SEC. 1073. TERMINATION OF REQUIREMENT FOR SUB-**
2 **MITTAL TO CONGRESS OF CERTAIN RECUR-**
3 **RING REPORTS.**

4 (a) **TERMINATION.**—Effective on December 30,
5 2021, each report described in subsection (b) that is still
6 required to be submitted to Congress as of such effective
7 date shall no longer be required to be submitted to Con-
8 gress.

9 (b) **COVERED REPORTS.**—A report described in this
10 subsection is a recurring report that is required to be sub-
11 mitted to Congress by the Department of Defense, or by
12 any officer, official, component, or element of the Depart-
13 ment, by any annual national defense authorization Act
14 enacted on or after December 30, 2016.

15 **SEC. 1074. REPORT ON OPERATIONAL CONCEPTS AND**
16 **PLANS REGARDING STRATEGIC COMPETI-**
17 **TORS.**

18 Not later than February 1, 2020, and then biannually
19 thereafter, the Secretary of Defense shall submit to the
20 congressional defense committees a report on the Depart-
21 ment of Defense’s operational concepts and plans regard-
22 ing strategic competitors, including on strategically sig-
23 nificant matters identified in the National Defense Strat-
24 egy, that also addresses each of the following:

25 (1) Ways of employing the force in peace time
26 to effectively deter strategic competitors below the

1 threshold of war while ensuring readiness for poten-
2 tial conflict.

3 (2) Ways of adapting innovative, operational
4 concepts needed for strategically significant and
5 plausible scenarios related to strategic competitors.

6 (3) Ways of addressing operational challenges
7 related to achieving the strategic advantage against
8 strategic competitors related to nuclear, space,
9 cyber, conventional, and unconventional means in
10 warfighting doctrine.

11 (4) The technologies, force developments, pos-
12 ture and capabilities, readiness, infrastructure, orga-
13 nization, personnel, and other elements of the de-
14 fense program necessary to enable these operational
15 concepts and its implementation listed in paragraphs
16 (1) through (3).

17 (5) The ability of the National Security Innova-
18 tion Base to support the operational concepts listed
19 in paragraphs (1) through (3).

20 (6) The resources and defense investments nec-
21 essary to support the operational concepts and its
22 implementation, including budget recommendations.

23 (7) The risks associated with the operational
24 concepts, including the relationship and tradeoffs be-
25 tween missions, risks, and resources.

1 (8) Measures and metrics to track the effective-
2 ness of the operational concepts and plans.

3 **SEC. 1075. SENSE OF CONGRESS REGARDING MODULAR**
4 **AIRBORNE FIRE FIGHTING SYSTEM; REPORT.**

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

7 (1) Congress established the Modular Airborne
8 Fire Fighting System (in this section referred to as
9 “MAFFS”) after civilian fire fighting tanker fleets
10 were overwhelmed by the 1970 Laguna Fire that
11 killed eight individuals and destroyed 382 homes.

12 (2) Air National Guard C-130 aircraft
13 equipped with the MAFFS provide emergency capa-
14 bility to supplement existing commercial tanker sup-
15 port on wildland fires.

16 (3) A MAFFS II unit can discharge its load of
17 3,000 gallons of flame retardant in less than five
18 seconds, covering an area one-quarter of a mile long
19 and 60 feet wide.

20 (4) Air National Guard and Air Force Reserve
21 units equipped with MAFFS II have provided crit-
22 ical support in fire fighting response efforts in re-
23 cent years, including the Camp and Woolsey Fires in
24 November 2018.

1 (5) The National Guard Bureau is currently de-
2 veloping a replacement system to the current, aging
3 fleet of MAFFS II systems.

4 (6) The current MAFFS II system requires sig-
5 nificant maintenance and repair, including deterio-
6 rating compression systems, that could reduce
7 MAFFS capability in as soon as two years.

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

10 (1) MAFFS provides a necessary capability to
11 support national, State, and local fire fighting re-
12 sponse efforts;

13 (2) fire fighting response would be severely af-
14 fected if MAFFS II or replacement MAFFS systems
15 were not available, including reducing the number of
16 sorties and drops planes can fly during emergencies;
17 and

18 (3) the Department of Defense should use
19 funding provided under the National Guard and Re-
20 serve Equipment Account to develop, sustain and
21 maintain continued MAFFS capability, including
22 IMAFFS systems to replace the current fleet.

23 (c) REPORT.—Not later than 90 days after the date
24 of the enactment of this Act, the Secretary of Defense
25 shall submit a report to the congressional defense commit-

tees regarding plans of the Secretary to fund long-term sustainment and operation and maintenance of MAFFS capabilities, including plans for the National Guard Bureau to submit program objective memoranda for funding for lifetime costs to the Department of Defense to be included in future Department of Defense Budget Requests, including the feasibility of establishing a dedicated program-of-record.

SEC. 1076. REPORT ON BACKLOG OF PERSONNEL SECURITY

CLEARANCE ADJUDICATIONS.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, and quarterly thereafter for five years, the Suitability Executive Agent, shall submit to Congress a report on the backlog of personnel security clearance adjudications. Such report shall include—

(1) the size of the backlog of personnel security clearance adjudications, by agency, for the fiscal quarter preceding the quarter during which the report is submitted;

(2) the average length of time, for each security clearance sensitivity level, to carry out an initial adjudication and an adjudication following a periodic reinvestigation, by agency;

1 (3) the number of cases referred to the Consoli-
2 dated Adjudication Facility of the Department of
3 Defense;

4 (4) the number of cases adjudicated by the
5 Consolidated Adjudication Facility of the Depart-
6 ment of Defense compared to the number of cases
7 deferred to continuous evaluation or vetting;

8 (5) the number of adjudicators by agency; and

9 (6) a backlog mitigation plan, which shall in-
10 clude—

11 (A) the identification of the cause of, and
12 recommendations to remedy, the adjudication
13 backlog at Federal agencies; and

14 (B) the steps the Suitability Executive
15 Agency shall take to reduce the adjudication
16 backlog.

17 (b) PUBLIC AVAILABILITY.—The report required
18 under subsection (a) shall be made publicly available.

19 **SEC. 1077. REPORT ON POLICIES RELATING TO SMALL**
20 **FARMS.**

21 Not later than 90 days after the date of the enact-
22 ment of this Act, the Defense Logistics Agency and the
23 Defense Commissary Agency shall submit to the congres-
24 sional defense committees a report on the programs, poli-
25 cies, and practices of the Defense Logistics Agency and

1 Defense Commissary Agency, respectively, relating to
2 small farms, farms owned by new and beginning farmers,
3 and farmers who are veterans or minorities, including a
4 description of opportunities and barriers to expanding the
5 use of such programs, policies, or practices.

6 **SEC. 1078. REPORT ON ARTIFICIAL INTELLIGENCE.**

7 (a) IN GENERAL.—Not later than one year after the
8 date of the enactment of this Act, the Secretary of De-
9 fense, in consultation with head of the Joint Artificial In-
10 telligence Center, shall submit to the appropriate congres-
11 sional committees a report on the artificial intelligence
12 strategy of the Department of Defense.

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

15 (1) Analysis of the increasing use of artificial
16 intelligence technology by the Department of De-
17 fense and the effects of such technology on the De-
18 partment.

19 (2) Identification of the data necessary for the
20 Secretary to properly conduct the analysis under
21 paragraph (1), including identification of any gaps
22 in the availability of such data.

23 (3) The plan of the Secretary to protect sys-
24 tems that use artificial intelligence from bad actors
25 and any attempts by individuals to misrepresent or

1 alter information used or provided by artificial intel-
2 ligence.

3 (4) Analysis of the expected benefits of artificial
4 intelligence for the operation of the Armed Forces
5 over the period of 20 years following the year in
6 which the report is submitted.

7 (5) Analysis of the potential of artificial intel-
8 ligence to improve multi-domain operations across
9 the Armed Forces.

10 (6) Identification of any ethical guidelines ap-
11 plicable to the use of artificial intelligence by the
12 Department.

13 (7) The plan of the Secretary to ensure collabo-
14 ration among the Department, industry, academia,
15 and national laboratories on matters relating to the
16 research, development, test, and evaluation, con-
17 tracting, acquisition, and onboarding of artificial in-
18 telligence technology.

19 (c) COLLABORATION.—In preparing the report under
20 subsection (a), the Secretary of Defense may collaborate,
21 through a series of meetings, roundtables, or by other
22 means, with—

23 (1) a broad range of industrial stakeholders in
24 the technology, manufacturing, and service sectors,

1 including large and small companies, think tanks,
2 and industry organizations; and

3 (2) the heads of any other Federal agencies the
4 Secretary determines to be appropriate.

5 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
6 DEFINED.—In this section, the term “appropriate con-
7 gressional committees” means—

8 (1) the Committees on Armed Services of the
9 Senate and the House of Representatives;

10 (2) the Committee on Science, Space, and
11 Technology of the House of Representatives;

12 (3) the Committee on Commerce, Science, and
13 Transportation of the Senate;

14 (4) the Permanent Select Committee on Intel-
15 ligence of the House of Representatives; and

16 (5) the Select Committee on Intelligence of the
17 Senate.

18 **SEC. 1079. REPORT ON FINANCIAL COSTS OF OVERSEAS**
19 **UNITED STATES MILITARY POSTURE AND OP-**
20 **ERATIONS.**

21 Not later than March 1, 2020, the Secretary of De-
22 fense shall submit to the congressional defense committees
23 a report on the financial costs and national security bene-
24 fits of each of the following for fiscal year 2019:

1 (1) Operating, improving, and maintaining
2 overseas military infrastructure at installations in-
3 cluded on the enduring location master list, includ-
4 ing adjustments that take into account direct or in-
5 kind contributions made by the host nations of such
6 enduring locations.

7 (2) Operating, improving, and maintaining
8 overseas military infrastructure supporting forward-
9 deployed forces at overseas contingency locations, in-
10 cluding adjustments that take into account direct or
11 in-kind contributions made by the host nations of
12 such enduring locations.

13 (3) Overseas military operations, including sup-
14 port to contingency operations, rotational deploy-
15 ments, and training exercises.

16 **SEC. 1080. HUMAN RIGHTS IN BRAZIL.**

17 No later than 180 days after enactment of the Act,
18 the Secretary of Defense and the Secretary of State shall
19 jointly submit a report to the Committees on Armed Serv-
20 ices of the House of Representatives and the Senate, the
21 Committee on Foreign Affairs of the House of Representa-
22 tives, and the Committee on Foreign Relations of the Sen-
23 ate, including—

24 (1) an assessment of the human rights climate
25 in Brazil and the commitment to human rights by

1 the security forces of Brazil, including military and
2 civilian forces;

3 (2) an assessment of whether Brazilian secu-
4 rity-force units that are found to be engaged in
5 human rights abuses may have received or pur-
6 chased United States equipment and training; and

7 (3) if warranted, a strategy to address any
8 found human rights abuses by the security forces of
9 Brazil, including in the context of Brazil's newly
10 conferred Major Non-NATO Ally status.

11 **SEC. 1080A. REPORT ON COMBATING TRAFFICKING IN PER-**
12 **SONS INITIATIVE.**

13 Not later than 180 days after the date of the enact-
14 ment of this Act, the Secretary of Defense shall submit
15 to the congressional defense committees a report con-
16 taining an analysis of the progress of the Department of
17 Defense in implementing the Combating Trafficking in
18 Persons Initiative, published in 2007 and as revised on
19 June 21, 2019.

20 **SEC. 1080B. PUBLIC AVAILABILITY OF CHIEF MANAGEMENT**
21 **OFFICE ANNUAL BUDGET REPORTS.**

22 Section 132a(c)(1)(B) of title 10, United States
23 Code, is amended—

1 (1) by striking “The Chief Management Offi-
2 cer” and inserting “(i) The Chief Management Offi-
3 cer”; and

4 (2) by adding at the end the following new
5 clause:

6 “(ii) Each report required under clause (i) shall be
7 made publicly available on an internet website in a search-
8 able format.”.

9 **SEC. 1080C. REPORT REGARDING OUTSTANDING GAO REC-**
10 **COMMENDATIONS.**

11 Not later than September 30, 2020, the Secretary of
12 Defense shall submit a report to Congress regarding—

13 (1) each of the 91 priority recommendations of
14 the Comptroller General regarding matters of De-
15 partment of Defense in report GAO–19–366SP,
16 dated March 2019, that the Secretary has not imple-
17 mented by that date;

18 (2) an explanation for why the Secretary has
19 not implemented such recommendations;

20 (3) if a reason under paragraph (2) is funding,
21 the estimated cost for such implementation.

22 **SEC. 1080D. PLAN TO INCREASE AND EXPAND COLD**
23 **WEATHER TRAINING.**

24 (a) FINDINGS.—Congress makes the following find-
25 ings:

1 (1) The strategic importance of the Arctic con-
2 tinues to increase as the United States and other
3 countries recognize the military and economic impor-
4 tance of the region. However, the operational capa-
5 bilities of the United States Armed Forces in ex-
6 treme cold weather or Arctic environments have at-
7 rophied when compared to regional adversaries.

8 (2) The 2018 national defense strategy stated
9 “The central challenge to U.S. prosperity and secu-
10 rity is the reemergence of long-term, strategic com-
11 petition by what the National Security Strategy clas-
12 sifies as revisionist powers.”.

13 (3) The Government of the Russian Federa-
14 tion—

15 (A) has made significant military invest-
16 ments in the Arctic, including the creation of
17 an Arctic Command, the Northern Fleet Joint
18 Strategic Command;

19 (B) has emplaced an Air Defense Missile
20 Regiment throughout the Arctic;

21 (C) has invested in the construction or re-
22 furbishment of 16 deepwater ports and 14 air-
23 fields in the region and has conducted signifi-
24 cant military exercises.

1 (b) SENSE OF CONGRESS.—It is the sense of Con-
2 gress that the Arctic is a region of strategic importance
3 to the national security interests of the United States and
4 the Department of the Army must increase and expand
5 its cold weather training capabilities to ensure that United
6 States Armed Forces can operate in Arctic conditions nec-
7 essary to compete against a near peer adversary and to
8 execute the national defense strategy of the United States.

9 (c) ASSESSMENT REQUIRED.—The Secretary of the
10 Army shall—

11 (1) conduct an assessment of cold weather
12 training requirements in light of increased oper-
13 ations and vulnerability to great power competition
14 in the Arctic; and

15 (2) develop a plan to increase and expand cold
16 weather training opportunities.

17 (d) ELEMENTS.—In conducting the assessment and
18 developing the plan as required under subsection (c), the
19 Secretary shall—

20 (1) assess all existing cold weather training re-
21 quirements to include requirements for extreme cold,
22 or Arctic conditions;

23 (2) identify capability gaps in confronting ad-
24 versaries in the Arctic that can be addressed by in-
25 creased and improved training;

1 (3) make recommendations for strengthening
2 and improving those training requirements and miti-
3 gation measures needed to address the capabilities
4 gaps necessary to confront adversaries;

5 (4) assess existing cold weather training sites;

6 (5) consider steps necessary to increase student
7 capacity at such sites;

8 (6) consider manpower and supply require-
9 ments, including cadre needed to support increased
10 student capacity; and

11 (7) address any other matters the Secretary of
12 the Army considers relevant.

13 (e) SUBMITTAL TO CONGRESS.—Not later than 180
14 days after the date of the enactment of this Act, the Sec-
15 retary of the Army shall submit to the Committees on
16 Armed Services of the Senate and the House of Represent-
17 atives the plan required by subsection (c).

18 **SEC. 1080E. COMPTROLLER GENERAL REVIEW OF DEPART-**
19 **MENT OF DEFENSE SUPPORT FOR THE DE-**
20 **PARTMENT OF HOMELAND SECURITY OPER-**
21 **ATIONS ON THE SOUTHWEST BORDER OF**
22 **THE UNITED STATES.**

23 (a) REVIEW REQUIRED.—The Comptroller General
24 of the United States shall conduct a review of ongoing and
25 planned future Department of Defense support for De-

1 partment of Homeland Security operations to secure the
2 southwest border of the United States.

3 (b) REPORT AND BRIEFING.—

4 (1) BRIEFING.—Not later than 180 days after
5 beginning to conduct the review required under sub-
6 section (a), the Comptroller General shall provide to
7 the Committees on Armed Services and Homeland
8 Security and Governmental Affairs of the Senate
9 and the Committees on Armed Services and Home-
10 land Security of the House of Representatives a
11 briefing on the review.

12 (2) REPORT.—Subsequent to providing the
13 briefing under paragraph (1), the Comptroller Gen-
14 eral shall submit to the Committees on Armed Serv-
15 ices and Homeland Security and Governmental Af-
16 fairs of the Senate and the Committees on Armed
17 Services and Homeland Security of the House of
18 Representatives a report on the review.

19 **Subtitle H—Other Matters**

20 **SEC. 1081. TECHNICAL, CONFORMING, AND CLERICAL**
21 **AMENDMENTS.**

22 (a) TITLE 10, UNITED STATES CODE.—Title 10,
23 United States Code, is amended as follows:

24 (1) The table of chapters at the beginning of
25 subtitle A, and at the beginning of part I of such

1 subtitle, are each amended by striking the item re-
 2 lating to chapter 9A and inserting the following:

“9A. Audit 240a”.

3 (2) The table of chapters at the beginning of
 4 subtitle A, and at the beginning of part I of such
 5 subtitle, are each amended by striking the item re-
 6 lating to chapter 112 and inserting the following:

“112. Cyber Scholarship Program 2200”.

7 (3) Section 113(j)(1) is amended by inserting
 8 “the” before “congressional defense committees”.

9 (4) Section 119a is amended in each of the sub-
 10 section headings for subsections (a) and (b) by strik-
 11 ing “AACMS” and inserting “ACCMS”.

12 (5) Section 127(c)(1) is amended by inserting
 13 “the” before “congressional defense committees”.

14 (6) Section 130i is amended—

15 (A) in subsection (i)(1), by inserting “(C)”
 16 after “(j)(3)”; and

17 (B) in subsection (j)(6), by striking
 18 “40101” and inserting “44802”.

19 (7) Section 131(b)(8) is amended by redesign-
 20 ating subparagraph (I) as subparagraph (F).

21 (8) Section 132 is amended by redesignating
 22 subsection (e) as subsection (d).

1 (9) The item relating to section 169 in the table
2 of sections at the beginning of chapter 6 is amended
3 by inserting a period after “Command”.

4 (10) The item relating to section 183a in the
5 table of sections at the beginning of chapter 7 is
6 amended to read as follows:

“183a. Military Aviation and Installation Assurance Clearinghouse for review of
mission obstructions.”.

7 (11) Section 222a(d)(3)(A) is amended by in-
8 serting “had” before “been”.

9 (12) Section 222b(a) is amended by striking
10 “United States Code,”.

11 (13) Section 284 is amended—

12 (A) by striking “section 376” both places
13 it appears and inserting “section 276”;

14 (B) in subsection (f), by inserting “)” after
15 “Stat. 1564”;

16 (C) in subsection (g)(2), by striking “sec-
17 tion 375” and inserting “section 275”; and

18 (D) in subsection (h)(1)(A)(vi)(VI) by
19 striking “section 1004 of the National Defense
20 Authorization Act for Fiscal Year 1991 (10
21 U.S.C. 374 note) and”.

22 (14) Section 240b(b)(1)(B)(i) is amended by
23 striking “section 253a” and inserting “section
24 240c”.

1 (15) The table of sections at the beginning of
2 subchapter V of chapter 16 is amended by striking
3 “Sec.” after the item relating to section 350.

4 (16) Section 341(e)(2)(A) is amended by add-
5 ing a period at the end.

6 (17) Section 526(k) is amended by inserting
7 “the” before “number of general officers”.

8 (18) Section 649j is amended by striking “(a)
9 IN GENERAL.—The” and inserting “The”.

10 (19) Section 651(a) is amended by inserting
11 “shall serve” after “(50 U.S.C. 3806(d)(1))”.

12 (20) The heading of section 928b (article 128b
13 of the Uniform Code of Military Justice) is amended
14 to read as follows:

15 **“§ 928b. Art. 128b. Domestic violence”.**

16 (21) Section 1034(b)(1)(B)(ii) is amended by
17 striking “subsection (i)” and inserting “subsection
18 (j)”;

19 (22) Section 1073c(a) is amended by redesign-
20 ating the second paragraph (4) as paragraph (6).

21 (23) Section 1074g(b) is amended by striking
22 “under subsection (h)” and inserting “under sub-
23 section (i)”.

1 (24) Section 1075(d)(1) is amended in the table
2 by striking “25% of out of network” and inserting
3 “25% out of network”.

4 (25) Section 1076d(d)(1) is amended by strik-
5 ing “section 1075 of this section” and inserting
6 “section 1075 of this title”.

7 (26) Section 1076e(d)(1) is amended by strik-
8 ing “section 1075 of this section” and inserting
9 “section 1075 of this title”.

10 (27) Section 1142(c)(3) is amended by striking
11 “paragraph (2)(B)” and inserting “paragraph
12 (2)(C)”.

13 (28) Section 1762(c) is amended by striking “in
14 at any one time” and inserting “at any one time in”.

15 (29) Section 1788a is amended in subsection
16 (d)(1) by striking “Not later than March 1, 2019,
17 and each March 1 thereafter” and inserting “Not
18 later than March 1 each year”.

19 (30) Section 2208(u) is amended by inserting
20 “of this title” after “2805” each place it appears.

21 (31) Section 2216(b)(1) is amended by striking
22 “subsection (c)(1)(B)(iii)” and inserting “subsection
23 (c)(1)(B)(ii)”.

1 (32) Section 2222(i)(11) is amended by striking
2 “subsection (a)(6)(A)” and inserting “subsection
3 (e)(6)(A)”.

4 (33) Section 2228(a)(2) is amended by striking
5 the second period at the end.

6 (34) The item relating to section 2229b in the
7 table of sections at the beginning of chapter 131 is
8 amended to read as follows:

“2229b. Comptroller General assessment of acquisition programs and initia-
tives.”.

9 (35) Section 2273(b)(1) is amended by insert-
10 ing a semicolon at the end.

11 (36) The heading for section 2279d is amended
12 by striking the period at the end.

13 (37) The heading of section 2284, as added by
14 section 311(a) of the John S. McCain National De-
15 fense Authorization Act for Fiscal Year 2019 (Pub-
16 lic Law 115–232; 132 Stat. 1708), is amended to
17 read as follows:

18 **“§ 2284. Explosive ordnance disposal defense pro-**
19 **gram”.**

20 (38) Section 2304(f)(1)(B) is amended—

21 (A) in clause (ii), by striking “paragraph
22 (6)(A)” and inserting “paragraph (5)(A)”; and

23 (B) in clause (iii), by striking “paragraph
24 (6)(B)” and inserting “paragraph (5)(B)”.

1 (39) Section 2305a(d)(1) is amended by strik-
2 ing “a indefinite” and inserting “an indefinite”.

3 (40)(A) Section 2304e is amended by striking
4 the last four words of the section heading.

5 (B) Section 2323a is amended—

6 (i) in the section heading, by striking the
7 last six words; and

8 (ii) in subsection (e)—

9 (I) in paragraph (1), by striking “102
10 Stat. 2468;”;

11 (II) in paragraph (2), by striking
12 “(25 U.S.C. 450b(d))” and inserting “(25
13 U.S.C. 5304(d))”; and

14 (III) in paragraph (3), by striking
15 “(25 U.S.C. 450b(e))” and inserting “(25
16 U.S.C. 5304(e))”.

17 (C) The table of sections at the beginning of
18 chapter 137 is amended by striking the last four
19 words of the item relating to section 2304e and the
20 last six words of the item relating to section 2323a.

21 (41) Section 2307(a) is amended by striking
22 “may” and inserting “may—”.

23 (42) Section 2313b(d) is amended by striking
24 “an task order” both places it appears and inserting
25 “a task order”.

1 (43) Section 2329(g)(1) is amended by striking
2 “‘bridge contact’” and inserting “‘bridge con-
3 tract’”.

4 (44) Section 2339a(e)(5) is amended by strik-
5 ing “section 3542(b)” and inserting “section
6 3552(b)(6)”.

7 (45) Section 2366a(c)(1)(F) is amended by
8 striking “section 2366a(b)(6) of this title” and in-
9 serting “subsection (b)(6)”.

10 (46) Section 2371b(d)(1)(C) is amended by
11 striking “other than” after “sources”.

12 (47) Section 2380B is amended—

13 (A) by inserting “section” before “2376(1)
14 of this title”; and

15 (B) by striking “purposed of” and insert-
16 ing “purposes of”.

17 (48) Section 2401(e)(2) is amended by striking
18 “subsection (f)” and inserting “subsection (g)”.

19 (49) Section 2417(a)(2) is amended by striking
20 “of eligible entities” and all that follows through
21 “for meetings” and inserting the following: “of eligi-
22 ble entities—

23 “(A) for meetings”.

1 (50) The item relating to section 2439 in the
 2 table of sections at the beginning of chapter 144 is
 3 amended to read as follows:

“2439. Negotiation of price for technical data before development, production,
 or sustainment of major weapon systems.”.

4 (51) The item relating to subchapter II in the
 5 table of subchapters for chapter 144B is amended to
 6 read as follows:

**“II. Development, Prototyping, and Deployment of
 Weapon System Components or Tech-
 nology2447a”.**

7 (52) Section 2447a(a) is amended by striking
 8 “after fiscal year 2017”.

9 (53) Section 2547(b)(2) is amended—

10 (A) by striking “material” and inserting
 11 “materiel”; and

12 (B) by striking “Material” both places it
 13 appears and inserting “Materiel”.

14 (54) Section 2802(e)(1) is amended by striking
 15 “shall comply with” and inserting “shall—

16 “(A) comply with”.

17 (55) Section 2804(b) is amended—

18 (A) in the second sentence—

19 (i) by striking “(1)” and “(2)”; and

20 (ii) by striking “project and” and in-
 21 serting “project,”; and

1 (B) in the third sentence, by striking “;
2 and”.

3 (56) Section 2805(d)(1)(B) is amended by in-
4 serting “under” after “made available”.

5 (57) Section 2835a(c) is amended by striking
6 “(1) The Secretary” and inserting “The Secretary”.

7 (58) Section 2879(a)(2)(A) is amended by
8 striking the comma after “2017”.

9 (59) Section 2913(c) is amended by striking
10 “government a gas or electric utility” and inserting
11 “government gas or electric utility”.

12 (60) The item relating to section 2914 in the
13 table of sections at the beginning of chapter 173 is
14 amended to read as follows:

“2914. Energy resilience and conservation construction projects.”.

15 (61)(A) The heading of section 8749, as
16 amended by section 1114(b)(2) and redesignated by
17 section 807(d)(6) of the John S. McCain National
18 Defense Authorization Act for Fiscal Year 2019
19 (Public Law 115–232), is amended by capitalizing
20 the initial letter of the fifth, sixth, and seventh
21 words and the initial letter of the last two words.

22 (B) The heading of section 8749a, as added by
23 section 1114(a) and redesignated by section 8(d)(6)
24 of the John S. McCain National Defense Authoriza-
25 tion Act for Fiscal Year 2019 (Public Law 115–

1 232), is amended by capitalizing the initial letter of
2 the fifth, sixth, and seventh words.

3 (62) Section 9069(a) is amended by striking
4 “are” and inserting “is”.

5 (63) Section 10217(e)(4) is amended by strik-
6 ing “shall an individual” and inserting “shall be an
7 individual”.

8 (64) The item relating to section 2568a in the
9 table of sections at the beginning of chapter 152 is
10 amended to read as follows:

“2568a. Damaged personal protective equipment: award to members separating
from the armed forces and veterans.”.

11 (b) NDAA FOR FISCAL YEAR 2019.—Effective as of
12 August 13, 2018, and as if included therein as enacted,
13 the John S. McCain National Defense Authorization Act
14 for Fiscal Year 2019 (Public Law 115–232) is amended
15 as follows:

16 (1) Section 331(g)(2) (132 Stat. 1724) is
17 amended by inserting “of such title” after “chapter
18 2”.

19 (2) Section 844(b) (132 Stat. 1881) is amended
20 by striking “This section and the amendments made
21 by this section” and inserting “The amendment
22 made by subsection (a)”.

23 (3) Section 1246(1)(B) (132 Stat. 2049) is
24 amended by adding at the end before the semicolon

1 the following: “and transferring it to appear after
2 paragraph (15)”.

3 (4) Section 2805(c) (132 Stat. 2262; 10 U.S.C.
4 2864 note) is amended by striking “United Facilities
5 Criteria” and inserting “Unified Facilities Criteria”.

6 (c) NDAA FOR FISCAL YEAR 2018.—Effective as of
7 December 12, 2017, and as if included therein as enacted,
8 section 1609(b)(3) of the National Defense Authorization
9 Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat.
10 1728; 10 U.S.C. 2273 note) is amended by striking “,
11 and,” and inserting “, and”.

12 (d) NDAA FOR FISCAL YEAR 2012.—Effective as of
13 December 31, 2011, and as if included therein as enacted,
14 section 315 of the National Defense Authorization Act for
15 Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1358;
16 10 U.S.C. 2911 note) is amended by redesignating sub-
17 sections (d), (e), and (f) as subsections (c), (d), and (e),
18 respectively.

19 (e) COORDINATION WITH OTHER AMENDMENTS
20 MADE BY THIS ACT.—For purposes of applying amend-
21 ments made by provisions of this Act other than this sec-
22 tion, the amendments made by this section shall be treated
23 as having been enacted immediately before any such
24 amendments by other provisions of this Act.

1 **SEC. 1082. SUBMISSION TO CONGRESS OF DEPARTMENT OF**
2 **DEFENSE EXECUTE ORDERS.**

3 (a) IN GENERAL.—Chapter 2 of title 10, United
4 States Code, is amended by adding at the end the fol-
5 lowing new section:

6 **“§ 119b. Execute orders: congressional oversight**

7 “Not later than 30 days after the date on which the
8 Secretary of Defense or the commander of a combatant
9 command issues an execute order, the Secretary of De-
10 fense shall provide to the chairman and ranking member
11 of each of the congressional defense committees, and their
12 designated staff with the appropriate security clearance,
13 a copy of the execute order.”.

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

“119b. Execute orders: congressional oversight.”.

17 (c) PREVIOUSLY ISSUED EXECUTE ORDERS.—Not
18 later than 30 days after the date of the enactment of this
19 Act, the Secretary of Defense shall submit to the chairman
20 and ranking member of each of the congressional defense
21 committees, and their designated staff with the appro-
22 priate security clearance, copies of each execute order
23 issued by the Secretary or by a commander of a combatant
24 command before the date of the enactment of this Act.

1 **SEC. 1083. EXTENSION OF NATIONAL SECURITY COMMIS-**
2 **SION ON ARTIFICIAL INTELLIGENCE.**

3 Section 1051 of the John S. McCain National De-
4 fense Authorization Act for Fiscal Year 2019 (Public Law
5 115–232) is amended—

6 (1) in subsection (c)(1), by striking “180 days”
7 and inserting “360 days”; and

8 (2) in subsection (e), by striking “October 1,
9 2020” and inserting “March 1, 2021”.

10 **SEC. 1084. NATIONAL COMMISSION ON MILITARY AVIATION**
11 **SAFETY.**

12 (a) EXTENSION OF DEADLINE FOR REPORT.—Sub-
13 section (h)(2) of section 1087 of the John S. McCain Na-
14 tional Defense Authorization Act for Fiscal Year 2019
15 (Public Law 115–232) is amended by striking “March 1,
16 2020” and inserting “December 1, 2020”.

17 (b) SECRETARY OF DEFENSE REPORT.—Such sec-
18 tion is further amended by adding at the end the following
19 new subsection:

20 “(l) REPORT TO CONGRESS.—Not later than 120
21 days after the date of the submittal of the report under
22 subsection (h)(2), the Secretary of Defense, in coordina-
23 tion with the Secretary of each of the military depart-
24 ments, shall submit to the Committees on Armed Services
25 of the Senate and House of Representatives a report that
26 includes each of the following:

5 “(3) Any other actions taken or planned by the
6 Secretary of Defense or the Secretary of any of the
7 military departments to improve military aviation
8 safety.”.

(c) AUTHORIZATION OF APPROPRIATIONS.—In addition to any other amounts authorized to be appropriated for the National Commission on Military Aviation Safety established under section 1087 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232), of the amounts authorized to be appropriated for Operation and Maintenance, Defense-wide for fiscal year 2020, as specified in the funding table in section 4301, \$3,000,000 shall be available for the National Commission on Aviation Safety.

19 SEC. 1085. EXTENSION OF POSTAGE STAMP FOR BREAST
20 CANCER RESEARCH.

21 Section 414(h) of title 39, United States Code, is
22 amended by striking “2019” and inserting “2027”.

1 **SEC. 1086. PROCESSES AND PROCEDURES FOR NOTIFICA-**
2 **TIONS REGARDING SPECIAL OPERATIONS**
3 **FORCES.**

4 (a) IN GENERAL.—Not later than 180 days after en-
5 actment of this Act, the Secretary of Defense shall estab-
6 lish and submit to the congressional defense committees
7 processes and procedures for providing notifications to the
8 committees regarding members of special operations
9 forces, as identified in section 167(j) of title 10, United
10 States Code.

11 (b) PROCESSES AND PROCEDURES.—The processes
12 and procedures established under subsection (a) shall—

13 (1) clarify the roles and responsibilities of the
14 Secretaries of the military departments, the Assist-
15 ant Secretary of Defense for Special Operations and
16 Low Intensity Conflict, and the Commander of
17 United States Special Operations Command;

18 (2) provide guidance relating to the types of
19 matters that would warrant congressional notifica-
20 tion, including awards, reprimands, incidents, and
21 any other matters the Secretary determines nec-
22 essary;

23 (3) be consistent with the national security of
24 the United States;

25 (4) be designed to protect sensitive information
26 during an ongoing investigation;

1 (5) account for the privacy of members of the
2 Armed Forces; and

3 (6) take in to account existing processes and
4 procedures for notifications to the congressional de-
5 fense committees regarding members of the conven-
6 tional Armed Forces.

7 **SEC. 1087. ASSESSMENT OF STANDARDS, PROCESSES, PRO-**
8 **CEDURES, AND POLICY RELATING TO CIVIL-**
9 **IAN CASUALTIES.**

10 (a) **ASSESSMENT REQUIRED.**—The Secretary of De-
11 fense shall enter into an agreement with a federally funded
12 research and development center for the conduct of an
13 independent assessment of the sufficiency of Department
14 of Defense standards, processes, procedures, and policy re-
15 lating to civilian casualties resulting from United States
16 military operations.

17 (b) **MATTERS TO BE CONSIDERED.**—In conducting
18 the assessment under this section, the federally funded re-
19 search and development center shall consider the following
20 matters:

21 (1) Department of Defense policy relating to ci-
22 vilian casualties resulting from United States mili-
23 tary operations.

24 (2) Standards, processes, and procedures for in-
25 ternal assessments and investigations of civilian cas-

1 ualties resulting from United States military oper-
2 ations.

3 (3) Standards, processes, and procedures for
4 identifying, assessing, investigating, and responding
5 to reports of civilian casualties resulting from United
6 States military operations from the public and non-
7 governmental entities and sources, including the con-
8 sideration of relevant information from all available
9 sources.

10 (4) Combatant command organizational con-
11 structs for assessing and investigating civilian cas-
12 ualties resulting from United States military oper-
13 ations.

14 (5) Mechanisms for public and non-govern-
15 mental entities to report civilian casualties that have
16 resulted from United States military operations to
17 the Department of Defense.

18 (6) Enterprise-wide mechanisms for accurately
19 recording kinetic strikes, including raids, strikes,
20 and other missions, and civilian casualties resulting
21 from United States military operations.

22 (7) An analysis of reasons for any disparity be-
23 tween third party public estimates and official
24 United States Government estimates of civilian cas-
25 ualties resulting from United States or joint oper-

1 ations, including with respect to each specific mis-
2 sion, strike, engagement, raid, or incident.

3 (8) A comparison of a representative sample of
4 pre-strike collateral damage estimates and confirmed
5 civilian casualty incidents for the purposes of devel-
6 oping possible explanations for any gaps between the
7 two and assessing how to reduce such gaps.

8 (9) Standards, processes, procedures, and policy
9 for reducing the likelihood of civilian casualties from
10 United States military operations.

11 (10) The institutionalization of lessons learned
12 and best practices for reducing the likelihood of ci-
13 vilian casualties and relating to civilian casualties re-
14 sulting from United States military operations, in-
15 cluding an analysis of the principal and secondary
16 causes of civilian casualties in a suitably representa-
17 tive sample of air operations that includes both
18 planned and dynamic strikes.

19 (11) Any other matters the Secretary of De-
20 fense determines appropriate.

21 (c) ASSESSMENT RESULTS.—The results of the as-
22 sessment under this section shall—

23 (1) present considerations for improving stand-
24 ards, processes, procedures, policy, and organiza-

1 tional constructs relating to civilian casualties result-
2 ing from military operations;

3 (2) provide for the presentation of Department
4 of Defense views on the assessment; and

5 (3) provide for the presentation of the views of
6 non-governmental organizations on the assessment.

7 (d) REPORT TO CONGRESS.—

8 (1) IN GENERAL.—Not later than March 1,
9 2020, the Secretary of Defense shall submit to the
10 congressional defense committees and the Committee
11 on Foreign Relations of the Senate and the Com-
12 mittee on Foreign Affairs of the House of Rep-
13 resentatives a report containing the results of the
14 assessment conducted under this section.

15 (2) FORM OF REPORT.—The report under para-
16 graph (1) shall be submitted in unclassified form,
17 but may contain a classified annex.

18 (3) PUBLIC AVAILABILITY.—The Secretary
19 shall make the report under paragraph (1) publicly
20 available.

21 **SEC. 1088. DISPOSAL OF IPV4 ADDRESSES.**

22 (a) DISPOSAL REQUIRED.—

23 (1) IN GENERAL.—Not later than 10 years
24 after the date of the enactment of this Act, the Sec-
25 retary of Defense shall sell all of the IPv4 addresses

1 described in subsection (b) at fair market value. The
2 net proceeds collected from a sale under this section
3 shall be deposited in the General Fund of the Treas-
4 ury.

5 (2) DEADLINES FOR CERTAIN BLOCKS.—Of the
6 IPv4 addresses described in subsection (b), the Sec-
7 retary of Defense shall sell in accordance with para-
8 graph (1)—

9 (A) one block referred to in such sub-
10 section, or an equivalent number of IPv4 ad-
11 dresses, by not later than two years after the
12 date of the enactment of this Act; and

13 (B) one additional such block, or an equiv-
14 alent number of IPv4 addresses, by not later
15 than three years after the date of the enact-
16 ment of this Act.

17 (b) IPV4 ADDRESSES.—The IPv4 addresses de-
18 scribed in this subsection are all IPv4 addresses assigned
19 to any agency or entity of the Department of Defense,
20 including all addresses contained in blocks 6.0.0.0/8,
21 7.0.0.0/8, 11.0.0.0/8, 21.0.0.0/8, 22.0.0.0/8, 26.0.0.0/8,
22 28.0.0.0/8, 29.0.0.0/8, 30.0.0.0/8, 33.0.0.0/8, 55.0.0.0/8,
23 214.0.0.0/8, and 215.0.0.0/8.

24 (c) REPORT TO CONGRESS.—

1 (1) IN GENERAL.—Not later than 180 days
2 after the date of the enactment of this Act, the Sec-
3 retary shall submit to the congressional defense com-
4 mittees a report that includes each of the following:

5 (A) A description of the measures taken by
6 the Secretary regarding the disposal of the
7 IPv4 addresses described in subsection (b).

8 (B) An accounting of the total IPv4 ad-
9 dress holdings of the Department of Defense,
10 as of the date of the submittal of the report.

11 (C) A description of any legacy systems of
12 the Department that are dependent on the IPv4
13 addresses described in subsection (b).

14 (D) The plan of the Secretary to transition
15 all Department addresses to IPv6.

16 (E) Such other information as the Sec-
17 retary determines appropriate.

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

21 (d) LIMITATION ON USE OF FUNDS.—Of the funds
22 authorized to be appropriated by this Act or otherwise
23 made available for fiscal year 2020 for Operation and
24 Maintenance, Defense-wide, Office of the Secretary of De-
25 fense, for Travel of Persons (OP 32 Line 308), not more

1 than 70 percent may be obligated or expended until the
2 date on which the Secretary of Defense submits to the
3 Committees on Armed Services of the Senate and the
4 House of Representatives the report required under sub-
5 section (c).

6 **SEC. 1089. SECURING AMERICAN SCIENCE AND TECH-**
7 **NOLOGY.**

8 (a) INTERAGENCY WORKING GROUP.—

9 (1) IN GENERAL.—The Director of the Office of
10 Science and Technology Policy, acting through the
11 National Science and Technology Council, in con-
12 sultation with the National Security Advisor, shall
13 establish an interagency working group to coordinate
14 activities to protect federally funded research and
15 development from foreign interference, cyberattacks,
16 theft, or espionage and to develop common defini-
17 tions and best practices for Federal science agencies
18 and grantees, while accounting for the importance of
19 the open exchange of ideas and international talent
20 required for scientific progress and American leader-
21 ship in science and technology.

22 (2) MEMBERSHIP.—

23 (A) IN GENERAL.—The working group
24 shall include a representative of—

25 (i) the National Science Foundation;

- 1 (ii) the Department of Energy;
- 2 (iii) the National Aeronautics and
- 3 Space Administration;
- 4 (iv) the National Institute of Stand-
- 5 ards and Technology;
- 6 (v) the Department of Commerce;
- 7 (vi) the National Institutes of Health;
- 8 (vii) the Department of Defense;
- 9 (viii) the Department of Agriculture;
- 10 (ix) the Department of Education;
- 11 (x) the Department of State;
- 12 (xi) the Department of the Treasury;
- 13 (xii) the Department of Justice;
- 14 (xiii) the Department of Homeland
- 15 Security;
- 16 (xiv) the Central Intelligence Agency;
- 17 (xv) the Federal Bureau of Investiga-
- 18 tion;
- 19 (xvi) the Office of the Director of Na-
- 20 tional Intelligence;
- 21 (xvii) the Office of Management and
- 22 Budget;
- 23 (xviii) the National Economic Council;
- 24 and

1 (xix) such other Federal department
2 or agency as the President considers ap-
3 propriate.

4 (B) CHAIR.—The working group shall be
5 chaired by the Director of the Office of Science
6 and Technology Policy (or the Director’s des-
7 ignee).

8 (3) RESPONSIBILITIES OF THE WORKING
9 GROUP.—The working group established under para-
10 graph (1) shall—

11 (A) identify known and potential cyber,
12 physical, and human intelligence threats and
13 vulnerabilities within the United States sci-
14 entific and technological enterprise;

15 (B) coordinate efforts among agencies to
16 share and update important information, in-
17 cluding specific examples of foreign inter-
18 ference, cyberattacks, theft, or espionage di-
19 rected at federally funded research and develop-
20 ment or the integrity of the United States sci-
21 entific enterprise;

22 (C) identify and assess existing mecha-
23 nisms for protection of federally funded re-
24 search and development;

25 (D) develop an inventory of—

1 (i) terms and definitions used across
2 Federal science agencies to delineate areas
3 that may require additional protection; and

4 (ii) policies and procedures at Federal
5 science agencies regarding protection of
6 federally funded research; and

7 (E) develop and periodically update unclas-
8 sified policy guidance to assist Federal science
9 agencies and grantees in defending against
10 threats to federally funded research and devel-
11 opment and the integrity of the United States
12 scientific enterprise that—

13 (i) includes—

14 (I) descriptions of known and po-
15 tential threats to federally funded re-
16 search and development and the integ-
17 rity of the United States scientific en-
18 terprise;

19 (II) common definitions and ter-
20 minology for categorization of re-
21 search and technologies that are pro-
22 tected;

23 (III) identified areas of research
24 or technology that might require addi-
25 tional protection;

1 (IV) recommendations for how
2 control mechanisms can be utilized to
3 protect federally funded research and
4 development from foreign interference,
5 cyberattacks, theft or espionage, in-
6 cluding any recommendations for up-
7 dates to existing control mechanisms;

8 (V) recommendations for best
9 practices for Federal science agencies,
10 universities, and grantees to defend
11 against threats to federally funded re-
12 search and development, including co-
13 ordination and harmonization of any
14 relevant reporting requirements that
15 Federal science agencies implement
16 for grantees, and by providing such
17 best practices with grantees and uni-
18 versities at the time of awarding such
19 grants or entering into research con-
20 tracts;

21 (VI) a remediation plan for
22 grantees and universities to mitigate
23 the risks regarding such threats be-
24 fore research grants or contracts are
25 cancelled because of such threats;

1 (VII) assessments of potential
2 consequences that any proposed prac-
3 tices would have on international col-
4 laboration and United States leader-
5 ship in science and technology; and

6 (VIII) a classified addendum as
7 necessary to further inform Federal
8 science agency decisionmaking; and

9 (ii) accounts for the range of needs
10 across different sectors of the United
11 States science and technology enterprise.

12 (4) COORDINATION WITH NATIONAL ACADEMIES
13 ROUNDTABLE.—The Director of the Office of
14 Science and Technology Policy shall coordinate with
15 the Academies to ensure that at least one member
16 of the interagency working group is also a member
17 of the roundtable under subsection (b).

18 (5) INTERIM REPORT.—Not later than six
19 months after the date of enactment of this Act, the
20 Director of the Office of Science and Technology
21 Policy shall provide a report to the relevant commit-
22 tees that includes the inventory required under para-
23 graph (3)(D), and an update on progress toward de-
24 veloping the policy guidance required under para-

graph (3)(E), as well as any additional activities undertaken by the working group in that time.

(6) BIENNIAL REPORTING.—Two years after the date of enactment of this Act, and at least every two years thereafter, the Director of the Office of Science and Technology Policy shall provide a summary report to the relevant committees on the activities of the working group and the most current version of the policy guidance required under paragraph (3)(E).

(b) NATIONAL ACADEMIES SCIENCE, TECHNOLOGY AND SECURITY ROUNDTABLE.—

(1) IN GENERAL.—The National Science Foundation, the Department of Energy, and the Department of Defense, and any other agencies as determined by the Director of the Office of Science and Technology Policy, shall enter into a joint agreement with the Academies to create a new “National Science, Technology, and Security Roundtable” (hereinafter in this subsection referred to as the “roundtable”).

(2) PARTICIPANTS.—The roundtable shall include senior representatives and practitioners from Federal science, intelligence, and national security agencies, law enforcement, as well as key stake-

1 holders in the United States scientific enterprise in-
2 cluding institutions of higher education, Federal re-
3 search laboratories, industry, and non-profit re-
4 search organizations.

5 (3) PURPOSE.—The purpose of the roundtable
6 is to facilitate among participants—

7 (A) exploration of critical issues related to
8 protecting United States national and economic
9 security while ensuring the open exchange of
10 ideas and international talent required for sci-
11 entific progress and American leadership in
12 science and technology;

13 (B) identification and consideration of se-
14 curity threats and risks involving federally
15 funded research and development, including for-
16 eign interference, cyberattacks, theft, or espio-
17 nage;

18 (C) identification of effective approaches
19 for communicating the threats and risks identi-
20 fied in subparagraph (b) to the academic and
21 scientific community, including through the
22 sharing of unclassified data and relevant case
23 studies;

1 (D) sharing of best practices for address-
2 ing and mitigating the threats and risks identi-
3 fied in subparagraph (B); and

4 (E) examination of potential near- and
5 long-term responses by the government and the
6 academic and scientific community to mitigate
7 and address the risks associated with foreign
8 threats.

9 (4) REPORT AND BRIEFING.—The joint agree-
10 ment under paragraph (1) shall specify that—

11 (A) the roundtable shall periodically orga-
12 nize workshops and issue publicly available re-
13 ports on the topics described in paragraph (3)
14 and the activities of the roundtable; and

15 (B) not later than March 1, 2020, the
16 Academies shall provide a briefing to relevant
17 committees on the progress and activities of the
18 roundtable.

19 (5) AUTHORIZATION OF APPROPRIATIONS.—
20 There is authorized to be appropriated \$5,000,000
21 to the Secretary of Defense for fiscal years 2020 to
22 2024 to carry out this subsection.

23 (c) DEFINITIONS.—In this section:

24 (1) The term “Academies” means the National
25 Academies of Science, Engineering and Medicine.

1 (2) The term “Federal science agency” means
2 any Federal agency with at least \$100,000,000 in
3 basic and applied research obligations in fiscal year
4 2018.

5 (3) The term “grantee” means an entity that
6 is—

7 (A) a recipient or subrecipient of a Federal
8 grant or cooperative agreement; and

9 (B) an institution of higher education or a
10 non-profit organization.

11 (4) The term “relevant committees” means—

12 (A) the Committee on Science, Space, and
13 Technology of the House of Representatives;

14 (B) the Committee on Commerce, Science,
15 and Transportation of the Senate;

16 (C) the Committee on Armed Services of
17 the House of Representatives; and

18 (D) the Committee on Armed Services of
19 the Senate.

20 **SEC. 1090. STANDARDIZED POLICY GUIDANCE FOR CALCU-**
21 **LATING AIRCRAFT OPERATION AND**
22 **SUSTAINMENT COSTS.**

23 Not later than 270 days after the date of the enact-
24 ment of this Act, the Under Secretary of Defense for Ac-
25 quisition and Sustainment, in coordination with the Direc-

1 tor of Cost Analysis and Program Evaluation and in con-
2 sultation with the Secretary of each of the military serv-
3 ices, shall develop and implement standardized policy
4 guidance for calculating aircraft operation and
5 sustainment costs for the Department of Defense. Such
6 guidance shall provide for a standardized calculation of—

- 7 (1) aircraft cost per flying hour;
8 (2) aircraft cost per aircraft tail per year; and
9 (3) total cost of ownership per flying hour for
10 aircraft systems.

11 **SEC. 1091. SPECIAL FEDERAL AVIATION REGULATION**
12 **WORKING GROUP.**

13 (a) IN GENERAL.—Not later than 90 days after the
14 date of the enactment of this Act, the Secretary of De-
15 fense, the Secretary of Transportation, and the Secretary
16 of State, shall jointly establish a Special Federal Aviation
17 Regulation (in this section referred to as the “SFAR”)
18 interagency working group to review the current options
19 for the Department of Defense to use contracted United
20 States civil aviation to provide support for Department of
21 Defense missions in areas where a Federal Aviation Ad-
22 ministration SFAR is in effect.

23 (b) DUTIES.—The working group shall—

- 24 (1) analyze all options currently available for
25 the Department of Defense to use contracted United

1 States civil aviation to provide support for Depart-
2 ment of Defense missions in areas where a Federal
3 Aviation Administration SFAR is in effect;

4 (2) review existing processes of the Department
5 of Defense, the Federal Aviation Administration,
6 and the Department of State, with respect to the
7 Department of Defense's use of contracted United
8 States civil aviation in areas where a Federal Avia-
9 tion Administration SFAR is in effect;

10 (3) identify any issues, inefficiencies, or con-
11 cerns with the existing options and processes, includ-
12 ing safety of flight, legal considerations, mission de-
13 livery, and security considerations; and

14 (4) develop recommendations, if any, to improve
15 existing processes or expand the options available for
16 the Department of Defense to use contracted United
17 States civil aviation to provide support to Depart-
18 ment of Defense missions in areas where a Federal
19 Aviation Administration SFAR is in effect.

20 (c) MEMBERS.—

21 (1) APPOINTMENT.—The Secretary of Defense,
22 the Secretary of Transportation, and the Secretary
23 of State shall each appoint not more than 5 mem-
24 bers to the working group with expertise in civil
25 aviation safety, state aircraft operations, the provi-

1 sion of contracted aviation support to the Depart-
2 ment of Defense, and the coordination of such ef-
3 forts between the Department of Defense, the De-
4 partment of State, and the Federal Aviation Admin-
5 istration. The 5 members appointed by the Secretary
6 of Transportation shall include at least 3 members
7 from the Federal Aviation Administration.

8 (2) QUALIFICATIONS.—All working group mem-
9 bers shall be full-time employees of the Federal Gov-
10 ernment with appropriate security clearances to
11 allow discussion of all classified information and ma-
12 terials necessary to fulfill the working group’s duties
13 pursuant to subsection (b).

14 (d) REPORT.—Not later than 1 year after the date
15 it is established, the working group shall submit a report
16 on its findings and any recommendations developed pursu-
17 ant to subsection (b) to the congressional defense commit-
18 tees, the Committee on Commerce, Science, and Transpor-
19 tation of the Senate, and the Committee on Transpor-
20 tation and Infrastructure of the House of Representatives.

21 (e) TERMINATION.—The working group shall termi-
22 nate 90 days after the date the report is submitted under
23 subsection (d).

24 (f) DEFINITIONS.—In this section the following defi-
25 nitions apply:

1 (1) The term “United States civil aviation”
2 means—

3 (A) United States air carriers and United
4 States commercial operators;

5 (B) persons exercising the privileges of an
6 airman certificate issued by the FAA, except
7 such persons operating United States-registered
8 aircraft for a foreign air carrier; and

9 (C) operators of civil aircraft registered in
10 the United States, except where the operator of
11 such aircraft is a foreign air carrier.

12 (2) The term “Federal Aviation Administration
13 SFAR” means the Special Federal Aviation Regula-
14 tion included under subpart M of part 91 of title 14,
15 Code of Federal Regulations.

16 **SEC. 1092. PROHIBITION ON NAMES RELATED TO THE CON-**
17 **FEDERACY.**

18 (a) PROHIBITION ON NAMES RELATED TO THE CON-
19 FEDERACY.—The Secretary of Defense may not give a
20 name to an asset that refers to, or includes a term refer-
21 ring to, the Confederate States of America (commonly re-
22 ferred to as the “Confederacy”), including any name refer-
23 ring to—

24 (1) a person who served or held leadership with-
25 in the Confederacy; or

1 (2) a city or battlefield significant because of a
2 Confederate victory.

3 (b) ASSETS DEFINED.—In this section, the term “as-
4 sets” includes any base, installation, facility, aircraft, ship,
5 equipment, or any other property owned or controlled by
6 the Department of Defense.

7 **SEC. 1093. PROHIBITION ON DENIAL OF DEPARTMENT OF**
8 **VETERANS AFFAIRS HOME LOANS FOR VET-**
9 **ERANS WHO LEGALLY WORK IN THE MARI-**
10 **JUANA INDUSTRY.**

11 (a) PROHIBITION.—In the case of a person with doc-
12 umented income that is derived, in whole or in part, from
13 working in the marijuana industry in compliance with the
14 law of the State in which the work takes place, the Sec-
15 retary of Veterans Affairs may not use the fact that such
16 documented income is derived, in whole or in part, from
17 working in the marijuana industry as a factor in deter-
18 mining whether to guarantee, issue, or make a housing
19 loan under chapter 37 of title 38, United States Code.

20 (b) TREATMENT OF CONDUCT.—Conduct of a person
21 described in subsection (a) relating to obtaining a housing
22 loan described in such subsection or conduct relating to
23 guaranteeing, insuring, or making a housing loan de-
24 scribed in such subsection for a person described in such
25 subsection shall—

1 (1) not be construed to violate section 401 of
2 the Controlled Substances Act (21 U.S.C. 841) or
3 any other provision of law; and

4 (2) not constitute the basis for forfeiture of
5 property under section 511 of the Controlled Sub-
6 stances Act (21 U.S.C. 881) or section 981 of title
7 18, United States Code.

8 **SEC. 1094. INCLUSION ON THE VIETNAM VETERANS MEMO-**
9 **RIAL WALL OF THE NAMES OF THE LOST**
10 **CREW MEMBERS OF THE U.S.S. FRANK E.**
11 **EVANS KILLED ON JUNE 3, 1969.**

12 (a) IN GENERAL.—Not later than 1 year after the
13 date of enactment of this Act, the Secretary of Defense
14 shall authorize the inclusion on the Vietnam Veterans Me-
15 morial Wall in the District of Columbia of the names of
16 the 74 crew members of the U.S.S. Frank E. Evans killed
17 on June 3, 1969.

18 (b) REQUIRED CONSULTATION.—The Secretary of
19 Defense shall consult with the Secretary of the Interior,
20 the American Battlefield Monuments Commission, and
21 other applicable authorities with respect to any adjust-
22 ments to the nomenclature and placement of names pursu-
23 ant to subsection (a) to address any space limitations on
24 the placement of additional names on the Vietnam Vet-
25 erans Memorial Wall.

1 (c) NONAPPLICABILITY OF COMMEMORATIVE WORKS
2 ACT.—Chapter 89 of title 40, United States Code (com-
3 monly known as the “Commemorative Works Act”), shall
4 not apply to any activities carried out under subsection
5 (a) or (b).

6 **SEC. 1095. MILITARY TYPE CERTIFICATION FOR LIGHT AT-**
7 **TACK EXPERIMENTATION AIRCRAFT.**

8 The Secretary of the Air Force shall make available
9 and conduct military type certifications for light attack ex-
10 perimentation aircraft as needed, pursuant to the Depart-
11 ment of Defense Directive on Military Type Certificates,
12 5030.61.

13 **SEC. 1096. MITIGATION OF HELICOPTER NOISE.**

14 (a) IN GENERAL.—The Secretary of Defense shall
15 develop a noise inquiry website, to assist in directing miti-
16 gation efforts toward concentrated areas of inquiry, that
17 is based off of the websites of the Ronald Reagan Wash-
18 ington National Airport and the Dulles International Air-
19 port. Such website shall—

20 (1) provide a form to collect inquiry informa-
21 tion;

22 (2) geo-tag the location of the inquiry to an ex-
23 portable map;

24 (3) export information to an Excel spreadsheet;
25 and

1 (4) send an email response to the individual
2 making the inquiry.

3 (b) DEFINITION OF NATIONAL CAPITAL REGION.—

4 In this section, the term “National Capital Region” has
5 the meaning given the term in section 2574 of title 10,
6 United States Code.

7 **SEC. 1097. REPORT ON EXECUTIVE HELICOPTER FLIGHTS**
8 **IN THE NATIONAL CAPITAL REGION.**

9 (a) FINDINGS.—Congress finds that in the “Report
10 on the Effects of Military Helicopter Noise on National
11 Capital Region Communities and Individuals” submitted
12 by the Department of the Army to Congress on February
13 15, 2018, the Department of the Army stated: “The DoD
14 possesses helicopters which operate and train inside the
15 NCR supporting multiple missions to include continuity
16 of operations, defense support of civil authorities, execu-
17 tive transport, and other activities as directed.”.

18 (b) REPORT REQUIRED.—Not later than 120 days
19 after the date of the enactment of this Act, the Secretary
20 of Defense shall submit to Congress a report on the num-
21 ber of helicopter trips used for executive transport, includ-
22 ing the number of such helicopters from each branch of
23 the Armed Services, in the National Capital Region during
24 the period beginning on the date of the enactment of this

1 Act and ending on the day that is 90 days after the date
2 of the enactment of this Act.

3 (c) PUBLIC AVAILABILITY OF REPORT.—The Sec-
4 retary shall make the report required under subsection (b)
5 publicly available.

6 (d) EXECUTIVE TRANSPORT DEFINED.—In this sec-
7 tion, the term “executive transport” has the meaning
8 given such term in the “Report on the Effects of Military
9 Helicopter Noise on National Capital Region Communities
10 and Individuals” submitted by the Department of the
11 Army to Congress on February 15, 2018.

12 **SEC. 1098. REPORTS ON REDUCING THE BACKLOG IN LE-**
13 **GALLY REQUIRED HISTORICAL DECLAS-**
14 **SIFICATION OBLIGATIONS.**

15 (a) REPORT.—Not later than 120 days after the date
16 of the enactment of this Act, the Secretary of Defense,
17 the Secretary of State, and the Director of the Central
18 Intelligence Agency shall each submit to the appropriate
19 congressional committees a report detailing progress made
20 by the Secretary or the Director, as the case may be, to-
21 ward reducing the backlog in legally required historical de-
22 classification obligations.

23 (b) ELEMENTS.—Each report under subsection (a)
24 shall include the following:

1 (1) A plan to achieve legally mandated histor-
2 ical declassification requirements and reduce back-
3 logs.

4 (2) A plan to incorporate new technologies,
5 such as artificial intelligence, that would increase
6 productivity and reduce cost in implementing the
7 plan under paragraph (1).

8 (3) A detailed assessment of the documents re-
9 leased in each of the proceeding three years before
10 the date of the report, broken out by program, such
11 as the 25 and 50 year programs.

12 (4) A detailed assessment of the documents
13 awaiting review for release and an estimate of how
14 many documents will be released in each of the next
15 three years.

16 (5) Potential policy, resource, and other options
17 available to the Secretary or the Director, as the
18 case may be, to reduce backlogs.

19 (6) The progress and objectives of the Secretary
20 or the Director, as the case may be, with respect to
21 the release of documents for publication in the For-
22 eign Relations of the United States series or to fa-
23 cilitate the public accessibility of such documents at
24 the National Archives or presidential libraries, or
25 both.

1 (c) FORM AND AVAILABILITY.—Each report under
2 subsection (a) shall be submitted in unclassified form,
3 which shall be made publicly available, but may include
4 a classified annex.

5 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
6 DEFINED.—In this section, the term “appropriate con-
7 gressional committees” means—

8 (1) the congressional defense committees;

9 (2) the Committee on Foreign Affairs and the
10 Permanent Select Committee on Intelligence of the
11 House of Representatives; and

12 (3) the Committee on Foreign Relations and
13 the Select Committee on Intelligence of the Senate.

14 **SEC. 1099. SENSE OF CONGRESS REGARDING THE PORT**
15 **CHICAGO 50.**

16 It is the sense of Congress that—

17 (1) the American people should recognize the
18 role of racial bias in the prosecution and convictions
19 of the Port Chicago 50 following the deadliest home
20 front disaster in World War II;

21 (2) the military records of each of the Port Chi-
22 cago 50 should reflect such exoneration of any and
23 all charges brought against them in the aftermath of
24 the explosion; and

1 (3) the Secretary of the Navy should upgrade
2 the general and summary discharges of each of the
3 Port Chicago 50 sailors to honorable discharges.

4 **SEC. 1099A. REVIEW OF FOREIGN CURRENCY EXCHANGE**
5 **RATES AND ANALYSIS OF FOREIGN CUR-**
6 **RENCY FLUCTUATIONS APPROPRIATION.**

7 With respect to a contract for goods and services paid
8 for with foreign currency, the Under Secretary of Defense
9 (Comptroller), in coordination with each Secretary of a
10 military department, shall conduct a review of the ex-
11 change rate for such foreign currency used when making
12 a disbursement pursuant to such a contract to determine
13 whether cost-savings opportunities exist by more consist-
14 ently selecting cost-effective rates. Such review shall in-
15 clude an analysis of realized and projected losses to deter-
16 mine the necessary balance of the appropriation “Foreign
17 Currency Fluctuations, Defense”. The Secretary of De-
18 fense may use the results of such analysis to determine
19 the amount of any transfers to the appropriation “Foreign
20 Currency Fluctuations, Defense”.

21 **SEC. 1099B. CONTRACTS BY THE PRESIDENT OR VICE**
22 **PRESIDENT.**

23 (a) AMENDMENT.—Section 431 of title 18, United
24 States Code, is amended—

1 (1) in the section heading, by inserting “**the**
 2 **President, Vice President, Cabinet Mem-**
 3 **ber, or a**” after “**Contracts by**”; and

4 (2) in the first undesignated paragraph, by in-
 5 serting “the President, Vice President, or any Cabi-
 6 net member” after “Whoever, being”.

7 (b) TABLE OF SECTIONS AMENDMENT.—The table of
 8 sections for chapter 23 of title 18, United States Code,
 9 is amended by striking the item relating to section 431
 10 and inserting the following:

“431. Contracts by the President, Vice President, or a Member of Congress.”.

11 **SEC. 1099C. PAROLE IN PLACE FOR MEMBERS OF THE**
 12 **ARMED FORCES.**

13 (a) IN GENERAL.—Any alien who is a member of the
 14 Armed Forces and each spouse, widow, widower, parent,
 15 son, or daughter of that alien shall be eligible for parole
 16 in place under section 212(d)(5) of the Immigration and
 17 Nationality Act.

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

20 (1) parole in place reinforces family unity;

21 (2) disruption to servicemembers must be mini-
 22 mized, in order to faithfully execute their objectives;

23 (3) separation of military families must be pre-
 24 vented;

1 (4) military readiness must be the supreme ob-
2 jective;

3 (5) servicemembers are given peace of mind, re-
4 lived of the stressful burden worrying about their
5 loved ones; and

6 (6) Congress reaffirms parole in place authority
7 for the Secretary of Homeland Security.

8 **SEC. 1099D. LANDS TO BE TAKEN INTO TRUST AS PART OF**
9 **THE RESERVATION OF THE LYTTON**
10 **RANCHERIA.**

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

12 (1) The Lytton Rancheria of California is a fed-
13 erally recognized Indian tribe that lost its homeland
14 after its relationship to the United States was un-
15 justly and unlawfully terminated in 1958. The Tribe
16 was restored to Federal recognition in 1991, but the
17 conditions of its restoration have prevented it from
18 regaining a homeland on its original lands.

19 (2) Congress needs to take action to reverse
20 historic injustices that befell the Tribe and that have
21 prevented it from regaining a viable homeland for its
22 people.

23 (3) Prior to European contact there were as
24 many as 350,000 Indians living in what is now the
25 State of California. By the turn of the 19th century,

1 that number had been reduced to approximately
2 15,000 individuals, many of them homeless and liv-
3 ing in scattered bands and communities.

4 (4) The Lytton Rancheria's original homeland
5 was purchased by the United States in 1926 pursu-
6 ant to congressional authority designed to remedy
7 the unique tragedy that befell the Indians of Cali-
8 fornia and provide them with reservations called
9 Rancherias to be held in trust by the United States.

10 (5) After the Lytton Rancheria lands were pur-
11 chased by the United States, the Tribe settled on
12 the land and sustained itself for several decades by
13 farming and ranching.

14 (6) By the mid-1950s, Federal Indian policy
15 had shifted back towards a policy of terminating the
16 Federal relationship with Indian tribes. In 1958,
17 Congress enacted the Rancheria Act of 1958 (72
18 Stat. 619), which slated 41 Rancherias in California,
19 including the Lytton Rancheria, for termination
20 after certain conditions were met.

21 (7) On August 1, 1961, the Federal Govern-
22 ment terminated its relationship with the Lytton
23 Rancheria. This termination was illegal because the
24 conditions for termination under the Rancheria Act
25 had never been met. After termination was imple-

1 mented, the Tribe lost its lands and was left without
2 any means of supporting itself.

3 (8) In 1987, the Tribe joined three other tribes
4 in a lawsuit against the United States challenging
5 the illegal termination of their Rancherias. A Stipu-
6 lated Judgment in the case, *Scotts Valley Band of*
7 *Pomo Indians of the Sugar Bowl Rancheria v. United*
8 *States*, No. C-86-3660 (N.D.Cal. March 22, 1991),
9 restored the Lytton Rancheria to its status as a fed-
10 erally recognized Indian tribe.

11 (9) The Stipulated Judgment provides that the
12 Lytton Rancheria would have the “individual and
13 collective status and rights” which it had prior to its
14 termination and expressly contemplated the acquisi-
15 tion of trust lands for the Lytton Rancheria.

16 (10) The Stipulated Judgment contains provi-
17 sions, included at the request of the local county
18 governments and neighboring landowners, that pro-
19 hibit the Lytton Rancheria from exercising its full
20 Federal rights on its original homeland in the Alex-
21 ander Valley.

22 (11) In 2000, approximately 9.5 acres of land
23 in San Pablo, California, was placed in trust status
24 for the Lytton Rancheria for economic development
25 purposes.

1 (12) The Tribe has since acquired, from willing
2 sellers at fair market value, property in Sonoma
3 County near the Tribe's historic Rancheria. This
4 property, which the Tribe holds in fee status, is suit-
5 able for a new homeland for the Tribe.

6 (13) On a portion of the land to be taken into
7 trust, which portion totals approximately 124.12
8 acres, the Tribe plans to build housing for its mem-
9 bers and governmental and community facilities.

10 (14) A portion of the land to be taken into
11 trust is being used for viniculture, and the Tribe in-
12 tends to develop more of the lands to be taken into
13 trust for viniculture. The Tribe's investment in the
14 ongoing viniculture operation has reinvigorated the
15 vineyards, which are producing high-quality wines.
16 The Tribe is operating its vineyards on a sustainable
17 basis and is working toward certification of sustain-
18 ability.

19 (15) No gaming shall be conducted on the lands
20 to be taken into trust by this section.

21 (16) No gaming shall be conducted on any
22 lands taken into trust on behalf of the Tribe in
23 Sonoma County after the date of the enactment of
24 this Act.

1 (17) By directing that these lands be taken into
2 trust, the United States will ensure that the Lytton
3 Rancheria will finally have a permanently protected
4 homeland on which the Tribe can once again live
5 communally and plan for future generations. This
6 action is necessary to fully restore the Tribe to the
7 status it had before it was wrongfully terminated in
8 1961.

9 (18) The Tribe and County of Sonoma have en-
10 tered into a Memorandum of Agreement as amended
11 in 2018 in which the County agrees to the lands in
12 the County being taken into trust for the benefit of
13 the Tribe in consideration for commitments made by
14 the Tribe.

15 (b) DEFINITIONS.—For the purpose of this section,
16 the following definitions apply:

17 (1) COUNTY.—The term “County” means
18 Sonoma County, California.

19 (2) SECRETARY.—The term “Secretary” means
20 the Secretary of the Interior.

21 (3) TRIBE.—The term “Tribe” means the
22 Lytton Rancheria of California.

23 (c) LANDS TO BE TAKEN INTO TRUST.—

24 (1) IN GENERAL.—The land owned by the
25 Tribe and generally depicted on the map titled

1 “Lytton Fee Owned Property to be Taken into
2 Trust” and dated May 1, 2015, is hereby taken into
3 trust for the benefit of the Tribe, subject to valid ex-
4 isting rights, contracts, and management agreements
5 related to easements and rights-of-way.

6 (2) LANDS TO BE MADE PART OF THE RES-
7 ERVATION.—Lands taken into trust under para-
8 graph (1) shall be part of the Tribe’s reservation
9 and shall be administered in accordance with the
10 laws and regulations generally applicable to property
11 held in trust by the United States for an Indian
12 tribe.

13 (d) GAMING.—

14 (1) LANDS TAKEN INTO TRUST UNDER THIS
15 SECTION.—Lands taken into trust for the benefit of
16 the Tribe under subsection (c) shall not be eligible
17 for gaming under the Indian Gaming Regulatory Act
18 (25 U.S.C. 2701 et seq.).

19 (2) OTHER LANDS TAKEN INTO TRUST.—Lands
20 taken into trust for the benefit of the Tribe in
21 Sonoma County after the date of the enactment of
22 this Act shall not be eligible for gaming under the
23 Indian Gaming Regulatory Act (25 U.S.C. 2701 et
24 seq.).

1 (e) APPLICABILITY OF CERTAIN LAW.—Notwith-
2 standing any other provision of law, the Memorandum of
3 Agreement entered into by the Tribe and the County con-
4 cerning taking land in the County into trust for the benefit
5 of the Tribe, which was approved by the County Board
6 of Supervisors on March 10, 2015, and any addenda and
7 supplement or amendment thereto, is not subject to review
8 or approval of the Secretary in order to be effective, in-
9 cluding review or approval under section 2103 of the Re-
10 vised Statutes (25 U.S.C. 81).

11 **SEC. 1099E. INTEROPERABILITY OF COMMUNICATIONS BE-**
12 **TWEEN MILITARY INSTALLATIONS AND ADJA-**
13 **CENT JURISDICTIONS.**

14 Not later than 12 months after the date of the enact-
15 ment of this Act, the Department of Defense Fire and
16 Emergency Services Working Group shall submit to the
17 congressional defense committees a report that includes—

18 (1) an identification of all military installations
19 that provide emergency services to areas outside of
20 their installations, make them aware of the Amtrak
21 Passenger Train 501 Derailment in DuPont, Wash-
22 ington, and determine the effectiveness of the com-
23 munications system between that military installa-
24 tion and the adjacent jurisdictions; and

1 (2) an implementation plan to address any defi-
2 ciencies with interoperability caused by the incom-
3 patibility between the Department of Defense com-
4 munications system and that of adjacent civilian
5 agencies.

6 **SEC. 1099F. SUPPORT FOR NATIONAL MARITIME HERITAGE**
7 **GRANTS PROGRAM.**

8 Of the funds authorized to be appropriated by this
9 Act for fiscal year 2020 for the Department of Defense,
10 the Secretary of Defense may contribute up to \$5,000,000
11 to support the National Maritime Heritage Grants Pro-
12 gram established under section 308703 of title 54, United
13 States Code.

14 **SEC. 1099G. CHINESE LANGUAGE AND CULTURE STUDIES**
15 **WITHIN THE DEFENSE LANGUAGE AND NA-**
16 **TIONAL SECURITY EDUCATION OFFICE.**

17 (a) INCREASE.—Notwithstanding the amounts set
18 forth in the funding tables in division D, the amount au-
19 thorized to be appropriated in section 301 for operation
20 and maintenance, as specified in the corresponding fund-
21 ing table in section 4301, for operation and maintenance,
22 Defense-Wide, Defense Human Resources Activity, line
23 220 is hereby increased by \$13,404,000 (with the amount
24 of such increase to be made available for Chinese language

1 and culture studies within the Defense Language and Na-
 2 tional Security Education Office).

3 (b) OFFSET.—Notwithstanding the amounts set forth
 4 in the funding tables in division D, the amount authorized
 5 to be appropriated in section 101 for procurement, as
 6 specified in the corresponding funding table in section
 7 4101, for other procurement, Army, Installation Info In-
 8 frastructure MOD Program, line 63 is hereby reduced by
 9 \$13,404,000.

10 **SEC. 1099H. MODIFICATION OF PROHIBITION ON AVAIL-**
 11 **ABILITY OF FUNDS FOR CHINESE LANGUAGE**
 12 **PROGRAMS AT CERTAIN INSTITUTIONS OF**
 13 **HIGHER EDUCATION.**

14 Section 1091(b) of the John S. McCain National De-
 15 fense Authorization Act for Fiscal Year 2019 (Public Law
 16 115–232; 132 Stat. 1997) is amended—

17 (1) by striking “None of the funds” and insert-
 18 ing the following:

19 “(1) IN GENERAL.—None of the funds”; and

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

22 “(2) TRANSITION PLAN .—The Secretary of
 23 Defense shall develop a transition plan for each in-
 24 stitution of higher education subject to the limitation
 25 under paragraph (1). Under the transition plan, the

1 institution may regain eligibility to receive funds
2 from the Department of Defense for Chinese lan-
3 guage training by developing an independent Chi-
4 nese language program with no connection to a Con-
5 fucius Institute.”.

6 **SEC. 1099I. LESSONS LEARNED AND BEST PRACTICES ON**
7 **PROGRESS OF GENDER INTEGRATION IMPLE-**
8 **MENTATION IN THE ARMED FORCES.**

9 The Secretary of Defense shall direct each component
10 of the Armed Forces to share lessons learned and best
11 practices on the progress of their gender integration im-
12 plementation plans and to communicate strategically that
13 progress with other components of the Armed Forces as
14 well as the general public, as recommended by the Defense
15 Advisory Committee on Women in the Services.

16 **SEC. 1099J. STRATEGIES FOR RECRUITMENT AND RETEN-**
17 **TION OF WOMEN IN THE ARMED FORCES.**

18 The Secretary of each of the military departments
19 shall—

20 (1) examine successful strategies in use by for-
21 eign military services to recruit and retain women;
22 and

23 (2) consider potential best practices for imple-
24 mentation in the United States Armed Forces, as

1 recommended by the Defense Advisory Committee
2 on Women in the Services.

3 **SEC. 1099K. DEFINITION OF CURRENT MONTHLY INCOME**
4 **FOR PURPOSES OF BANKRUPTCY LAWS.**

5 Section 101(10A) of title 11, United States Code, is
6 amended by striking subparagraph (B) and inserting the
7 following:

8 “(B)(i) includes any amount paid by any
9 entity other than the debtor (or in a joint case
10 the debtor and the debtor’s spouse), on a reg-
11 ular basis for the household expenses of the
12 debtor or the debtor’s dependents (and in a
13 joint case the debtor’s spouse if not otherwise
14 a dependent); and

15 “(ii) excludes—

16 “(I) benefits received under the
17 Social Security Act (42 U.S.C. 301 et
18 seq.);

19 “(II) payments to victims of war
20 crimes or crimes against humanity on
21 account of their status as victims of
22 such crimes;

23 “(III) payments to victims of
24 international terrorism or domestic
25 terrorism, as those terms are defined

1 in section 2331 of title 18, on account
2 of their status as victims of such ter-
3 rorism; and

4 “(IV) any monthly compensation,
5 pension, pay, annuity, or allowance
6 paid under title 10, 37, or 38 in con-
7 nection with a disability, combat-re-
8 lated injury or disability, or death of
9 a member of the uniformed services,
10 except that any retired pay excluded
11 under this subclause shall include re-
12 tired pay paid under chapter 61 of
13 title 10 only to the extent that such
14 retired pay exceeds the amount of re-
15 tired pay to which the debtor would
16 otherwise be entitled if retired under
17 any provision of title 10 other than
18 chapter 61 of that title.”.

19 **SEC. 1099L. HONORING LAST SURVIVING MEDAL OF HONOR**
20 **RECIPIENT OF SECOND WORLD WAR.**

21 (a) USE OF ROTUNDA.—At the election of the indi-
22 vidual (or next of kin of the individual), the last individual
23 to die who was awarded the Medal of Honor for acts per-
24 formed during World War II shall be permitted to lie in
25 honor in the rotunda of the Capitol upon death.

1 (b) IMPLEMENTATION.—The Architect of the Capitol,
2 under the direction and supervision of the President pro
3 tempore of the Senate and the Speaker of the House of
4 Representatives, shall take the necessary steps to imple-
5 ment subsection (a) upon the death of the individual de-
6 scribed in such subsection.

7 **SEC. 1099M. CREDIT MONITORING.**

8 Section 605A(k) of the Fair Credit Reporting Act (15
9 U.S.C. 1681c–1(k)) is amended by striking paragraph (4).

10 **SEC. 1099N. WORLD LANGUAGE ADVANCEMENT AND READI-**
11 **NESS GRANTS.**

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

13 (1) The national security of the United States
14 continues to depend on language readiness, in par-
15 ticular among the seventeen agencies of the Intel-
16 ligence Community.

17 (2) The levels of language proficiency required
18 for national security necessitate long sequences of
19 language training for personnel in the Intelligence
20 Community and the Department of Defense.

21 (3) The future national security and economic
22 well-being of the United States will depend substan-
23 tially on the ability of its citizens to communicate
24 and compete by knowing the languages and cultures
25 of other countries.

1 (4) The Federal Government has an interest in
2 ensuring that the employees of its departments and
3 agencies with national security responsibilities are
4 prepared to meet the challenges of this changing
5 international environment.

6 (5) The Federal Government also has an inter-
7 est in taking actions to alleviate the problem of
8 American students being inadequately prepared to
9 meet the challenges posed by increasing global inter-
10 action among nations.

11 (6) American elementary schools, secondary
12 schools, colleges, and universities must place a new
13 emphasis on improving the teaching of foreign lan-
14 guages, area studies, counterproliferation studies,
15 and other international fields to help meet those
16 challenges.

17 (b) GRANTS AUTHORIZED.—

18 (1) PROGRAM AUTHORITY.—The Secretary of
19 Defense, in consultation with the Director of Na-
20 tional Intelligence and the Secretary of Education,
21 may carry out a program under which the Secretary
22 of Defense makes grants, on a competitive basis, to
23 eligible entities to carry out innovative model pro-
24 grams providing for the establishment, improvement,

1 or expansion of world language study for elementary
2 school and secondary school students.

3 (2) DURATION.—Each grant under this section
4 shall be awarded for a period of 3 years.

5 (3) GEOGRAPHIC DISTRIBUTION.—The Sec-
6 retary of Defense shall ensure the equitable geo-
7 graphic distribution of grants under this section.

8 (4) MATCHING REQUIREMENT FOR LOCAL EDU-
9 CATIONAL AGENCIES.—

10 (A) IN GENERAL.—Except as provided in
11 subparagraph (B), each local educational agen-
12 cy that receives a grant under this section shall
13 provide, from non-Federal sources, an amount
14 equal to the amount of the grant (which may be
15 provided in cash or in kind) to carry out the ac-
16 tivities supported by the grant.

17 (B) EXCEPTION.—The Secretary of De-
18 fense may reduce the matching requirement
19 under subparagraph (A) for any local edu-
20 cational agency that the Secretary determines
21 does not have adequate resources to meet such
22 requirement.

23 (5) SPECIAL REQUIREMENTS FOR LOCAL EDU-
24 CATIONAL AGENCIES.—In awarding a grant under
25 paragraph (1) to an eligible entity that is a local

1 educational agency, the Secretary of Defense shall
2 support programs that—

3 (A) show the promise of being continued
4 beyond the grant period;

5 (B) demonstrate approaches that can be
6 disseminated to and duplicated in other local
7 educational agencies; and

8 (C) may include a professional develop-
9 ment component.

10 (6) ALLOCATION OF FUNDS.—

11 (A) Not less than 75 percent of the funds
12 made available to carry out this section for a
13 fiscal year shall be used for the expansion of
14 world language learning in elementary schools.

15 (B) Not less than 75 percent of the funds
16 made available to carry out this section for a
17 fiscal year shall be used to support instruction
18 in world languages determined by the Secretary
19 of Defense to be critical to the national security
20 interests of the United States.

21 (C) The Secretary of Defense may reserve
22 not more than 5 percent of funds made avail-
23 able to carry out this section for a fiscal year
24 to evaluate the efficacy of programs that receive
25 grants under paragraph (1).

1 (7) APPLICATIONS.—

2 (A) IN GENERAL.—To be considered for a
3 grant under paragraph (1), an eligible entity
4 shall submit an application to the Secretary of
5 Defense at such time, in such manner, and con-
6 taining such information and assurances as the
7 Secretary may require.

8 (B) SPECIAL CONSIDERATION.—The Sec-
9 retary of Defense shall give special consider-
10 ation to applications describing programs
11 that—

12 (i) include intensive summer world
13 language programs for professional devel-
14 opment of world language teachers;

15 (ii) link nonnative English speakers in
16 the community with the schools in order to
17 promote two-way language learning;

18 (iii) promote the sequential study of a
19 world language for students, beginning in
20 elementary schools;

21 (iv) make effective use of technology,
22 such as computer-assisted instruction, lan-
23 guage laboratories, or distance learning, to
24 promote world language study;

1 (v) promote innovative activities, such
2 as dual language immersion, partial world
3 language immersion, or content-based in-
4 struction; and

5 (vi) are carried out through a consor-
6 tium comprised of the eligible entity receiv-
7 ing the grant, an elementary school or sec-
8 ondary school, and an institution of higher
9 education (as that term is defined in sec-
10 tion 101 of the Higher Education Act of
11 1965 (20 U.S.C. 1001)).

12 (c) DEFINITIONS.—In this section:

13 (1) ELIGIBLE ENTITY.—The term “eligible enti-
14 ty” means the following:

15 (A) A local educational agency that hosts
16 a unit of the Junior Reserve Officers’ Training
17 Corps.

18 (B) A school operated by the Department
19 of Defense Education Activity.

20 (2) ESEA TERMS.—The terms “elementary
21 school”, “local educational agency” and “secondary
22 school” have the meanings given the terms in section
23 8101 of the Elementary and Secondary Education
24 Act of 1965 (20 U.S.C. 7801).

1 (3) WORLD LANGUAGE.—The term “world lan-
2 guage” means—

3 (A) any natural language other than
4 English, including—

5 (i) languages determined by the Sec-
6 retary of Defense to be critical to the na-
7 tional security interests of the United
8 States;

9 (ii) classical languages;

10 (iii) American sign language; and

11 (iv) Native American languages; and

12 (B) any language described in subpara-
13 graph (A) that is taught in combination with
14 English as part of a dual language or immer-
15 sion learning program.

16 **SEC. 1099O. INCLUSION OF CERTAIN NAMES ON THE VIET-**
17 **NAM VETERANS MEMORIAL.**

18 The Secretary of Defense shall provide for the inclu-
19 sion on the Vietnam Veterans Memorial in the District
20 of Columbia the names of the seventy-four crew members
21 of the USS Frank E. Evans killed on June 3, 1969.

22 **SEC. 1099P. SENSE OF CONGRESS REGARDING ARMY CON-**
23 **TRACTING COMMAND-NEW JERSEY.**

24 It is the Sense of Congress that—

1 (1) Army Contracting Command—New Jersey
2 (referred to in this section as “ACC-NJ”) plays a
3 vital role in planning, directing, controlling, man-
4 aging, and executing the full spectrum of con-
5 tracting, acquisition support, and business advisory
6 services that support major weapons, armaments,
7 ammunition systems, information technology, and
8 enterprise systems for the Army and other Depart-
9 ment of Defense customers;

10 (2) ACC-NJ has unique expertise executing
11 grants, cooperative agreements, and other trans-
12 action agreements central to the work at Picatinny
13 Arsenal; and

14 (3) the workforce of ACC-NJ has the un-
15 matched experience and expertise to support innova-
16 tive and rapid contracting necessary to accelerate ac-
17 quisition and enhance readiness for a modernizing
18 the United States Armed Forces.

19 **SEC. 1099Q. REVIEW AND REPORT ON EXPERIMENTATION**
20 **WITH TICKS AND INSECTS.**

21 (a) REVIEW.—The Inspector General of the Depart-
22 ment of Defense shall conduct a review of whether the De-
23 partment of Defense experimented with ticks and other
24 insects regarding use as a biological weapon between the
25 years of 1950 and 1975.

1 (b) REPORT.—If the Inspector General finds that any
2 experiment described under subsection (a) occurred, the
3 Inspector General shall submit to the Committees on
4 Armed Services of the House of Representatives and the
5 Senate a report on—

6 (1) the scope of such experiment; and

7 (2) whether any ticks or insects used in such
8 experiment were released outside of any laboratory
9 by accident or experiment design.

10 **SEC. 1099R. PILOT PROGRAM TO PROVIDE BROADBAND AC-**
11 **CESS TO MILITARY FAMILIES AND MEDICAL**
12 **FACILITIES ON REMOTE AND ISOLATED**
13 **BASES.**

14 (a) PILOT PROGRAM.—

15 (1) PURPOSE.—In order to extend residential
16 broadband internet access to the thousands of mili-
17 tary families on military installations within the
18 United States located in unserved rural areas, the
19 Secretary of Defense, in coordination with the Fed-
20 eral Communication Commission, shall carry out a
21 pilot program under which the Secretary enters into
22 an agreement with a broadband internet provider or
23 providers to—

1 (A) provide broadband internet access to
2 military families on installations within the
3 United States located in unserved rural areas;

4 (B) ensure broadband internet is accessible
5 in military hospitals and clinics to facilitate the
6 expeditious use of telehealth services and elec-
7 tronic military records integration; and

8 (C) enhance broadband internet access
9 that can support of military spouse employ-
10 ment, transition assistance for members of the
11 Armed Forces, and workforce development.

12 (2) LOCATIONS.—The Secretary shall carry out
13 the pilot program at no fewer than three military in-
14 stallations located in unserved rural areas.

15 (3) SERVICE PROVIDER REQUIREMENTS.—The
16 Secretary shall ensure that broadband internet serv-
17 ice providers considered for participation in the pilot
18 program—

19 (A) use low-cost broadband technologies,
20 such as fixed wireless technologies, which are
21 suitable for lower population density unserved
22 and underserved rural areas; and

23 (B) possess the capability to expeditiously
24 install and connect broadband internet capabili-
25 ties on remote and isolated bases.

1 (4) FIFTH GENERATION INFORMATION AND
2 COMMUNICATIONS TECHNOLOGIES.—The pilot pro-
3 gram under this section shall be carried out in ac-
4 cordance with the strategy and implementation plan
5 required under section 233 of this Act.

6 (b) REPORT REQUIRED.—

7 (1) IN GENERAL.—Not later than 270 days
8 after the date of the enactment of this Act, the Sec-
9 retary of Defense shall submit to the Committee on
10 Armed Services and the Committee on Commerce,
11 Science, and Transportation of the Senate and the
12 Committee on Armed Services and the Committee on
13 Energy and Commerce of the House of Representa-
14 tives a report on the implementation of the pilot pro-
15 gram under subsection (a).

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

18 (A) a list of the remote and isolated bases
19 selected by the Secretary for purposes of the
20 pilot program;

21 (B) an analysis of the success of the pilot
22 program on improving access to broadband for
23 families living on base, telehealth medicine serv-
24 ices, and the processing of electronic health
25 records;

1 (C) recommendations by the Secretary for
2 improving, expanding, or modifying the pro-
3 gram;

4 (D) recommendations from the Secretary,
5 the Secretary of Commerce, and the Chairman
6 of the Federal Communication Commission on
7 aligning the pilot program with Federal rural
8 broadband strategy and deployment efforts; and

9 (E) any other matters the Secretary deter-
10 mines to be appropriate.

11 (c) DEFINITIONS.—In this section:

12 (1) The term “broadband” means internet ac-
13 cess providing throughput speeds of at least 25
14 Mbps downstream and at least 3 Mbps upstream
15 and having no data consumption caps.

16 (2) The term “unserved rural areas” means
17 those rural census blocks reported by broadband
18 providers as lacking access to broadband on the
19 Federal Communications Commission’s Form 477.

20 **SEC. 1099S. SENSE OF CONGRESS REGARDING MILITARY**
21 **WORKING DOGS AND SOLDIER HANDLERS.**

22 (a) CONGRESSIONAL FINDINGS.—The Congress finds
23 that—

24 (1) the 341st Training Squadron, 37th Train-
25 ing Wing at Lackland Air Force Base provides high-

1 ly trained military working dogs to the Department
2 of Defense and other government agencies;

3 (2) in 2010, the operational needs of the Army
4 for military working dogs increased without an in-
5 crease in resources to train a sufficient number of
6 dogs for the detection of improvised explosive devices
7 at the 341st Training Squadron;

8 (3) the Army initiated the tactical explosive de-
9 tection dog program in August 2010 as a nontradi-
10 tional military working dog program to train and
11 field improvised explosive device detection dogs for
12 use in Afghanistan as part of Operation Enduring
13 Freedom;

14 (4) the tactical explosive detection dog program
15 was created to reduce casualties from improvised ex-
16 plosive devices in response to an increase in the use
17 of asymmetric weapons by the enemy;

18 (5) the tactical explosive detection dogs were a
19 unique subset of military working dogs because the
20 Army selected and trained soldiers from deploying
21 units to serve as temporary handlers for only the du-
22 ration of deployment to Operation Enduring Free-
23 dom;

24 (6) the tactical explosive detection dogs and
25 their soldier handlers, like other military working

1 dog and handler teams, formed strong bonds while
2 training for combat and performing extremely dan-
3 gerous improvised explosive device detection missions
4 in service to the United States;

5 (7) the tactical explosive detection dog program
6 was a nontraditional military working dog program
7 that terminated in February 2014;

8 (8) at the termination of the tactical explosive
9 detection dog program in February 2014, neither
10 United States law nor Department of Defense policy
11 established an adoption order priority, and Depart-
12 ment of Defense policy only provided that military
13 working dogs be adopted by former handlers, law en-
14 forcement agencies, and other persons capable of hu-
15 manely caring for the animals;

16 (9) an August 2016 report to Congress by the
17 Air Force entitled “Tactical Explosive Detector Dog
18 (TEDD) Adoption Report” concluded that the Army
19 had a limited transition window for the disposition
20 of tactical explosive detection dogs and the lack of
21 a formal comprehensive plan contributed to the dis-
22 organized disposition process for the tactical explo-
23 sive detection dogs;

1 (10) the August 2016 report stated that, in
2 2014, the Army disposed of 229 tactical explosive
3 detection dogs;

4 (11) 40 tactical explosive detection dogs were
5 adopted by handlers, 47 dogs were adopted by pri-
6 vate individuals, 70 dogs were transferred to Army
7 units, 17 dogs were transferred to other government
8 agencies, 46 dogs were transferred to law enforce-
9 ment agencies, and 9 dogs were deceased;

10 (12) the disposition of tactical explosive detec-
11 tion dogs was poorly executed, proper procedures
12 outlined in Department of Defense policy were ig-
13 nored, and, as a result, the former soldier handlers
14 were not provided the opportunity to adopt their tac-
15 tical explosive detection dogs;

16 (13) the Army should have deliberately planned
17 for the disposition of the tactical explosive detection
18 dogs and provided appropriate time to review and
19 consider adoption applications to mitigate handler
20 and civilian adoption issues;

21 (14) section 342(b) of the National Defense
22 Authorization Act for Fiscal Year 2016 (Public Law
23 114–92; 129 Stat. 793) amended section 2583(c) of
24 title 10, United States Code, to modify the list of
25 persons authorized to adopt a military animal and

1 prioritize the list with preference, respectively, to
2 former handlers, other persons capable of humanely
3 caring for the animal, and law enforcement agencies;

4 (15) since 2000, Congress has passed legisla-
5 tion that protects military working dogs, promotes
6 their welfare, and recognizes the needs of their vet-
7 eran handlers;

8 (16) Congress continues to provide oversight of
9 military working dogs to prevent a reoccurrence of
10 the disposition issues that affected tactical explosive
11 detection dogs;

12 (17) former soldier handlers should be reunited
13 with their tactical explosive detection dogs;

14 (18) congressional recognition of the military
15 service of tactical explosive detection dogs and their
16 former soldier handlers is a small measure of grati-
17 tude this legislative body can convey;

18 (19) over 4 years have passed since the termi-
19 nation of the tactical explosive detection dog pro-
20 gram;

21 (20) Congressman Walter B. Jones has been a
22 long-time advocate for military working dogs and
23 their handlers;

1 (21) Congressman Walter B. Jones has worked
2 to ensure that handlers are given priority when their
3 military working dogs reach retirement;

4 (22) Congressman Walter B. Jones was a
5 strong proponent of the Wounded Warrior Service
6 Dog program, which is a valuable program that
7 helps wounded members of the Armed Forces man-
8 age and recover from post-traumatic stress;

9 (23) the advocacy of Congressman Walter B.
10 Jones for military working dogs is well known
11 throughout the nonprofit community that supports
12 military working dogs;

13 (24) Congressman Walter B. Jones worked with
14 the Department of Defense and the Senate to up-
15 date the language in the Air Force Manual on Mili-
16 tary Working Dogs to clarify that military working
17 dogs are not equipment and to indicates the true
18 level of appreciation and respect the Department of
19 Defense has for these valuable members of the mili-
20 tary team;

21 (25) Congressman Walter B. Jones was the
22 chief legislative sponsor of the Military Working Dog
23 Teams Monument, which was built with no taxpayer
24 dollars but through corporate and private donations;
25 and

1 (26) with the support of Congressman Walter
2 B. Jones, the National Defense Authorization Act
3 for Fiscal Year 2008 (Public Law 110–181) author-
4 ized the Burnam Foundation to design, fund, build,
5 and maintain the Military Working Dog Teams Na-
6 tional Monument.

7 (b) SENSE OF CONGRESS.—It is the sense of Con-
8 gress to—

9 (1) recognize the efforts of Congressman Walter
10 B. Jones to promote military working dogs as un-
11 sung heroes on the battlefield and in helping wound-
12 ed warriors recover from physical and mental inju-
13 ries;

14 (2) recognize the service of military working
15 dogs and soldier handlers from the tactical explosive
16 detection dog program;

17 (3) acknowledge that not all tactical explosive
18 detection dogs were adopted by their former soldier
19 handlers;

20 (4) encourage the Army and other government
21 agencies, including law enforcement agencies, with
22 former tactical explosive detection dogs to prioritize
23 adoption to former tactical explosive detection dog
24 handlers; and

1 (5) honor the sacrifices made by tactical explo-
2 sive detection dogs and their soldier handlers in
3 combat.

4 **SEC. 1099T. DESIGNATION OF DEPARTMENT OF DEFENSE**
5 **STRATEGIC ARCTIC PORTS.**

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

8 (1) the Arctic is a region of strategic impor-
9 tance to the national security interests of the United
10 States and the Department of Defense must better
11 align its presence, force posture, and capabilities to
12 meet the growing array of challenges in the region;
13 and

14 (2) although much progress has been made to
15 increase awareness of Arctic issues and to promote
16 increased presence in the region, additional meas-
17 ures, including the designation of one or more stra-
18 tegic Arctic ports, are needed to show the commit-
19 ment of the United States to this emerging strategic
20 choke point of future great power competition.

21 (b) REPORT REQUIRED.—

22 (1) IN GENERAL.—Not later than 180 days
23 after the date of the enactment of this Act, the Sec-
24 retary of Defense, in consultation with the Chairman
25 of the Joint Chiefs of Staff, the Commanding Gen-

1 eral of the United States Army Corps of Engineers,
2 the Commandant of the Coast Guard, and the Ad-
3 ministrator of the Maritime Administration, shall
4 submit to the congressional defense committees a re-
5 port evaluating potential sites for one or more stra-
6 tegic ports in the Arctic.

7 (2) ELEMENTS.—Consistent with the updated
8 military strategy for the protection of United States
9 national security interests in the Arctic region set
10 forth in the report required under section 1071 of
11 the National Defense Authorization Act for Fiscal
12 Year 2019 (Public Law 114–92; 129 Stat. 992), the
13 report required under paragraph (1) shall include—

14 (A) an evaluation of the amount of suffi-
15 cient and suitable space needed to create capac-
16 ity for port and other necessary infrastructure
17 for at least one of each of type of Navy or
18 Coast Guard vessel, including an Arleigh Burke
19 class destroyer of the Navy, a national security
20 cutter, and a heavy polar ice breaker of the
21 Coast Guard;

22 (B) an evaluation of the amount of suffi-
23 cient and suitable space needed to create capac-
24 ity for equipment and fuel storage, techno-
25 logical infrastructure, and civil infrastructure to

1 support military and civilian operations, includ-
2 ing—

3 (i) aerospace warning;

4 (ii) maritime surface and subsurface
5 warning;

6 (iii) maritime control and defense;

7 (iv) maritime domain awareness;

8 (v) homeland defense;

9 (vi) defense support to civil authori-
10 ties;

11 (vii) humanitarian relief;

12 (viii) search and rescue;

13 (ix) disaster relief;

14 (x) oil spill response;

15 (xi) medical stabilization and evacu-
16 ation; and

17 (xii) meteorological measurements and
18 forecasting;

19 (C) an identification of proximity and road
20 access required to an airport designated as a
21 commercial service airport by the Federal Avia-
22 tion Administration that is capable of sup-
23 porting military and civilian aircraft for oper-
24 ations designated in subparagraph (B);

1 (D) a description of the requirements, to
2 include infrastructure and installations, commu-
3 nications, and logistics necessary to improve re-
4 sponse effectiveness to support military and ci-
5 vilian operations described in subparagraph
6 (B);

7 (E) an identification of the sites that the
8 Secretary recommends as potential sites for
9 designation as Department of Defense Strategic
10 Arctic Ports;

11 (F) the estimated cost of sufficient con-
12 struction necessary to initiate and sustain ex-
13 pected operations at such sites; and

14 (G) such other information as the Sec-
15 retary deems relevant.

16 (c) DESIGNATION OF STRATEGIC ARCTIC PORTS.—
17 Not later than 90 days after the date on which the report
18 required under subsection (b) is submitted, the Secretary
19 of Defense, in consultation with the Chairman of the Joint
20 Chiefs of Staff, the Commanding General of the United
21 States Army Corps of Engineers, the Commandant of the
22 Coast Guard, and the Administrator of the Maritime Ad-
23 ministration, may designate one or more ports as Depart-
24 ment of Defense Strategic Arctic Ports from the sites
25 identified under subsection (b)(2)(E).

1 (d) RULE OF CONSTRUCTION.—Nothing in this sec-
2 tion may be construed to authorize any additional appro-
3 priations for the Department of Defense for the establish-
4 ment of any port designated pursuant to this section.

5 (e) ARCTIC DEFINED.—In this section, the term
6 “Arctic” has the meaning given that term in section 112
7 of the Arctic Research and Policy Act of 1984 (15 U.S.C.
8 4111).

9 **SEC. 1099U. FUNDING LIMITATION FOR THE ERIE**
10 **CANALWAY NATIONAL HERITAGE CORRIDOR.**

11 Section 810(a)(1) of the Erie Canalway National
12 Heritage Corridor Act (Public Law 106–554; 114 Stat.
13 2763A–303) is amended, in the second sentence, by strik-
14 ing “\$12,000,000” and inserting “\$14,000,000”.

15 **SEC. 1099V. INSPECTION OF FACILITIES USED TO HOUSE,**
16 **DETAIN, SCREEN, AND REVIEW MIGRANTS**
17 **AND REFUGEES.**

18 The Secretary of Defense, in coordination with the
19 Comptroller General of the United States and the Sec-
20 retary of Health and Human Services shall establish a
21 process under which the Comptroller General and the In-
22 spector General of Health and Human Services, as appro-
23 priate, may be provided with access to Government-owned
24 or Department of Defense-owned installations where there
25 are facilities used to house, detain, screen, or review mi-

1 grants, refugees, or other persons recently arriving in the
2 United States for purposes of conducting surprise inspec-
3 tions of such facilities.

4 **SEC. 1099W. SENSE OF CONGRESS REGARDING THE 2001 AU-**
5 **THORIZATION FOR USE OF MILITARY FORCE.**

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

8 (1) The Authorization for Use of Military Force
9 (referred to in this section as the “2001 AUMF”)
10 (Public Law 107–40; 50 U.S.C. 1541 note) was
11 passed by Congress in 2001 after the terrorist at-
12 tacks of September 11, 2001, to authorize the use
13 of force against those responsible for the attacks of
14 September 11, 2001.

15 (2) The 2001 AUMF is one of the only modern
16 authorizations for the use of force in the history of
17 the United States that included no limitation in
18 time, geography, operations, or a named enemy.

19 (3) The 2001 AUMF has been cited 41 times
20 as the legal basis for the use of force in 19 coun-
21 tries.

22 (4) Article 1, Section 8 of the Constitution pro-
23 vides Congress with the sole authority to “declare
24 war”.

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

3 (1) the use of the 2001 AUMF has been well
4 beyond the scope that Congress initially intended
5 when it was passed on September 14, 2001;

6 (2) nearly 18 years after the passage of the
7 2001 AUMF, it has served as a blank check for any
8 President to wage war at any time and at any place;
9 and

10 (3) any new authorization for the use of mili-
11 tary force that replaces the 2001 AUMF should in-
12 clude—

13 (A) a sunset clause and timeframe within
14 which Congress should revisit the authority pro-
15 vided in the new authorization for use of mili-
16 tary force;

17 (B) a clear and specific expression of mis-
18 sion objectives, targets, and geographic scope;
19 and

20 (C) reporting requirements to increase
21 transparency and ensure proper Congressional
22 oversight.

1 **SEC. 1099X. PROHIBITION ON EXPORT OF AIR TO GROUND**
2 **MUNITIONS, RELATED COMPONENTS AND**
3 **PARTS OF SUCH MUNITIONS, AND RELATED**
4 **SERVICES TO SAUDI ARABIA AND THE**
5 **UNITED ARAB EMIRATES.**

6 (a) IN GENERAL.—For the one-year period beginning
7 on the date of the enactment of this Act, the President
8 may not issue any license, and shall suspend any license
9 or other approval that was issued before the date of the
10 enactment of this Act, for the export to the Government
11 of Saudi Arabia or the Government of the United Arab
12 Emirates of any air to ground munitions, related compo-
13 nents and parts of such munitions, and related services.

14 (b) WAIVER.—The President may waive the prohibi-
15 tion in subsection (a) for any instance of license denial
16 or suspension that shall result in a cost to the Federal
17 Government.

18 **SEC. 1099Y. INDEPENDENT STUDIES REGARDING POTEN-**
19 **TIAL COST SAVINGS WITH RESPECT TO THE**
20 **NUCLEAR SECURITY ENTERPRISE AND**
21 **FORCE STRUCTURE.**

22 (a) COMPTROLLER GENERAL REPORT.—

23 (1) REQUIREMENT.—Not later than December
24 1, 2020, the Comptroller General of the United
25 States shall submit to the congressional defense

1 committees a report containing cost analyses with
2 respect to each of the following:

3 (A) Options for reducing the nuclear secu-
4 rity enterprise (as defined by section 4002 of
5 the Atomic Energy Defense Act (50 U.S.C.
6 2501)).

7 (B) Options for reductions in service con-
8 tracts.

9 (C) Options for rebalancing force struc-
10 ture, including reductions in special operations
11 forces, the ancillary effects of such options, and
12 the impacts of changing the force mix between
13 active and reserve components.

14 (D) Options for reducing or realigning
15 overseas military presence.

16 (E) Options for the use of pre-award au-
17 dits to negotiate better prices for weapon sys-
18 tems and services.

19 (F) Options for replacing some military
20 personnel with civilian employees.

21 (2) FORM.—The report under paragraph (1)
22 shall be submitted in unclassified form, but may
23 contain a classified annex with respect to the mat-
24 ters specified in subparagraphs (A) and (C) of such
25 paragraph.

1 (b) FFRDC STUDIES.—

2 (1) REQUIREMENT.—The Secretary of Defense
3 shall seek to enter into agreements with federally
4 funded research and development centers to conduct
5 the following studies:

6 (A) A study of the cost savings resulting
7 from changes in force structure, active and re-
8 serve component balance, basing, and other im-
9 pacts resulting from potential challenges to
10 foundational planning assumptions.

11 (B) A study of the cost savings resulting
12 from the adoption of alternatives to the current
13 nuclear deterrence posture of the United States.

14 (C) A study of the cost savings of alter-
15 natives to current force structures.

16 (2) DETAIL REQUIRED.—The Secretary shall
17 ensure that each study under paragraph (1) has a
18 level of detail sufficient to allow the Director of the
19 Congressional Budget Office to analyze the costs de-
20 scribed in such studies.

21 (3) SUBMISSION.—Not later than December 1,
22 2020, the Secretary shall submit to the congres-
23 sional defense committees each study under para-
24 graph (1).

1 (4) FORM.—The studies under paragraph (1),
2 and the report under paragraph (3), shall be sub-
3 mitted in unclassified form, but may contain a clas-
4 sified annex.

5 (c) INDEPENDENT STUDY.—

6 (1) REQUIREMENT.—The Secretary shall seek
7 to enter into an agreement with an appropriate non-
8 partisan nongovernmental entity to conduct a study
9 on possible alternatives to the current defense and
10 deterrence posture of the United States, including
11 challenges to foundational assumptions, and the im-
12 pact of such postures on planning assumptions and
13 requirements, basing, and force structure require-
14 ments.

15 (2) SUBMISSION.—Not later than December 1,
16 2020, the Secretary shall submit to the congres-
17 sional defense committees the study under para-
18 graph (1).

19 **Subtitle I—North Korea Nuclear** 20 **Sanctions**

21 **SEC. 1099Z-1. SHORT TITLE.**

22 This subtitle may be cited as the “Otto Warmbier
23 North Korea Nuclear Sanctions Act of 2019”.

24 **SEC. 1099Z-2. FINDINGS.**

25 The Congress finds the following:

1 (1) On June 1, 2016, the Department of the
2 Treasury’s Financial Crimes Enforcement Network
3 announced a Notice of Finding that the Democratic
4 People’s Republic of Korea is a jurisdiction of pri-
5 mary money laundering concern due to its use of
6 state-controlled financial institutions and front com-
7 panies to support the proliferation and development
8 of weapons of mass destruction (WMD) and ballistic
9 missiles.

10 (2) The Financial Action Task Force (FATF)
11 has expressed serious concerns with the threat posed
12 by North Korea’s proliferation and financing of
13 WMD, and has called on FATF members to apply
14 effective counter-measures to protect their financial
15 sectors from North Korean money laundering, WMD
16 proliferation financing, and the financing of ter-
17 rorism.

18 (3) In its February 2017 report, the U.N.
19 Panel of Experts concluded that—

20 (A) North Korea continued to access the
21 international financial system in support of il-
22 licit activities despite sanctions imposed by
23 U.N. Security Council Resolutions 2270 (2016)
24 and 2321 (2016);

1 (B) during the reporting period, no mem-
2 ber state had reported taking actions to freeze
3 North Korean assets; and

4 (C) sanctions evasion by North Korea,
5 combined with inadequate compliance by mem-
6 ber states, had significantly negated the impact
7 of U.N. Security Council resolutions.

8 (4) In its September 2017 report, the U.N.
9 Panel of Experts found that—

10 (A) North Korea continued to violate fi-
11 nancial sanctions by using agents acting abroad
12 on the country's behalf;

13 (B) foreign financial institutions provided
14 correspondent banking services to North Ko-
15 rean persons and front companies for illicit pur-
16 poses;

17 (C) foreign companies violated sanctions by
18 maintaining links with North Korean financial
19 institutions; and

20 (D) North Korea generated at least \$270
21 million during the reporting period through the
22 violation of sectoral sanctions.

23 (5) North Korean entities engage in significant
24 financial transactions through foreign bank accounts
25 that are maintained by non-North Korean nationals,

1 thereby masking account users' identity in order to
2 access financial services.

3 (6) North Korea's sixth nuclear test on Sep-
4 tember 3, 2017, demonstrated an estimated explo-
5 sive power more than 100 times greater than that
6 generated by its first nuclear test in 2006.

7 (7) On February 23, 2018 the Department of
8 the Treasury announced its largest-ever set of North
9 Korea-related sanctions, with a particular focus on
10 shipping and trading companies, and issued a mari-
11 time advisory to highlight North Korea's sanctions
12 evasion tactics. On May 9, 2019, the United States
13 seized a North Korean ship, the Wise Honest, which
14 had previously been detained by Indonesia for car-
15 rying coal in violation of United Nations sanctions.

16 (8) According to the March 2019 Final Report
17 of the U.N. Panel of Experts, "The nuclear and bal-
18 listic missile programmes of the Democratic People's
19 Republic of Korea remain intact and the country
20 continues to defy Security Council resolutions
21 through a massive increase in illegal ship-to-ship
22 transfers of petroleum products and coal. These vio-
23 lations render the latest United Nations sanctions
24 ineffective by flouting the caps on the import of pe-
25 troleum products and crude oil by the Democratic

1 People's Republic of Korea as well as the coal ban,
2 imposed in 2017 by the Security Council in response
3 to the country's unprecedented nuclear and ballistic
4 missile testing.”.

5 (9) The U.N. Panel of Experts further con-
6 cluded: “Financial sanctions remain some of the
7 most poorly implemented and actively evaded meas-
8 ures of the sanctions regime. Individuals empowered
9 to act as extensions of financial institutions of the
10 Democratic People's Republic of Korea operate in at
11 least five countries with seeming impunity.”.

12 (10) North Korea has successfully tested short-
13 range, submarine-launched, and intercontinental bal-
14 listic missiles, and is rapidly progressing in its devel-
15 opment of a nuclear-armed missile that is capable of
16 reaching United States territory.

17 **SEC. 1099Z-3. CONDITIONS WITH RESPECT TO CERTAIN AC-**
18 **COUNTS AND TRANSACTIONS AT UNITED**
19 **STATES FINANCIAL INSTITUTIONS.**

20 (a) CORRESPONDENT AND PAYABLE-THROUGH AC-
21 COUNTS HELD BY FOREIGN FINANCIAL INSTITUTIONS.—

22 (1) IN GENERAL.—Not later than 180 days
23 after the date of the enactment of this Act, the Sec-
24 retary of the Treasury shall prescribe regulations to
25 prohibit, or impose strict conditions on, the opening

1 or maintaining in the United States of a cor-
2 respondent account or a payable-through account by
3 a foreign financial institution that the Secretary
4 finds knowingly facilitates a significant transaction
5 or provides significant financial services for a cov-
6 ered person.

7 (2) PENALTIES.—

8 (A) CIVIL PENALTY.—A person who vio-
9 lates, attempts to violate, conspires to violate,
10 or causes a violation of regulations prescribed
11 under this subsection shall be subject to a civil
12 penalty in an amount not to exceed the greater
13 of—

14 (i) \$250,000; or

15 (ii) an amount that is twice the
16 amount of the transaction that is the basis
17 of the violation with respect to which the
18 penalty is imposed.

19 (B) CRIMINAL PENALTY.—A person who
20 willfully commits, willfully attempts to commit,
21 or willfully conspires to commit, or aids or
22 abets in the commission of, a violation of regu-
23 lations prescribed under this subsection shall,
24 upon conviction, be fined not more than

1 \$1,000,000, or if a natural person, may be im-
2 prisoned for not more than 20 years, or both.

3 (b) RESTRICTIONS ON CERTAIN TRANSACTIONS BY
4 UNITED STATES FINANCIAL INSTITUTIONS.—

5 (1) IN GENERAL.—Not later than 180 days
6 after the date of the enactment of this Act, the Sec-
7 retary of the Treasury shall prescribe regulations to
8 prohibit a United States financial institution, and
9 any person owned or controlled by a United States
10 financial institution, from knowingly engaging in a
11 significant transaction with or benefitting any per-
12 son that the Secretary finds to be a covered person.

13 (2) CIVIL PENALTY.—A person who violates, at-
14 tempts to violate, conspires to violate, or causes a
15 violation of regulations prescribed under this sub-
16 section shall be subject to a civil penalty in an
17 amount not to exceed the greater of—

18 (A) \$250,000; or

19 (B) an amount that is twice the amount of
20 the transaction that is the basis of the violation
21 with respect to which the penalty is imposed.

1 **SEC. 1099Z-4. OPPOSITION TO ASSISTANCE BY THE INTER-**
2 **NATIONAL FINANCIAL INSTITUTIONS AND**
3 **THE EXPORT-IMPORT BANK.**

4 (a) INTERNATIONAL FINANCIAL INSTITUTIONS.—
5 The Bretton Woods Agreements Act (22 U.S.C. 286 et
6 seq.) is amended by adding at the end the following:

7 **“SEC. 73. OPPOSITION TO ASSISTANCE FOR ANY GOVERN-**
8 **MENT THAT FAILS TO IMPLEMENT SANC-**
9 **TIONS ON NORTH KOREA.**

10 “(a) IN GENERAL.—The Secretary of the Treasury
11 shall instruct the United States Executive Director at the
12 international financial institutions (as defined under sec-
13 tion 1701(c) of the International Financial Institutions
14 Act) to use the voice and vote of the United States to
15 oppose the provision of financial assistance to a foreign
16 government, other than assistance to support basic human
17 needs, if the President determines that, in the year pre-
18 ceding consideration of approval of such assistance, the
19 government has knowingly failed to prevent the provision
20 of financial services to, or freeze the funds, financial as-
21 sets, and economic resources of, a person described under
22 subparagraphs (A) through (E) of section 7(2) of the Otto
23 Warmbier North Korea Nuclear Sanctions Act of 2019.

24 “(b) WAIVER.—The President may waive subsection
25 (a) for up to 180 days at a time with respect to a foreign
26 government if the President reports to Congress that—

1 “(1) the foreign government’s failure described
 2 under (a) is due exclusively to a lack of foreign gov-
 3 ernment capacity;

4 “(2) the foreign government is taking effective
 5 steps to prevent recurrence of such failure; or

6 “(3) such waiver is vital to the national security
 7 interests of the United States.”.

8 (b) EXPORT-IMPORT BANK.—Section 2(b) of the Ex-
 9 port-Import Bank Act of 1945 (12 U.S.C. 635(b)) is
 10 amended by adding at the end the following:

11 “(14) PROHIBITION ON SUPPORT INVOLVING
 12 PERSONS CONNECTED WITH NORTH KOREA.—The
 13 Bank may not guarantee, insure, or extend credit, or
 14 participate in the extension of credit in connection
 15 with the export of a good or service to a covered per-
 16 son (as defined under section 7 of the Otto
 17 Warmbier North Korea Nuclear Sanctions Act of
 18 2019).”.

19 **SEC. 1099Z-5. TREASURY REPORTS ON COMPLIANCE, PEN-**
 20 **ALTIES, AND TECHNICAL ASSISTANCE.**

21 (a) SEMIANNUAL REPORT.—

22 (1) IN GENERAL.—Not later than 120 days fol-
 23 lowing the date of the enactment of this Act, and
 24 every 180 days thereafter, the Secretary of the
 25 Treasury shall submit a report to the Committee on

1 Financial Services of the House of Representatives
2 and the Committee on Banking, Housing, and
3 Urban Affairs of the Senate that includes—

4 (A) a list of financial institutions that, in
5 the period since the preceding report, knowingly
6 facilitated a significant transaction or trans-
7 actions or provided significant financial services
8 for a covered person;

9 (B) a list of any penalties imposed under
10 section 3 in the period since the preceding re-
11 port; and

12 (C) a description of efforts by the Depart-
13 ment of the Treasury in the period since the
14 preceding report, through consultations, tech-
15 nical assistance, or other appropriate activities,
16 to strengthen the capacity of financial institu-
17 tions and foreign governments to prevent the
18 provision of financial services benefitting any
19 covered person.

20 (2) FORM OF REPORT; PUBLIC AVAILABILITY.—

21 (A) FORM.—The report required under
22 paragraph (1) shall be submitted in unclassified
23 form but may contain a classified annex.

24 (B) PUBLIC AVAILABILITY.—The unclassi-
25 fied portion of such report shall be made avail-

1 able to the public and posted on the website of
2 the Department of the Treasury.

3 (3) SUNSET.—The report requirement under
4 this subsection shall terminate after the end of the
5 5-year period beginning on the date of enactment of
6 this Act.

7 (b) TESTIMONY REQUIRED.—Upon request of the
8 Committee on Financial Services of the House of Rep-
9 resentatives or the Committee on Banking, Housing, and
10 Urban Affairs of the Senate, the Under Secretary of the
11 Treasury for Terrorism and Financial Intelligence shall
12 testify to explain the effects of this Act, and the amend-
13 ments made by this Act, on North Korea’s access to illicit
14 finance channels.

15 (c) INTERNATIONAL MONETARY FUND.—Title XVI
16 of the International Financial Institutions Act (22 U.S.C.
17 262p et seq.) is amended by adding at the end the fol-
18 lowing:

19 **“SEC. 1629. SUPPORT FOR CAPACITY OF THE INTER-**
20 **NATIONAL MONETARY FUND TO PREVENT**
21 **MONEY LAUNDERING AND FINANCING OF**
22 **TERRORISM.**

23 “The Secretary of the Treasury shall instruct the
24 United States Executive Director at the International
25 Monetary Fund to support the increased use of the admin-

1 istrative budget of the Fund for technical assistance that
2 strengthens the capacity of Fund members to prevent
3 money laundering and the financing of terrorism.”.

4 (d) NATIONAL ADVISORY COUNCIL REPORT TO CON-
5 GRESS.—The Chairman of the National Advisory Council
6 on International Monetary and Financial Policies shall in-
7 clude in the report required by section 1701 of the Inter-
8 national Financial Institutions Act (22 U.S.C. 262r) a de-
9 scription of—

10 (1) the activities of the International Monetary
11 Fund in the most recently completed fiscal year to
12 provide technical assistance that strengthens the ca-
13 pacity of Fund members to prevent money laun-
14 dering and the financing of terrorism, and the effec-
15 tiveness of the assistance; and

16 (2) the efficacy of efforts by the United States
17 to support such technical assistance through the use
18 of the Fund’s administrative budget, and the level of
19 such support.

20 (e) SUNSET.—Effective on the date that is the end
21 of the 4-year period beginning on the date of enactment
22 of this Act, section 1629 of the International Financial
23 Institutions Act, as added by subsection (c), is repealed.

1 **SEC. 1099Z-6. SUSPENSION AND TERMINATION OF PROHIBI-**
2 **TIONS AND PENALTIES.**

3 (a) SUSPENSION.—Except for any provision of sec-
4 tion 1098, the President may suspend, on a case-by-case
5 basis, the application of any provision of this subtitle, or
6 provision in an amendment made by this subtitle, with re-
7 spect to an entity, individual, or transaction, for a period
8 of not more than 180 days at a time if the President cer-
9 tifies to Congress that—

10 (1) the Government of North Korea has—

11 (A) committed to the verifiable suspension
12 of North Korea's proliferation and testing of
13 WMD, including systems designed in whole or
14 in part for the delivery of such weapons; and

15 (B) has agreed to multilateral talks includ-
16 ing the Government of the United States, with
17 the goal of permanently and verifiably limiting
18 North Korea's WMD and ballistic missile pro-
19 grams; or

20 (2) such suspension is vital to the national se-
21 curity interests of the United States, with an expla-
22 nation of the reasons therefor.

23 (b) TERMINATION.—

24 (1) IN GENERAL.—On the date that is 30 days
25 after the date on which the President makes the cer-
26 tification described under paragraph (2)—

1 (A) subsection (a), section 1094, and sub-
2 sections (a) and (b) of section 1096 shall cease
3 to have any force or effect;

4 (B) section 73 of the Bretton Woods
5 Agreements Act, as added by section 4(a), shall
6 be repealed; and

7 (C) section 2(b)(14) of the Export-Import
8 Bank Act of 1945, as added by section 4(b),
9 shall be repealed.

10 (2) CERTIFICATION.—The certification de-
11 scribed under this paragraph is a certification by the
12 President to the Congress that—

13 (A) the Government of North Korea—

14 (i) has ceased to pose a significant
15 threat to national security, with an expla-
16 nation of the reasons therefor; or

17 (ii) is committed to, and is taking ef-
18 fective steps to achieving, the goal of per-
19 manently and verifiably limiting North Ko-
20 rea's WMD and ballistic missile programs;
21 or

22 (B) such termination is vital to the na-
23 tional security interests of the United States,
24 with an explanation of the reasons therefor.

1 **SEC. 1099Z-7. EXCEPTION RELATING TO IMPORTATION OF**
2 **GOODS.**

3 (a) IN GENERAL.—The authorities and requirements
4 to impose sanctions authorized under this subtitle shall
5 not include the authority or requirement to impose sanc-
6 tions on the importation of goods.

7 (b) GOOD DEFINED.—In this section, the term
8 “good” means any article, natural or man-made sub-
9 stance, material, supply or manufactured product, includ-
10 ing inspection and test equipment, and excluding technical
11 data.

12 **SEC. 1099Z-8. DEFINITIONS.**

13 For purposes of this subtitle:

14 (1) TERMS RELATED TO NORTH KOREA.—The
15 terms “applicable Executive order”, “Government of
16 North Korea”, “North Korea”, “North Korean per-
17 son”, and “significant activities undermining cyber-
18 security” have the meanings given those terms, re-
19 spectively, in section 3 of the North Korea Sanctions
20 and Policy Enhancement Act of 2016 (22 U.S.C.
21 9202).

22 (2) COVERED PERSON.—The term “covered
23 person” means the following:

24 (A) Any North Korean person designated
25 under an applicable Executive order.

1 (B) Any North Korean person that know-
2 ingly facilitates the transfer of bulk cash or cov-
3 ered goods (as defined under section 1027.100
4 of title 31, Code of Federal Regulations).

5 (C) Any North Korean financial institu-
6 tion.

7 (D) Any North Korean person employed
8 outside of North Korea, except that the Sec-
9 retary of the Treasury may waive the applica-
10 tion of this subparagraph for a North Korean
11 person that is not otherwise a covered person
12 and—

13 (i) has been granted asylum or ref-
14 ugee status by the country of employment;
15 or

16 (ii) is employed as essential diplomatic
17 personnel for the Government of North
18 Korea.

19 (E) Any person acting on behalf of, or at
20 the direction of, a person described under sub-
21 paragraphs (A) through (D).

22 (F) Any person that knowingly employs a
23 person described under subparagraph (D).

24 (G) Any person that knowingly facilitates
25 the import of goods, services, technology, or

1 natural resources, including energy imports and
2 minerals, or their derivatives, from North
3 Korea.

4 (H) Any person that knowingly facilitates
5 the export of goods, services, technology, or nat-
6 ural resources, including energy exports and
7 minerals, or their derivatives, to North Korea,
8 except for food, medicine, or medical supplies
9 required for civilian humanitarian needs.

10 (I) Any person that knowingly invests in,
11 or participates in a joint venture with, an entity
12 in which the Government of North Korea par-
13 ticipates or an entity that is created or orga-
14 nized under North Korean law.

15 (J) Any person that knowingly provides fi-
16 nancial services, including through a subsidiary
17 or joint venture, in North Korea.

18 (K) Any person that knowingly insures,
19 registers, facilitates the registration of, or
20 maintains insurance or a registration for, a ves-
21 sel owned, controlled, commanded, or operated
22 by a North Korean person.

23 (L) Any person knowingly providing spe-
24 cialized teaching, training, or information or

1 providing material or technological support to a
2 North Korean person that—

3 (i) may contribute to North Korea’s
4 development and proliferation of WMD, in-
5 cluding systems designed in whole or in
6 part for the delivery of such weapons; or

7 (ii) may contribute to significant ac-
8 tivities undermining cybersecurity.

9 (3) FINANCIAL INSTITUTION DEFINITIONS.—

10 (A) FINANCIAL INSTITUTION.—The term
11 “financial institution” means a United States
12 financial institution or a foreign financial insti-
13 tution.

14 (B) FOREIGN FINANCIAL INSTITUTION.—
15 The term “foreign financial institution” has the
16 meaning given that term under section
17 1010.605 of title 31, Code of Federal Regula-
18 tions.

19 (C) NORTH KOREAN FINANCIAL INSTITU-
20 TION.—The term “North Korean financial in-
21 stitution” includes—

22 (i) any North Korean financial insti-
23 tution, as defined in section 3 of the North
24 Korea Sanctions and Policy Enhancement
25 Act of 2016 (22 U.S.C. 9202);

1 (ii) any financial agency, as defined in
2 section 5312 of title 31, United States
3 Code, that is owned or controlled by the
4 Government of North Korea;

5 (iii) any money transmitting business,
6 as defined in section 5330(d) of title 31,
7 United States Code, that is owned or con-
8 trolled by the Government of North Korea;

9 (iv) any financial institution that is a
10 joint venture between any person and the
11 Government of North Korea; and

12 (v) any joint venture involving a
13 North Korean financial institution.

14 (D) UNITED STATES FINANCIAL INSTITU-
15 TION.—The term “United States financial insti-
16 tution” has the meaning given the term “U.S.
17 financial institution” under section 510.310 of
18 title 31, Code of Federal Regulations.

19 (4) KNOWINGLY.—The term “knowingly” with
20 respect to conduct, a circumstance, or a result,
21 means that a person has actual knowledge, or should
22 have known, of the conduct, the circumstance, or the
23 result.

1 **TITLE XI—CIVILIAN PERSONNEL**
2 **MATTERS**

3 **Subtitle A—Personnel Management**

4 **SEC. 1101. DEFENSE ADVANCED RESEARCH PROJECTS**
5 **AGENCY PERSONNEL MANAGEMENT AU-**
6 **THORITY.**

7 Section 1599h(b)(1)(B) of title 10, United States
8 Code, is amended by striking “100 positions” and insert-
9 ing “140 positions”.

10 **SEC. 1102. MODIFICATION OF PROBATIONARY PERIOD FOR**
11 **CERTAIN DEPARTMENT OF DEFENSE EM-**
12 **PLOYEES.**

13 (a) IN GENERAL.—Section 1599e of title 10, United
14 States Code, is amended by—

15 (1) striking subsection (a) and inserting the fol-
16 lowing:

17 “(a) IN GENERAL.—Notwithstanding sections 3321
18 and 3393(d) of title 5, the probationary period applicable
19 under those sections to a covered employee may be ex-
20 tended by the Secretary concerned at the discretion of
21 such Secretary.”; and

22 (2) by striking subsection (d).

23 (b) CONFORMING AMENDMENTS.—Title 5, United
24 States Code, is amended—

1 (1) in section 7501(1), by striking “, except as
2 provided in section 1599e of title 10,”; and

3 (2) in section 7511(a)(1)(A)(ii), by striking
4 “except as provided in section 1599e of title 10,”.

5 (c) APPLICATION.—The amendments made by this
6 section shall apply to any covered employee (as that term
7 is defined in paragraph (1) of section 1599e(b) of title
8 10, United States Code) appointed to a position described
9 under subparagraph (A) or (B) of such paragraph on or
10 after the date of the enactment of this Act.

11 **SEC. 1103. CIVILIAN PERSONNEL MANAGEMENT.**

12 Section 129 of title 10, United States Code, is
13 amended—

14 (1) in subsection (a)—

15 (A) in the first sentence, by striking “each
16 fiscal year” and inserting “each fiscal year sole-
17 ly”; and

18 (B) in the second sentence—

19 (i) by striking “Any” and inserting
20 “The management of such personnel in
21 any fiscal year shall not be subject to
22 any”; and

23 (ii) by striking “shall be developed”
24 and all that follows through “changed cir-
25 cumstances”; and

1 (2) in subsection (c)(2)—

2 (A) in each of subparagraphs (A) and (B),
3 by inserting “and associated costs” after each
4 instance of “projected size”; and

5 (B) in subparagraph (B), by striking “that
6 have been taken” and all that follows through
7 the period and inserting “to reduce the overall
8 costs of the total force of military, civilian, and
9 contract workforces.”.

10 **SEC. 1104. ONE-YEAR EXTENSION OF TEMPORARY AUTHOR-**
11 **ITY TO GRANT ALLOWANCES, BENEFITS, AND**
12 **GRATUITIES TO CIVILIAN PERSONNEL ON OF-**
13 **FICIAL DUTY IN A COMBAT ZONE.**

14 Paragraph (2) of section 1603(a) of the Emergency
15 Supplemental Appropriations Act for Defense, the Global
16 War on Terror, and Hurricane Recovery, 2006 (Public
17 Law 109–234; 120 Stat. 443), as added by section 1102
18 of the Duncan Hunter National Defense Authorization
19 Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat.
20 4616) and as most recently amended by section 1115 of
21 the John S. McCain National Defense Authorization Act
22 for Fiscal Year 2019 (Public Law 115–232), is further
23 amended by striking “2020” and inserting “2021”.

1 **SEC. 1105. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE**
2 **ANNUAL LIMITATION ON PREMIUM PAY AND**
3 **AGGREGATE LIMITATION ON PAY FOR FED-**
4 **ERAL CIVILIAN EMPLOYEES WORKING OVER-**
5 **SEAS.**

6 (a) **EXTENSION OF AUTHORITY.**—Section 1101(a) of
7 the Duncan Hunter National Defense Authorization Act
8 for Fiscal Year 2009 (Public Law 110–417; 122 Stat.
9 4615), as most recently amended by section 1104 of the
10 John S. McCain National Defense Authorization Act for
11 Fiscal Year 2019 (Public Law 115–232), is further
12 amended by striking “through 2019” and inserting
13 “through 2020”.

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

16 **SEC. 1106. PERFORMANCE OF CIVILIAN FUNCTIONS BY**
17 **MILITARY PERSONNEL.**

18 Subparagraph (B) of paragraph (1) of subsection (g)
19 of section 129a of title 10, United States Code, is amend-
20 ed to read as follows:

21 “(B) such functions may be performed by
22 military personnel for a period that does not ex-
23 ceed one year if the Secretary of the military
24 department concerned determines that—

25 “(i) the performance of such functions
26 by military personnel is required to ad-

1 dress critical staffing needs resulting from
2 a reduction in personnel or budgetary re-
3 sources by reason of an Act of Congress;
4 and

5 “(ii) the military department con-
6 cerned is in compliance with the policies,
7 procedures, and analysis required by this
8 section and section 129 of this title.”.

9 **SEC. 1107. EXTENSION OF DIRECT HIRE AUTHORITY FOR**
10 **DOMESTIC INDUSTRIAL BASE FACILITIES**
11 **AND MAJOR RANGE AND TEST FACILITIES**
12 **BASE.**

13 (a) IN GENERAL.—Subsection (a) of section 1125 of
14 the National Defense Authorization Act for Fiscal Year
15 2017 (Public Law 114–328), as amended by subsection
16 (a) of section 1102 of the National Defense Authorization
17 Act for Fiscal Year 2018 (Public Law 115–91), is further
18 amended by striking “through 2021,” and inserting
19 “through 2025,”.

20 (b) BRIEFING.—Subsection (b) of such section 1102
21 is amended by striking “fiscal years 2019 and 2021” and
22 inserting “fiscal years 2019 through 2025”.

1 **SEC. 1108. AUTHORITY TO PROVIDE ADDITIONAL ALLOW-**
2 **ANCES AND BENEFITS FOR CERTAIN DE-**
3 **FENSE CLANDESTINE SERVICE EMPLOYEES.**

4 Section 1603 of title 10, United States Code, is
5 amended by adding at the end the following new sub-
6 section:

7 “(c) ADDITIONAL ALLOWANCES AND BENEFITS FOR
8 CERTAIN EMPLOYEES OF THE DEFENSE CLANDESTINE
9 SERVICE.—(1) Beginning on the date on which the Sec-
10 retary of Defense submits the report under paragraph
11 (3)(A), in addition to the authority to provide compensa-
12 tion under subsection (a), the Secretary may provide a
13 covered employee allowances and benefits under paragraph
14 (1) of section 9904 of title 5 without regard to the limita-
15 tions in that section—

16 “(A) that the employee be assigned to activities
17 outside the United States; or

18 “(B) that the activities to which the employee
19 is assigned be in support of Department of Defense
20 activities abroad.

21 “(2) The Secretary may not provide allowances and
22 benefits under paragraph (1) to more than 125 covered
23 employees per year.

24 “(3)(A) The Secretary shall submit to the appro-
25 priate congressional committees a report containing a
26 strategy addressing the mission of the Defense Clandes-

1 time Service during the period covered by the most recent
2 future-years defense program submitted under section 221
3 of this title, including—

4 “(i) how such mission will evolve during such
5 period;

6 “(ii) how the authority provided by paragraph
7 (1) will assist the Secretary in carrying out such
8 mission; and

9 “(iii) an implementation plan for carrying out
10 paragraph (1), including a projection of how much
11 the amount of the allowances and benefits provided
12 under such paragraph compare with the amount of
13 the allowances and benefits provided before the date
14 of the report.

15 “(B) Not later than December 31, 2020, and each
16 year thereafter, the Secretary shall submit to the appro-
17 priate congressional committees a report, with respect to
18 the fiscal year preceding the date on which the report is
19 submitted—

20 “(i) identifying the number of covered employ-
21 ees for whom the Secretary provided allowances and
22 benefits under paragraph (1); and

23 “(ii) evaluating the efficacy of such allowances
24 and benefits in enabling the execution of the objec-
25 tives of the Defense Intelligence Agency.

1 “(C) The reports under subparagraphs (A) and (B)
2 may be submitted in classified form.

3 “(4) In this subsection:

4 “(A) The term ‘appropriate congressional com-
5 mittees’ means—

6 “(i) the congressional defense committees;
7 and

8 “(ii) the Permanent Select Committee on
9 Intelligence of the House of Representatives
10 and the Select Committee on Intelligence of the
11 Senate.

12 “(B) The term ‘covered employee’ means an
13 employee in a defense intelligence position who is as-
14 signed to the Defense Clandestine Service at a loca-
15 tion in the United States that the Secretary deter-
16 mines has living costs equal to or higher than the
17 District of Columbia.”.

18 **SEC. 1109. PROHIBITED PERSONNEL PRACTICES.**

19 (a) IN GENERAL.—Section 2302 of title 5, United
20 States Code, is amended by adding at the end the fol-
21 lowing:

22 “(g)(1) All protections afforded to an employee under
23 subparagraphs (A), (B), and (D) of subsection (b)(1) shall
24 be afforded, in the same manner and to the same extent,
25 to an intern and an applicant for internship.

1 “(2) For purposes of the application of this sub-
 2 section, a reference to an employee shall be considered a
 3 reference to an intern in—

4 “(A) section 717 of the Civil Rights Act of
 5 1964 (42 U.S.C. 2000e–16);

6 “(B) sections 12 and 15 of the Age Discrimina-
 7 tion in Employment Act of 1967 (29 U.S.C. 631,
 8 633a); and

9 “(C) section 501 of the Rehabilitation Act of
 10 1973 (29 U.S.C. 791).

11 “(3) In this subsection, the term ‘intern’ means an
 12 individual who performs uncompensated voluntary service
 13 in an agency to earn credit awarded by an educational in-
 14 stitution or to learn a trade or occupation.”.

15 (b) CONFORMING AMENDMENT.—Section 3111(c)(1)
 16 of title 5, United States Code, is amended by inserting
 17 “section 2302(g) (relating to prohibited personnel prac-
 18 tices),” before “chapter 81”.

19 **SEC. 1110. ENHANCEMENT OF ANTIDISCRIMINATION PRO-**
 20 **TECTIONS FOR FEDERAL EMPLOYEES.**

21 (a) SENSE OF CONGRESS.—Section 102 of the Notifi-
 22 cation and Federal Employee Antidiscrimination and Re-
 23 taliation Act of 2002 (5 U.S.C. 2301 note) is amended—

24 (1) in paragraph (4), to read as follows:

1 “(4) accountability in the enforcement of Fed-
2 eral employee rights is furthered when Federal agen-
3 cies take appropriate disciplinary action against
4 Federal employees who have been found to have
5 committed discriminatory or retaliatory acts;” and

6 (2) in paragraph (5)(A)—

7 (A) by striking “nor is accountability” and
8 inserting “but accountability is not”; and

9 (B) by inserting “for what by law the
10 agency is responsible” after “under this Act”.

11 (b) NOTIFICATION OF VIOLATION.—Section 202 of
12 the Notification and Federal Employee Antidiscrimination
13 and Retaliation Act of 2002 (5 U.S.C. 2301 note) is
14 amended by adding at the end the following:

15 “(d) NOTIFICATION OF FINAL AGENCY ACTION.—

16 “(1) Not later than 30 days after a Federal
17 agency takes final action or the Equal Employment
18 Opportunity Commission issues an appellate decision
19 involving a finding of discrimination or retaliation
20 prohibited by a provision of law covered by para-
21 graph (1) or (2) of section 201(a), as applicable, the
22 head of the agency subject to the finding shall pro-
23 vide notice for at least 1 year on the agency’s inter-
24 net website in a clear and prominent location linked
25 directly from the agency’s internet home page stat-

1 ing that a finding of discrimination or retaliation
2 has been made.

3 “(2) The notification shall identify the date the
4 finding was made, the date or dates on which the
5 discriminatory or retaliatory act or acts occurred,
6 and the law or laws violated by the discriminatory
7 or retaliatory act or acts. The notification shall also
8 advise Federal employees of the rights and protec-
9 tions available under the respective provisions of law
10 covered by paragraph (1) or (2) of section 201(a).”.

11 (c) REPORTING REQUIREMENTS.—

12 (1) ELECTRONIC FORMAT REQUIREMENT.—

13 (A) IN GENERAL.—Section 203(a) of the
14 Notification and Federal Employee Anti-
15 discrimination and Retaliation Act of 2002 (5
16 U.S.C. 2301 note) is amended—

17 (i) by inserting “Homeland Security
18 and” before “Governmental Affairs”;

19 (ii) by inserting “Oversight and” be-
20 fore “Government Reform”; and

21 (iii) by inserting “(in an electronic
22 format prescribed by the Office of Per-
23 sonnel Management)” after “an annual re-
24 port”.

1 (B) EFFECTIVE DATE.—The amendment
2 made by paragraph (1)(C) shall take effect on
3 the date that is 1 year after the date of enact-
4 ment of this Act.

5 (C) TRANSITION PERIOD.—Notwith-
6 standing the requirements of section 203(a) of
7 the Notification and Federal Employee Anti-
8 discrimination and Retaliation Act of 2002 (5
9 U.S.C. 2301 note), the report required under
10 such section may be submitted in an electronic
11 format, as prescribed by the Office of Personnel
12 Management, during the period beginning on
13 the date of enactment of this Act and ending on
14 the effective date in paragraph (2).

15 (2) REPORTING REQUIREMENT FOR DISCIPLI-
16 NARY ACTION.—Section 203 of such Act is amended
17 by adding at the end the following:

18 “(c) DISCIPLINARY ACTION REPORT.—Not later
19 than 60 days after the date on which a Federal agency
20 takes final action or a Federal agency receives an appel-
21 late decision issued by the Equal Employment Oppor-
22 tunity Commission involving a finding of discrimination
23 or retaliation in violation of a provision of law covered by
24 paragraph (1) or (2) of section 201(a), as applicable, the
25 employing Federal agency shall submit to the Commission

1 a report stating whether disciplinary action has been initi-
2 ated against a Federal employee as a result of the viola-
3 tion.”.

4 (d) DATA TO BE POSTED BY EMPLOYING FEDERAL
5 AGENCIES.—Section 301(b) of the Notification and Fed-
6 eral Employee Antidiscrimination and Retaliation Act of
7 2002 (5 U.S.C. 2301 note) is amended—

8 (1) in paragraph (9)—

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

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

14 (C) by adding at the end the following:

15 “(C) for each such finding counted under
16 subparagraph (A), the agency shall specify—

17 “(i) the date of the finding;

18 “(ii) the affected agency;

19 “(iii) the law violated; and

20 “(iv) whether a decision has been
21 made regarding necessary disciplinary ac-
22 tion as a result of the finding.”; and

23 (2) by adding at the end the following:

1 “(11) Data regarding each class action com-
2 plaint filed against the agency alleging discrimina-
3 tion or retaliation, including—

4 “(A) information regarding the date on
5 which each complaint was filed;

6 “(B) a general summary of the allegations
7 alleged in the complaint;

8 “(C) an estimate of the total number of
9 plaintiffs joined in the complaint if known;

10 “(D) the current status of the complaint,
11 including whether the class has been certified;
12 and

13 “(E) the case numbers for the civil actions
14 in which discrimination or retaliation has been
15 found.”.

16 (e) DATA TO BE POSTED BY THE EQUAL EMPLOY-
17 MENT OPPORTUNITY COMMISSION.—Section 302(b) of the
18 Notification and Federal Employee Antidiscrimination
19 and Retaliation Act of 2002 (5 U.S.C. 2301 note) is
20 amended by striking “(10)” and inserting “(11)”.

21 (f) NOTIFICATION AND FEDERAL EMPLOYEE ANTI-
22 DISCRIMINATION AND RETALIATION ACT AMEND-
23 MENTS.—

24 (1) NOTIFICATION REQUIREMENTS.—The Noti-
25 fication and Federal Employee Antidiscrimination

1 and Retaliation Act of 2002 (5 U.S.C. 2301 note)
2 is amended by adding after section 206 the fol-
3 lowing:

4 **“SEC. 207. COMPLAINT TRACKING.**

5 “Not later than 1 year after the date of enactment
6 of the Federal Employee Antidiscrimination Act of 2019,
7 each Federal agency shall establish a system to track each
8 complaint of discrimination arising under section
9 2302(b)(1) of title 5, United States Code, and adjudicated
10 through the Equal Employment Opportunity process from
11 inception to resolution of the complaint, including whether
12 a decision has been made regarding necessary disciplinary
13 action as the result of a finding of discrimination.

14 **“SEC. 208. NOTATION IN PERSONNEL RECORD.**

15 “If a Federal agency takes an adverse action covered
16 under section 7512 of title 5, United States Code, against
17 a Federal employee for an act of discrimination or retalia-
18 tion prohibited by a provision of law covered by paragraph
19 (1) or (2) of section 201(a), the agency shall, after all
20 appeals relating to such action have been exhausted, in-
21 clude a notation of the adverse action and the reason for
22 the action in the employee’s personnel record.”.

23 (2) PROCESSING AND REFERRAL.—The Notifi-
24 cation and Federal Employee Antidiscrimination and

1 Retaliation Act of 2002 (5 U.S.C. 2301 note) is
2 amended by adding at the end the following:

3 **“TITLE IV—PROCESSING AND**
4 **REFERRAL**

5 **“SEC. 401. PROCESSING AND RESOLUTION OF COMPLAINTS.**

6 “Each Federal agency is responsible for the fair, im-
7 partial processing and resolution of complaints of employ-
8 ment discrimination and retaliation arising in the Federal
9 administrative process and shall establish a model Equal
10 Employment Opportunity Program that—

11 “(1) is not under the control, either structurally
12 or practically, of a Human Capital or General Coun-
13 sel office;

14 “(2) is devoid of internal conflicts of interest
15 and ensures fairness and inclusiveness within the or-
16 ganization; and

17 “(3) ensures the efficient and fair resolution of
18 complaints alleging discrimination or retaliation.

19 **“SEC. 402. NO LIMITATION ON HUMAN CAPITAL OR GEN-**
20 **ERAL COUNSEL ADVICE.**

21 “Nothing in this title shall prevent a Federal agency’s
22 Human Capital or General Counsel office from providing
23 advice or counsel to Federal agency personnel on the proc-
24 essing and resolution of a complaint, including providing

1 legal representation to a Federal agency in any pro-
2 ceeding.

3 **“SEC. 403. HEAD OF PROGRAM REPORTS TO HEAD OF**
4 **AGENCY.**

5 “The head of each Federal agency’s Equal Employ-
6 ment Opportunity Program shall report directly to the
7 head of the agency.

8 **“SEC. 404. REFERRALS OF FINDINGS OF DISCRIMINATION.**

9 “(a) EEOC FINDINGS OF DISCRIMINATION.—Not
10 later than 30 days after the Equal Employment Oppor-
11 tunity Commission issues an appellate decision involving
12 a finding of discrimination or retaliation within a Federal
13 agency, the Commission shall refer the matter to the Of-
14 fice of Special Counsel.

15 “(b) REFERRALS TO SPECIAL COUNSEL.—The Office
16 of Special Counsel shall accept and review a referral from
17 the Commission under subsection (a) for purposes of seek-
18 ing disciplinary action under its authority against a Fed-
19 eral employee who commits an act of discrimination or re-
20 taliation.

21 “(c) NOTIFICATION.—The Office of Special Counsel
22 shall notify the Commission in a case in which the Office
23 of Special Counsel initiates disciplinary action.

24 “(d) SPECIAL COUNSEL APPROVAL.—A Federal
25 agency may not take disciplinary action against a Federal

1 employee for an alleged act of discrimination or retaliation
 2 referred by the Commission under this section except in
 3 accordance with the requirements of section 1214(f) of
 4 title 5, United States Code.”.

5 (3) CONFORMING AMENDMENTS.—The table of
 6 contents in section 1(b) of the Notification and Fed-
 7 eral Employee Antidiscrimination and Retaliation
 8 Act of 2002 (5 U.S.C. 2301 note) is amended—

9 (A) by inserting after the item relating to
 10 section 206 the following:

“Sec. 207. Complaint tracking.

“Sec. 208. Notation in personnel record.”;

11 and

12 (B) by adding at the end the following:

“TITLE IV—PROCESSING AND REFERRAL

“Sec. 401. Processing and resolution of complaints.

“Sec. 402. No limitation on Human Capital or General Counsel advice.

“Sec. 403. Head of Program reports to head of agency.

“Sec. 404. Referrals of findings of discrimination.”.

13 (g) NONDISCLOSURE AGREEMENT LIMITATION.—
 14 Section 2302(b) of title 5, United States Code, is amend-
 15 ed—

16 (1) in paragraph (13)—

17 (A) by inserting “or the Office of Special
 18 Counsel” after “Inspector General”;

19 (B) by striking “implement” and inserting
 20 “(A) implement”; and

1 (C) by striking the period that follows the
2 quoted material and inserting “; or”; and

3 (2) by adding after subparagraph (A), as added
4 by paragraph (1)(B), and preceding the flush left
5 matter that follows paragraph (13), the following:

6 “(B) implement or enforce any nondisclo-
7 sure policy, form, or agreement, if such policy,
8 form, or agreement prohibits or restricts an em-
9 ployee from disclosing to Congress, the Office of
10 Special Counsel, or an Office of the Inspector
11 General any information that relates to any vio-
12 lation of any law, rule, or regulation, or mis-
13 management, a gross waste of funds, an abuse
14 of authority, or a substantial, and specific dan-
15 ger to public health or safety, or any other
16 whistleblower protection.”.

17 **SEC. 1111. MODIFICATION OF DIRECT HIRE AUTHORITIES**
18 **FOR THE DEPARTMENT OF DEFENSE.**

19 (a) IN GENERAL.—Section 9905 of title 5, United
20 States Code, is amended—

21 (1) in subsection (a)—

22 (A) by amending paragraph (2) to read as
23 follows:

24 “(2) Any cyber workforce position.”; and

1 (B) by adding after paragraph (4) the fol-
2 lowing:

3 “(5) Any scientific, technical, engineering, or
4 mathematics positions, including technicians, within
5 the defense acquisition workforce, or any category of
6 acquisition positions within the Department des-
7 ignated by the Secretary as a shortage or critical
8 need category.

9 “(6) Any scientific, technical, engineering, or
10 mathematics position, except any such position with-
11 in any defense Scientific and Technology Reinven-
12 tion Laboratory, for which a qualified candidate is
13 required to possess a bachelor’s degree or an ad-
14 vanced degree, or for which a veteran candidate is
15 being considered.

16 “(7) Any category of medical or health profes-
17 sional positions within the Department designated
18 by the Secretary as a shortage category or critical
19 need occupation.

20 “(8) Any childcare services position for which
21 there is a critical hiring need and a shortage of
22 childcare providers.

23 “(9) Any financial management, accounting,
24 auditing, actuarial, cost estimation, operational re-
25 search, or business or business administration posi-

1 tion, for which a qualified candidate is required to
2 possess a finance, accounting, management or actu-
3 arial science degree or a related degree, or a related
4 degree equivalent experience.

5 “(10) Any position, as determined by the Sec-
6 retary, for the purpose of assisting and facilitating
7 the efforts of the Department in business trans-
8 formation and management innovation.”; and

9 (2) by striking subsection (b) and inserting the
10 following:

11 “(b) SUNSET.—

12 “(1) IN GENERAL.—Except as provided in para-
13 graph (2), effective on September 30, 2025, the au-
14 thority provided under subsection (a) shall expire.

15 “(2) EXCEPTION.—Paragraph (1) shall not
16 apply to the authority provided under subsection (a)
17 to make appointments to positions described under
18 paragraph (5) of such subsection.

19 “(c) SUSPENSION OF OTHER HIRING AUTHORI-
20 TIES.—During the period beginning on the effective date
21 of the regulations issued to carry out the hiring authority
22 with respect to positions described in paragraphs (5)
23 through (10) of subsection (a) and ending on the date de-
24 scribed in subsection (b)(1), the Secretary of Defense may

1 not exercise or otherwise use any hiring authority provided
2 under the following provisions of law:

3 “(1) Sections 1599c(a)(2) and 1705(h) of title
4 10.

5 “(2) Sections 1112 and 1113 of the National
6 Defense Authorization Act for Fiscal Year 2016
7 (Public Law 114–92; 129 Stat. 1033).

8 “(3) Sections 1110 and 1643(a)(3) of the Na-
9 tional Defense Authorization Act for Fiscal Year
10 2017 (Public Law 114–328; 130 Stat. 2450 and
11 2602).

12 “(4) Sections 559 and 1101 of the National
13 Defense Authorization Act for Fiscal Year 2018
14 (Public Law 115–91).”.

15 (b) REPORT.—

16 (1) IN GENERAL.—Not later than February 1,
17 2021, the Secretary of Defense, in coordination with
18 the Director of the Office of Personnel Management,
19 shall contract with a Federally funded research and
20 development center to submit a report to the con-
21 gressional defense committees and the Committee on
22 Oversight and Reform of the House of Representa-
23 tives.

24 (2) CONTENTS.—The report required under
25 paragraph (1) shall—

1 (A) assess and identify steps that could be
2 taken to improve the competitive hiring process
3 at the Department and ensure that direct hir-
4 ing is conducted in a manner consistent with
5 ensuring a merit based civil service and a di-
6 verse workforce in the Department and the rest
7 of the Federal Government; and

8 (B) consider the feasibility and desirability
9 of using cohort hiring, or hiring “talent pools”,
10 instead of conducting all hiring on a position-
11 by-position basis.

12 (3) OTHER MATTERS.—The Federally funded
13 research and development center selected to carry
14 out the report under this subsection shall, in pre-
15 paring such report, consult with all stakeholders,
16 public sector unions, hiring managers, career agency,
17 and Office of Personnel Management personnel spe-
18 cialists, and survey public sector employees and job
19 applicants, when developing its analysis and rec-
20 ommendations.

21 **SEC. 1112. PERMITTED DISCLOSURES BY WHISTLE-**
22 **BLOWERS.**

23 (a) RECIPIENTS OF WHISTLEBLOWER DISCLO-
24 SURES.—Section 2302(b)(8)(B) of title 5, United States
25 Code, is amended by striking “or to the Inspector” and

1 all that follows through “such disclosures” and inserting
2 “the Inspector General of an agency, a supervisor in the
3 employee’s direct chain of command up to and including
4 the head of the employing agency, or to an employee des-
5 ignated by any of the aforementioned individuals for the
6 purpose of receiving such disclosures”.

7 (b) DETERMINATION OF BUDGETARY EFFECTS.—
8 The budgetary effects of this section, for the purpose of
9 complying with the Statutory Pay-As-You-Go Act of 2010,
10 shall be determined by reference to the latest statement
11 titled “Budgetary Effects of PAYGO Legislation” for this
12 section, submitted for printing in the Congressional
13 Record by the Chairman of the House Budget Committee,
14 provided that such statement has been submitted prior to
15 the vote on passage.

16 **SEC. 1113. DESIGNATING CERTAIN FEHBP AND FEGLI SERV-**
17 **ICES PROVIDED BY FEDERAL EMPLOYEES AS**
18 **EXCEPTED SERVICES UNDER THE ANTI-DEFI-**
19 **CIENCY ACT.**

20 (a) FEHBP.—Section 8905 of title 5, United States
21 Code, is amended by adding at the end the following:

22 “(i) Any services by an officer or employee under this
23 chapter relating to enrolling individuals in a health bene-
24 fits plan under this chapter, or changing the enrollment
25 of an individual already so enrolled, shall be deemed, for

1 purposes of section 1342 of title 31, services for emer-
2 gencies involving the safety of human life or the protection
3 of property.”.

4 (b) FEGLI.—Section 8702 of title 5, United States
5 Code, is amended by adding at the end the following:

6 “(d) Any services by an officer or employee under this
7 chapter relating to benefits under this chapter shall be
8 deemed, for purposes of section 1342 of title 31, services
9 for emergencies involving the safety of human life or the
10 protection of property.”.

11 (c) REGULATIONS.—

12 (1) IN GENERAL.—Not later than 90 days after
13 the date of the enactment of this Act, the Office of
14 Personnel Management shall prescribe regulations to
15 carry out the amendments made by subsections (a)
16 and (b).

17 (2) PAY STATUS FOR FURLOUGHED EMPLOY-
18 EES.—The regulations prescribed under paragraph
19 (1) for the amendments made by subsection (a) shall
20 provide that an employee furloughed as result of a
21 lapse in appropriations shall, during such lapse, be
22 deemed to be in a pay status for purposes of enroll-
23 ing or changing the enrollment (as the case may be)
24 of that employee under chapter 89 of title 5, United
25 States Code.

1 (d) APPLICATION.—The amendments made by sub-
2 section (a) and (b) shall apply to any lapse in appropria-
3 tions beginning on or after the date of enactment of this
4 Act.

5 **SEC. 1114. CONTINUING SUPPLEMENTAL DENTAL AND VI-**
6 **SION BENEFITS AND LONG-TERM CARE IN-**
7 **SURANCE COVERAGE DURING A GOVERN-**
8 **MENT SHUTDOWN.**

9 (a) IN GENERAL.—Title 5, United States Code, is
10 amended—

11 (1) in section 8956, by adding at the end the
12 following:

13 “(d) Coverage under a dental benefits plan under this
14 chapter for any employee or a covered TRICARE-eligible
15 individual enrolled in such a plan and who, as a result
16 of a lapse in appropriations, is furloughed or excepted
17 from furlough and working without pay shall continue
18 during such lapse and may not be cancelled as a result
19 of nonpayment of premiums or other periodic charges due
20 to such lapse.”;

21 (2) in section 8986, by adding at the end the
22 following:

23 “(d) Coverage under a vision benefits plan under this
24 chapter for any employee or a covered TRICARE-eligible
25 individual enrolled in such a plan and who, as a result

1 of a lapse in appropriations, is furloughed or excepted
2 from furlough and working without pay shall continue
3 during such lapse and may not be cancelled as a result
4 of nonpayment of premiums or other periodic charges due
5 to such lapse.”; and

6 (3) in section 9003, by adding at the end the
7 following:

8 “(e) EFFECT OF GOVERNMENT SHUTDOWN.—Cov-
9 erage under a master contract under this chapter for long-
10 term care insurance for an employee or member of the
11 uniformed services enrolled under such contract and who,
12 due to a lapse in appropriations, is furloughed or excepted
13 from furlough and working without pay shall continue
14 during such lapse and may not be cancelled as a result
15 of nonpayment of premiums or other periodic charges due
16 to such lapse.”.

17 (b) REGULATIONS.—

18 (1) IN GENERAL.—Consistent with paragraph
19 (2), the Director of the Office of Personnel Manage-
20 ment shall prescribe regulations under which pre-
21 miums for supplemental dental, supplemental vision,
22 or long-term care insurance under chapter 89A,
23 89B, or 90 (respectively) of title 5, United States
24 Code, (as amended by subsection (a)) that are un-
25 paid by an employee, a covered TRICARE-eligible

1 individual, or a member of the uniformed services
2 (as the case may be), as a result of that employee,
3 covered TRICARE-eligible individual, or member
4 being furloughed or excepted from furlough and
5 working without pay as a result of a lapse in appro-
6 priations, are paid to the applicable carrier from
7 back pay made available to the employee or member
8 as soon as practicable upon the end of such lapse.

9 (2) LONG-TERM CARE PREMIUMS FROM SOURCE
10 OTHER THAN BACKPAY.—The regulations promul-
11 gated under paragraph (1) for the amendments
12 made by subsection (a)(3) may provide, with respect
13 to any individual who elected under section 9004(d)
14 of title 5, United States Code, to pay premiums di-
15 rectly to the carrier, that such individual may con-
16 tinue to pay premiums pursuant to such election in-
17 stead of from back pay made available to such indi-
18 vidual.

19 (c) APPLICATION.—The amendments made by sub-
20 section (a) shall apply to any contract for supplemental
21 dental, supplemental vision, or long-term care insurance
22 under chapter 89A, 89B, or 90 (respectively) of title 5,
23 United States Code, entered into before, on, or after the
24 date of enactment of this Act.

1 **SEC. 1115. INTERIM STAY AUTHORITY TO PROTECT WHIS-**
2 **TLBLOWERS.**

3 (a) TEMPORARY AUTHORITY FOR MSPB GENERAL
4 COUNSEL TO ISSUE STAYS OF PERSONNEL ACTIONS.—
5 During the period beginning on the date of the enactment
6 of this Act and ending on the first date after such date
7 of enactment that an individual is confirmed by the Senate
8 as a member of the Merit Systems Protection Board under
9 section 1201 of title 5, United States Code, the general
10 counsel of the Board shall carry out the functions and au-
11 thorities relating to stays of personnel actions provided to
12 a member of the Board under subparagraph (A), or to
13 the Board under subparagraph (B), (C), or (D), of section
14 1214(b)(1) of such title.

15 (b) AUTHORITY FOR MSPB MEMBER TO CARRY OUT
16 DUTIES OF THE BOARD IN THE EVENT OF A LACK OF
17 QUORUM.—Section 1214(b)(1) of title 5, United States
18 Code, is amended—

19 (1) in subparagraph (C), by inserting after
20 “The Board” the following: “, or, if the Board lacks
21 the number of members appointed under section
22 1201 required to constitute a quorum, any remain-
23 ing member of the Board,”; and

24 (2) in subparagraph (D), in the matter pre-
25 ceding clause (i), by striking “A stay may be termi-
26 nated by the Board at any time, except that a stay

1 may not be terminated by the Board” and inserting
2 the following: “A stay may be terminated by the
3 Board, or, if the Board lacks the number of mem-
4 bers appointed under section 1201 required to con-
5 stitute a quorum, any remaining member of the
6 Board, at any time, except that a stay may not be
7 terminated by the Board or any remaining member
8 of the Board (as the case may be)”.

9 **SEC. 1116. LIMITATION ON TRANSFER OF OFFICE OF PER-**
10 **SONNEL MANAGEMENT.**

11 The President or his designee may not take any ac-
12 tion to transfer, transition, merge, or consolidate any
13 functions, responsibilities, programs, authorities, informa-
14 tion technology systems, staff, resources, or records of the
15 Office of Personnel to or with the General Services Admin-
16 istration, the Office of Management and Budget, or the
17 Executive Office of the President.

18 **SEC. 1117. REVIEW OF STANDARD OCCUPATIONAL CLASSI-**
19 **FICATION SYSTEM.**

20 The Director of the Office of Management and Budg-
21 et shall not later than 30 days after the date of the enact-
22 ment of this Act, categorize public safety telecommunica-
23 tors as a protective service occupation under the Standard
24 Occupational Classification System.

1 **SEC. 1118. ASSESSMENT OF ACCELERATED PROMOTION**
2 **PROGRAM SUSPENSION.**

3 (a) IN GENERAL.—Not later than 90 days after the
4 date of the enactment of this Act, the Secretary of the
5 Navy shall enter into an agreement with a Federally fund-
6 ed research and development center with relevant expertise
7 to conduct an assessment of the impacts resulting from
8 the Navy’s suspension in 2016 of the Accelerated Pro-
9 motion Program (in this section referred to as the
10 “APP”).

11 (b) ELEMENTS.—The assessment required under
12 subsection (a) shall include the following elements:

13 (1) An identification of the employees who were
14 hired at the four public shipyards between January
15 23, 2016, and December 22, 2016, covering the pe-
16 riod in which APP was suspended, and who would
17 have otherwise been eligible for APP had the pro-
18 gram been in effect at the time they were hired.

19 (2) An assessment for each employee identified
20 in paragraph (1) to determine the difference between
21 wages earned from the date of hire to the date on
22 which the wage data would be collected and the
23 wages which would have been earned during this
24 same period should that employee have participated
25 in APP from the date of hire and been promoted ac-
26 cording to the average promotion timeframe for par-

1 participants hired in the five-year period prior to the
2 suspension.

3 (3) An assessment for each employee identified
4 in paragraph (1) to determine at what grade and
5 step each effected employee would be at on October
6 1, 2020, had that employee been promoted according
7 to the average promotion timeframe for participants
8 hired in the five-year period prior to the suspension.

9 (4) An evaluation of existing authorities avail-
10 able to the Secretary to determine whether the Sec-
11 retary can take measures using those authorities to
12 provide the pay difference and corresponding inter-
13 est, at a rate of the federal short-term interest rate
14 plus 3 percent, to each effected employee identified
15 in paragraph (2) and directly promote the employee
16 to the grade and step identified in paragraph (3).

17 (c) REPORT.—The Secretary shall submit to the con-
18 gressional defense committees a report on the results of
19 the evaluation by not later than June 1, 2020, and shall
20 provide interim briefings upon request.

1 **SEC. 1119. REIMBURSEMENT FOR FEDERAL, STATE, AND**
2 **LOCAL INCOME TAXES INCURRED DURING**
3 **TRAVEL, TRANSPORTATION, AND RELOCA-**
4 **TION.**

5 (a) IN GENERAL.—Section 5724b of title 5, United
6 States Code, is amended—

7 (1) in the section heading, by striking “**of em-**
8 **ployees transferred**”;

9 (2) in subsection (a)—

10 (A) in the first sentence, by striking “em-
11 ployee, or by an employee and such employee’s
12 spouse (if filing jointly), for any moving or stor-
13 age” and inserting “individual, or by an indi-
14 vidual and such individual’s spouse (if filing
15 jointly), for any travel, transportation, or relo-
16 cation”; and

17 (B) in the second sentence, by striking
18 “employee” and inserting “individual, or the in-
19 dividual”; and

20 (3) by striking subsection (b) and inserting the
21 following:

22 “(b) For purposes of this section, the term ‘travel,
23 transportation, or relocation expenses’ means all travel,
24 transportation, or relocation expenses reimbursed or fur-
25 nished in kind pursuant to this subchapter.”.

1 (b) TECHNICAL AND CONFORMING AMENDMENT.—
2 The table of sections for chapter 57 of title 5, United
3 States Code, is amended by striking the item relating to
4 section 5724b and inserting the following:

“5724b. Taxes on reimbursements for travel, transportation, and relocation ex-
penses”.

5 (c) EFFECTIVE DATE.—The amendments made by
6 this section shall—

7 (1) take effect on the date of the enactment of
8 this Act; and

9 (2) apply to travel, transportation, or relocation
10 expenses incurred on or after that date.

11 **SEC. 1120. CLARIFICATION OF LIMITATION ON EXPEDITED**
12 **HIRING AUTHORITY FOR POST-SECONDARY**
13 **STUDENTS.**

14 Section 3116(d)(1) of title 5, United States Code, is
15 amended to read as follows:

16 “(1) IN GENERAL.—Except as provided in para-
17 graph (2), the total number of students that the
18 head of an agency may appoint under this section
19 during a fiscal year may not exceed the number
20 equal to 15 percent of the number of students that
21 the agency head appointed during the previous fiscal
22 year to a position at the GS–11 level, or an equiva-
23 lent level, or below.”.

1 **Subtitle B—Paid Family Leave for**
2 **Federal Personnel**

3 **SEC. 1121. SHORT TITLE.**

4 This subtitle may be cited as the “Federal Employee
5 Paid Leave Act”.

6 **SEC. 1122. PAID FAMILY LEAVE FOR FEDERAL EMPLOYEES**
7 **COVERED BY TITLE 5.**

8 (a) IN GENERAL.—Subsection (c) of section 6382 of
9 title 5, United States Code, is amended to read as follows:
10 “(c)(1) Leave granted under subsection (a) shall be
11 paid leave.

12 “(2)(A) An employee may elect to substitute for any
13 leave under such subsection any other paid leave which
14 is available to such employee for that purpose.

15 “(B) Subparagraph (A) shall not be construed to re-
16 quire that an employee first use all or any portion of the
17 other paid leave described in such subparagraph before
18 being allowed to use leave under subsection (a).

19 “(3) Leave under subsection (a)—

20 “(A) shall be payable from any appropriation or
21 fund available for salaries or expenses for positions
22 within the employing agency;

23 “(B) shall not be considered to be annual or va-
24 cation leave for purposes of section 5551 or 5552 or
25 for any other purpose; and

1 “(C) if not used by the employee before the end
2 of the 12-month period (as referred to in subsection
3 (a)(1)) to which it relates, shall not accumulate for
4 any subsequent use.

5 “(4) The Director of the Office of Personnel Manage-
6 ment—

7 “(A) may promulgate regulations to increase
8 the amount of leave available to an employee under
9 subsection (a) to a total of not more than 16 admin-
10 istrative workweeks, based on the consideration of—

11 “(i) the benefits provided to the Federal
12 Government of increasing such leave, including
13 enhanced recruitment and retention of employ-
14 ees;

15 “(ii) the cost to the Federal Government of
16 increasing the amount of such leave that is
17 available to employees;

18 “(iii) trends in the private sector and in
19 State and local governments with respect to of-
20 fering such leave;

21 “(iv) the Federal Government’s role as a
22 model employer;

23 “(v) the impact of increased leave under
24 subsection (a) on lower-income and economi-

1 cally disadvantaged employees and their chil-
 2 dren; and

3 “(vi) such other factors as the Director
 4 considers necessary; and

5 “(B) shall prescribe any regulations necessary
 6 to carry out this subsection, including the manner in
 7 which an employee may designate any day or other
 8 period as to which such employee wishes to use leave
 9 under subsection (a).”.

10 (b) EFFECTIVE DATE.—The amendment made by
 11 this section shall not be effective with respect to any birth
 12 or placement occurring before October 1, 2020.

13 **SEC. 1123. PAID FAMILY LEAVE FOR CONGRESSIONAL EM-**
 14 **PLOYEES.**

15 (a) AMENDMENTS TO CONGRESSIONAL ACCOUNT-
 16 ABILITY ACT.—Section 202 of the Congressional Account-
 17 ability Act of 1995 (2 U.S.C. 1312) is amended—

18 (1) in subsection (a)(1), by adding at the end
 19 the following: “In applying section 102(a)(1) of such
 20 Act to covered employees, subsection (d) shall
 21 apply.”;

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

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

1 “(d) SPECIAL RULE FOR PAID FAMILY LEAVE FOR
2 CONGRESSIONAL EMPLOYEES.—

3 “(1) IN GENERAL.—Any leave taken by a cov-
4 ered employee under section 102(a)(1) of the Family
5 and Medical Leave Act of 1993 (29 U.S.C.
6 2612(a)(1)) shall be paid leave.

7 “(2) AMOUNT OF PAID LEAVE.—The paid leave
8 that is available to a covered employee for purposes
9 of paragraph (1) is—

10 “(A) the number of weeks of paid family
11 leave in connection with the birth or placement
12 involved that correspond to the number of ad-
13 ministrative workweeks of paid family leave
14 available to Federal employees under section
15 6382(d)(3)(A) of title 5, United States Code;
16 and

17 “(B) any additional paid vacation or sick
18 leave provided by the employing office to such
19 employee.

20 “(3) SUBSTITUTION.—An employee may elect
21 to substitute for any leave under such section
22 102(a)(1) any other paid leave which is available to
23 such employee for that purpose. The previous sen-
24 tence shall not be construed to require that an em-
25 ployee first use all or any portion of the other paid

1 leave before being allowed to use the paid family
 2 leave described in this subsection.

3 “(4) ADDITIONAL RULES.—Paid family leave
 4 under this subsection—

5 “(A) shall be payable from any appropria-
 6 tion or fund available for salaries or expenses
 7 for positions within the employing office; and

8 “(B) if not used by the covered employee
 9 before the end of the 12-month period (as re-
 10 ferred to in section 102(a)(1) of the Family and
 11 Medical Leave Act of 1993 (29 U.S.C.
 12 2612(a)(1))) to which it relates, shall not accu-
 13 mulate for any subsequent use.”.

14 (b) EFFECTIVE DATE.—The amendment made by
 15 this section shall not be effective with respect to any birth
 16 or placement occurring before October 1, 2020.

17 **SEC. 1124. CONFORMING AMENDMENT TO FAMILY AND**
 18 **MEDICAL LEAVE ACT FOR GAO EMPLOYEES.**

19 (a) AMENDMENT TO FAMILY AND MEDICAL LEAVE
 20 ACT OF 1993.—Section 102(d) of the Family and Medical
 21 Leave Act of 1993 (29 U.S.C. 2612(d)) is amended by
 22 adding at the end the following:

23 “(3) SPECIAL RULE FOR GAO EMPLOYEES.—

24 “(A) IN GENERAL.—Any leave under sub-
 25 section (a)(1) taken by an employee of the Gov-

1 ernment Accountability Office shall be paid
2 leave.

3 “(B) AMOUNT OF PAID LEAVE.—The paid
4 leave that is available to such an employee for
5 purposes of subparagraph (A) is—

6 “(i) the number of weeks of paid fam-
7 ily leave in connection with the birth or
8 placement involved that correspond to the
9 number of administrative workweeks of
10 paid family leave available to Federal em-
11 ployees under section 6382(d)(3)(A) of
12 title 5, United States Code; and

13 “(ii) any additional paid vacation or
14 sick leave provided by such employer.

15 “(C) SUBSTITUTION.—An employee may
16 elect to substitute for any leave under sub-
17 section (a)(1) any other paid leave which is
18 available to such employee for that purpose.
19 The previous sentence shall not be construed to
20 require that an employee first use all or any
21 portion of the other paid leave before being al-
22 lowed to use the paid family leave described in
23 this subsection.

24 “(D) ADDITIONAL RULES.—Paid family
25 leave under subsection (a)(1)—

1 “(i) shall be payable from any appro-
2 priation or fund available for salaries or
3 expenses for positions with the Government
4 Accountability Office; and

5 “(ii) if not used by the employee of
6 such employer before the end of the 12-
7 month period (as referred to in subsection
8 (a)(1)) to which it relates, shall not accu-
9 mulate for any subsequent use.”.

10 (b) EFFECTIVE DATE.—The amendment made by
11 this section shall not be effective with respect to any birth
12 or placement occurring before October 1, 2020.

13 **SEC. 1125. CLARIFICATION FOR MEMBERS OF THE NA-**
14 **TIONAL GUARD AND RESERVES.**

15 (a) EXECUTIVE BRANCH EMPLOYEES.—For pur-
16 poses of determining the eligibility of an employee who is
17 a member of the National Guard or Reserves to take leave
18 under section 6382(a) of title 5, United States Code, or
19 to substitute such leave pursuant to paragraph (2) of such
20 section (as added by section 1122), any service by such
21 employee on active duty (as defined in section 6381(7) of
22 such title) shall be counted as service as an employee for
23 purposes of section 6381(1)(B) of such title.

24 (b) CONGRESSIONAL EMPLOYEES.—For purposes of
25 determining the eligibility of a covered employee (as such

1 term is defined in section 101(3) of the Congressional Ac-
2 countability Act) who is a member of the National Guard
3 or Reserves to take leave under section 102(a)(1) of the
4 Family and Medical Leave Act of 1993 (pursuant to sec-
5 tion 202(a)(1) of the Congressional Accountability Act),
6 or to substitute such leave pursuant to subsection (d) of
7 section 202 of such Act (as added by section 1123), any
8 service by such employee on active duty (as defined in sec-
9 tion 101(14) of the Family and Medical Leave Act of
10 1993) shall be counted as time during which such em-
11 ployee has been employed in an employing office for pur-
12 poses of section 202(a)(2)(B) of the Congressional Ac-
13 countability Act.

14 (c) GAO EMPLOYEES.—For purposes of determining
15 the eligibility of an employee of the Government Account-
16 ability Office who is a member of the National Guard or
17 Reserves to take leave under section 102(a)(1) of the
18 Family and Medical Leave Act of 1993, or to substitute
19 such leave pursuant to paragraph (3) of section 102(d)
20 of such Act (as added by section 1124), any service by
21 such employee on active duty (as defined in section
22 101(14) of such Act) shall be counted as time during
23 which such employee has been employed for purposes of
24 section 101(2)(A) of such Act.

1 **SEC. 1126. CONFORMING AMENDMENT FOR CERTAIN TSA**
2 **EMPLOYEES.**

3 Section 111(d)(2) of the Aviation and Transportation
4 Security Act (49 U.S.C. 44935 note) is amended to read
5 as follows:

6 “(2) EXCEPTIONS.—

7 “(A) REEMPLOYMENT.—In carrying out
8 the functions authorized under paragraph (1),
9 the Under Secretary shall be subject to the pro-
10 visions set forth in chapter 43 of title 38,
11 United States Code.

12 “(B) LEAVE.—The provisions of section
13 6382(a)(1) of title 5, United States Code, and
14 subsection (c) of such section shall apply to any
15 individual appointed under paragraph (1).”.

16 **Subtitle C—Limiting Use of Crimi-**
17 **nal History in Federal Hiring**
18 **and Contracting**

19 **SEC. 1131. SHORT TITLE.**

20 This subtitle may be cited as the “Fair Chance to
21 Compete for Jobs Act of 2019” or the “Fair Chance Act”.

1 **SEC. 1132. PROHIBITION ON CRIMINAL HISTORY INQUIRIES**
 2 **PRIOR TO CONDITIONAL OFFER FOR FED-**
 3 **ERAL EMPLOYMENT.**

4 (a) IN GENERAL.—Subpart H of part III of title 5,
 5 United States Code, is amended by adding at the end the
 6 following:

7 **“CHAPTER 92—PROHIBITION ON CRIMI-**
 8 **NAL HISTORY INQUIRIES PRIOR TO**
 9 **CONDITIONAL OFFER**

“Sec.

“9201. Definitions.

“9202. Limitations on requests for criminal history record information.

“9203. Agency policies; complaint procedures.

“9204. Adverse action.

“9205. Procedures.

“9206. Rules of construction.

10 **“§ 9201. Definitions**

11 “In this chapter—

12 “(1) the term ‘agency’ means ‘Executive agen-
 13 cy’ as such term is defined in section 105 and in-
 14 cludes—

15 “(A) the United States Postal Service and
 16 the Postal Regulatory Commission; and

17 “(B) the Executive Office of the President;

18 “(2) the term ‘appointing authority’ means an
 19 employee in the executive branch of the Government
 20 of the United States that has authority to make ap-
 21 pointments to positions in the civil service;

1 “(3) the term ‘conditional offer’ means an offer
2 of employment in a position in the civil service that
3 is conditioned upon the results of a criminal history
4 inquiry;

5 “(4) the term ‘criminal history record informa-
6 tion’—

7 “(A) except as provided in subparagraphs
8 (B) and (C), has the meaning given the term in
9 section 9101(a);

10 “(B) includes any information described in
11 the first sentence of section 9101(a)(2) that has
12 been sealed or expunged pursuant to law; and

13 “(C) includes information collected by a
14 criminal justice agency, relating to an act or al-
15 leged act of juvenile delinquency, that is analo-
16 gous to criminal history record information (in-
17 cluding such information that has been sealed
18 or expunged pursuant to law); and

19 “(5) the term ‘suspension’ has the meaning
20 given the term in section 7501.

21 **“§ 9202. Limitations on requests for criminal history**
22 **record information**

23 “(a) INQUIRIES PRIOR TO CONDITIONAL OFFER.—
24 Except as provided in subsections (b) and (c), an employee
25 of an agency may not request, in oral or written form (in-

1 cluding through the Declaration for Federal Employment
2 (Office of Personnel Management Optional Form 306) or
3 any similar successor form, the USAJOBS internet
4 website, or any other electronic means) that an applicant
5 for an appointment to a position in the civil service dis-
6 close criminal history record information regarding the ap-
7 plicant before the appointing authority extends a condi-
8 tional offer to the applicant.

9 “(b) OTHERWISE REQUIRED BY LAW.—The prohibi-
10 tion under subsection (a) shall not apply with respect to
11 an applicant for a position in the civil service if consider-
12 ation of criminal history record information prior to a con-
13 ditional offer with respect to the position is otherwise re-
14 quired by law.

15 “(c) EXCEPTION FOR CERTAIN POSITIONS.—

16 “(1) IN GENERAL.—The prohibition under sub-
17 section (a) shall not apply with respect to an appli-
18 cant for an appointment to a position—

19 “(A) that requires a determination of eligi-
20 bility described in clause (i), (ii), or (iii) of sec-
21 tion 9101(b)(1)(A);

22 “(B) as a Federal law enforcement officer
23 (as defined in section 115(c) of title 18); or

1 “(C) identified by the Director of the Of-
2 fice of Personnel Management in the regula-
3 tions issued under paragraph (2).

4 “(2) REGULATIONS.—

5 “(A) ISSUANCE.—The Director of the Of-
6 fice of Personnel Management shall issue regu-
7 lations identifying additional positions with re-
8 spect to which the prohibition under subsection
9 (a) shall not apply, giving due consideration to
10 positions that involve interaction with minors,
11 access to sensitive information, or managing fi-
12 nancial transactions.

13 “(B) COMPLIANCE WITH CIVIL RIGHTS
14 LAWS.—The regulations issued under subpara-
15 graph (A) shall—

16 “(i) be consistent with, and in no way
17 supersede, restrict, or limit the application
18 of title VII of the Civil Rights Act of 1964
19 (42 U.S.C. 2000e et seq.) or other relevant
20 Federal civil rights laws; and

21 “(ii) ensure that all hiring activities
22 conducted pursuant to the regulations are
23 conducted in a manner consistent with rel-
24 evant Federal civil rights laws.

1 **“§ 9203. Agency policies; complaint procedures**

2 “The Director of the Office of Personnel Manage-
3 ment shall—

4 “(1) develop, implement, and publish a policy to
5 assist employees of agencies in complying with sec-
6 tion 9202 and the regulations issued pursuant to
7 such section; and

8 “(2) establish and publish procedures under
9 which an applicant for an appointment to a position
10 in the civil service may submit a complaint, or any
11 other information, relating to compliance by an em-
12 ployee of an agency with section 9202.

13 **“§ 9204. Adverse action**

14 “(a) FIRST VIOLATION.—If the Director of the Office
15 of Personnel Management determines, after notice and an
16 opportunity for a hearing on the record, that an employee
17 of an agency has violated section 9202, the Director
18 shall—

19 “(1) issue to the employee a written warning
20 that includes a description of the violation and the
21 additional penalties that may apply for subsequent
22 violations; and

23 “(2) file such warning in the employee’s official
24 personnel record file.

25 “(b) SUBSEQUENT VIOLATIONS.—If the Director of
26 the Office of Personnel Management determines, after no-

1 tice and an opportunity for a hearing on the record, that
2 an employee that was subject to subsection (a) has com-
3 mitted a subsequent violation of section 9202, the Director
4 may take the following action:

5 “(1) For a second violation, suspension of the
6 employee for a period of not more than 7 days.

7 “(2) For a third violation, suspension of the
8 employee for a period of more than 7 days.

9 “(3) For a fourth violation—

10 “(A) suspension of the employee for a pe-
11 riod of more than 7 days; and

12 “(B) a civil penalty against the employee
13 in an amount that is not more than \$250.

14 “(4) For a fifth violation—

15 “(A) suspension of the employee for a pe-
16 riod of more than 7 days; and

17 “(B) a civil penalty against the employee
18 in an amount that is not more than \$500.

19 “(5) For any subsequent violation—

20 “(A) suspension of the employee for a pe-
21 riod of more than 7 days; and

22 “(B) a civil penalty against the employee
23 in an amount that is not more than \$1,000.

1 **“§ 9205. Procedures**

2 “(a) APPEALS.—The Director of the Office of Per-
3 sonnel Management shall by rule establish procedures pro-
4 viding for an appeal from any adverse action taken under
5 section 9204 by not later than 30 days after the date of
6 the action.

7 “(b) APPLICABILITY OF OTHER LAWS.—An adverse
8 action taken under section 9204 (including a determina-
9 tion in an appeal from such an action under subsection
10 (a) of this section) shall not be subject to—

11 “(1) the procedures under chapter 75; or

12 “(2) except as provided in subsection (a) of this
13 section, appeal or judicial review.

14 **“§ 9206. Rules of construction**

15 “Nothing in this chapter may be construed to—

16 “(1) authorize any officer or employee of an
17 agency to request the disclosure of information de-
18 scribed under subparagraphs (B) and (C) of section
19 9201(4); or

20 “(2) create a private right of action for any
21 person.”.

22 (b) REGULATIONS; EFFECTIVE DATE.—

23 (1) REGULATIONS.—Not later than 1 year after
24 the date of enactment of this subtitle, the Director
25 of the Office of Personnel Management shall issue
26 such regulations as are necessary to carry out chap-

1 ter 92 of title 5, United States Code (as added by
2 this subtitle).

3 (2) EFFECTIVE DATE.—Section 9202 of title 5,
4 United States Code (as added by this subtitle), shall
5 take effect on the date that is 2 years after the date
6 of enactment of this subtitle.

7 (c) TECHNICAL AND CONFORMING AMENDMENT.—
8 The table of chapters for part III of title 5, United States
9 Code, is amended by inserting after the item relating to
10 chapter 91 the following:

**“92. Prohibition on criminal history inquiries prior to
conditional offer 9201”.**

11 (d) APPLICATION TO LEGISLATIVE BRANCH.—

12 (1) IN GENERAL.—The Congressional Account-
13 ability Act of 1995 (2 U.S.C. 1301 et seq.) is
14 amended—

15 (A) in section 102(a) (2 U.S.C. 1302(a)),
16 by adding at the end the following:

17 “(12) Section 9202 of title 5, United States
18 Code.”;

19 (B) by redesignating section 207 (2 U.S.C.
20 1317) as section 208; and

21 (C) by inserting after section 206 (2
22 U.S.C. 1316) the following new section:

1 **“SEC. 207. RIGHTS AND PROTECTIONS RELATING TO CRIMI-**
2 **NAL HISTORY INQUIRIES.**

3 “(a) DEFINITIONS.—In this section, the terms ‘agen-
4 cy’, ‘criminal history record information’, and ‘suspension’
5 have the meanings given the terms in section 9201 of title
6 5, United States Code, except as otherwise modified by
7 this section.

8 “(b) RESTRICTIONS ON CRIMINAL HISTORY INQUIR-
9 IES.—

10 “(1) IN GENERAL.—

11 “(A) IN GENERAL.—Except as provided in
12 subparagraph (B), an employee of an employing
13 office may not request that an applicant for em-
14 ployment as a covered employee disclose crimi-
15 nal history record information if the request
16 would be prohibited under section 9202 of title
17 5, United States Code, if made by an employee
18 of an agency.

19 “(B) CONDITIONAL OFFER.—For purposes
20 of applying that section 9202 under subpara-
21 graph (A), a reference in that section 9202 to
22 a conditional offer shall be considered to be an
23 offer of employment as a covered employee that
24 is conditioned upon the results of a criminal
25 history inquiry.

1 “(2) RULES OF CONSTRUCTION.—The provi-
2 sions of section 9206 of title 5, United States Code,
3 shall apply to employing offices, consistent with reg-
4 ulations issued under subsection (d).

5 “(c) REMEDY.—

6 “(1) IN GENERAL.—The remedy for a violation
7 of subsection (b)(1) shall be such remedy as would
8 be appropriate if awarded under section 9204 of title
9 5, United States Code, if the violation had been
10 committed by an employee of an agency, consistent
11 with regulations issued under subsection (d), except
12 that the reference in that section to a suspension
13 shall be considered to be a suspension with the level
14 of compensation provided for a covered employee
15 who is taking unpaid leave under section 202.

16 “(2) PROCESS FOR OBTAINING RELIEF.—An
17 applicant for employment as a covered employee who
18 alleges a violation of subsection (b)(1) may rely on
19 the provisions of title IV (other than section 407 or
20 408, or a provision of this title that permits a per-
21 son to obtain a civil action or judicial review), con-
22 sistent with regulations issued under subsection (d).

23 “(d) REGULATIONS TO IMPLEMENT SECTION.—

24 “(1) IN GENERAL.—Not later than 18 months
25 after the date of enactment of the Fair Chance to

1 Compete for Jobs Act of 2019, the Board shall, pur-
2 suant to section 304, issue regulations to implement
3 this section.

4 “(2) PARALLEL WITH AGENCY REGULATIONS.—

5 The regulations issued under paragraph (1) shall be
6 the same as substantive regulations issued by the
7 Director of the Office of Personnel Management
8 under section 2(b)(1) of the Fair Chance to Com-
9 pete for Jobs Act of 2019 to implement the statu-
10 tory provisions referred to in subsections (a) through
11 (c) except to the extent that the Board may deter-
12 mine, for good cause shown and stated together with
13 the regulation, that a modification of such regula-
14 tions would be more effective for the implementation
15 of the rights and protections under this section.

16 “(e) EFFECTIVE DATE.—Section 102(a)(12) and
17 subsections (a) through (c) shall take effect on the date
18 on which section 9202 of title 5, United States Code, ap-
19 plies with respect to agencies.”.

20 (2) CLERICAL AMENDMENTS.—

21 (A) The table of contents in section 1(b) of
22 the Congressional Accountability Act of 1995
23 (Public Law 104–1; 109 Stat. 3) is amended—

1 (i) by redesignating the item relating
2 to section 207 as the item relating to sec-
3 tion 208; and

4 (ii) by inserting after the item relating
5 to section 206 the following new item:

“Sec. 207. Rights and protections relating to criminal history inquiries.”.

6 (B) Section 62(e)(2) of the Internal Rev-
7 enue Code of 1986 is amended by striking “or
8 207” and inserting “207, or 208”.

9 (e) APPLICATION TO JUDICIAL BRANCH.—

10 (1) IN GENERAL.—Section 604 of title 28,
11 United States Code, is amended by adding at the
12 end the following:

13 “(i) RESTRICTIONS ON CRIMINAL HISTORY INQUIR-
14 IES.—

15 “(1) DEFINITIONS.—In this subsection—

16 “(A) the terms ‘agency’ and ‘criminal his-
17 tory record information’ have the meanings
18 given those terms in section 9201 of title 5;

19 “(B) the term ‘covered employee’ means an
20 employee of the judicial branch of the United
21 States Government, other than—

22 “(i) any judge or justice who is enti-
23 tled to hold office during good behavior;

24 “(ii) a United States magistrate
25 judge; or

1 “(iii) a bankruptcy judge; and

2 “(C) the term ‘employing office’ means any
3 office or entity of the judicial branch of the
4 United States Government that employs covered
5 employees.

6 “(2) RESTRICTION.—A covered employee may
7 not request that an applicant for employment as a
8 covered employee disclose criminal history record in-
9 formation if the request would be prohibited under
10 section 9202 of title 5 if made by an employee of an
11 agency.

12 “(3) EMPLOYING OFFICE POLICIES; COMPLAINT
13 PROCEDURE.—The provisions of sections 9203 and
14 9206 of title 5 shall apply to employing offices and
15 to applicants for employment as covered employees,
16 consistent with regulations issued by the Director to
17 implement this subsection.

18 “(4) ADVERSE ACTION.—

19 “(A) ADVERSE ACTION.—The Director
20 may take such adverse action with respect to a
21 covered employee who violates paragraph (2) as
22 would be appropriate under section 9204 of
23 title 5 if the violation had been committed by
24 an employee of an agency.

1 “(B) APPEALS.—The Director shall by
2 rule establish procedures providing for an ap-
3 peal from any adverse action taken under sub-
4 paragraph (A) by not later than 30 days after
5 the date of the action.

6 “(C) APPLICABILITY OF OTHER LAWS.—
7 Except as provided in subparagraph (B), an ad-
8 verse action taken under subparagraph (A) (in-
9 cluding a determination in an appeal from such
10 an action under subparagraph (B)) shall not be
11 subject to appeal or judicial review.

12 “(5) REGULATIONS TO BE ISSUED.—

13 “(A) IN GENERAL.—Not later than 18
14 months after the date of enactment of the Fair
15 Chance to Compete for Jobs Act of 2019, the
16 Director shall issue regulations to implement
17 this subsection.

18 “(B) PARALLEL WITH AGENCY REGULA-
19 TIONS.—The regulations issued under subpara-
20 graph (A) shall be the same as substantive reg-
21 ulations promulgated by the Director of the Of-
22 fice of Personnel Management under section
23 2(b)(1) of the Fair Chance to Compete for Jobs
24 Act of 2019 except to the extent that the Direc-
25 tor of the Administrative Office of the United

1 States Courts may determine, for good cause
 2 shown and stated together with the regulation,
 3 that a modification of such regulations would be
 4 more effective for the implementation of the
 5 rights and protections under this subsection.

6 “(6) EFFECTIVE DATE.—Paragraphs (1)
 7 through (4) shall take effect on the date on which
 8 section 9202 of title 5 applies with respect to agen-
 9 cies.”.

10 **SEC. 1133. PROHIBITION ON CRIMINAL HISTORY INQUIRIES**

11 **BY CONTRACTORS PRIOR TO CONDITIONAL**

12 **OFFER.**

13 (a) CIVILIAN AGENCY CONTRACTS.—

14 (1) IN GENERAL.—Chapter 47 of title 41,
 15 United States Code, is amended by adding at the
 16 end the following new section:

17 **“§ 4714. Prohibition on criminal history inquiries by**

18 **contractors prior to conditional offer**

19 “(a) LIMITATION ON CRIMINAL HISTORY INQUIR-
 20 IES.—

21 “(1) IN GENERAL.—Except as provided in para-
 22 graphs (2) and (3), an executive agency—

23 “(A) may not require that an individual or
 24 sole proprietor who submits a bid for a contract
 25 to disclose criminal history record information

1 regarding that individual or sole proprietor be-
2 fore determining the apparent awardee; and

3 “(B) shall require, as a condition of receiv-
4 ing a Federal contract and receiving payments
5 under such contract that the contractor may
6 not verbally, or through written form, request
7 the disclosure of criminal history record infor-
8 mation regarding an applicant for a position re-
9 lated to work under such contract before the
10 contractor extends a conditional offer to the ap-
11 plicant.

12 “(2) OTHERWISE REQUIRED BY LAW.—The
13 prohibition under paragraph (1) does not apply with
14 respect to a contract if consideration of criminal his-
15 tory record information prior to a conditional offer
16 with respect to the position is otherwise required by
17 law.

18 “(3) EXCEPTION FOR CERTAIN POSITIONS.—

19 “(A) IN GENERAL.—The prohibition under
20 paragraph (1) does not apply with respect to—

21 “(i) a contract that requires an indi-
22 vidual hired under the contract to access
23 classified information or to have sensitive
24 law enforcement or national security du-
25 ties; or

1 “(ii) a position that the Administrator
2 of General Services identifies under the
3 regulations issued under subparagraph
4 (B).

5 “(B) REGULATIONS.—

6 “(i) ISSUANCE.—Not later than 16
7 months after the date of enactment of the
8 Fair Chance to Compete for Jobs Act of
9 2019, the Administrator of General Serv-
10 ices, in consultation with the Secretary of
11 Defense, shall issue regulations identifying
12 additional positions with respect to which
13 the prohibition under paragraph (1) shall
14 not apply, giving due consideration to posi-
15 tions that involve interaction with minors,
16 access to sensitive information, or man-
17 aging financial transactions.

18 “(ii) COMPLIANCE WITH CIVIL RIGHTS
19 LAWS.—The regulations issued under
20 clause (i) shall—

21 “(I) be consistent with, and in no
22 way supersede, restrict, or limit the
23 application of title VII of the Civil
24 Rights Act of 1964 (42 U.S.C. 2000e

1 et seq.) or other relevant Federal civil
2 rights laws; and

3 “(II) ensure that all hiring activi-
4 ties conducted pursuant to the regula-
5 tions are conducted in a manner con-
6 sistent with relevant Federal civil
7 rights laws.

8 “(b) COMPLAINT PROCEDURES.—The Administrator
9 of General Services shall establish and publish procedures
10 under which an applicant for a position with a Federal
11 contractor may submit to the Administrator a complaint,
12 or any other information, relating to compliance by the
13 contractor with subsection (a)(1)(B).

14 “(c) ACTION FOR VIOLATIONS OF PROHIBITION ON
15 CRIMINAL HISTORY INQUIRIES.—

16 “(1) FIRST VIOLATION.—If the head of an execu-
17 tive agency determines that a contractor has vio-
18 lated subsection (a)(1)(B), such head shall—

19 “(A) notify the contractor;

20 “(B) provide 30 days after such notifica-
21 tion for the contractor to appeal the determina-
22 tion; and

23 “(C) issue a written warning to the con-
24 tractor that includes a description of the viola-

1 tion and the additional remedies that may apply
2 for subsequent violations.

3 “(2) SUBSEQUENT VIOLATION.—If the head of
4 an executive agency determines that a contractor
5 that was subject to paragraph (1) has committed a
6 subsequent violation of subsection (a)(1)(B), such
7 head shall notify the contractor, shall provide 30
8 days after such notification for the contractor to ap-
9 peal the determination, and, in consultation with the
10 relevant Federal agencies, may take actions, depend-
11 ing on the severity of the infraction and the contrac-
12 tor’s history of violations, including—

13 “(A) providing written guidance to the
14 contractor that the contractor’s eligibility for
15 contracts requires compliance with this section;

16 “(B) requiring that the contractor respond
17 within 30 days affirming that the contractor is
18 taking steps to comply with this section; and

19 “(C) suspending payment under the con-
20 tract for which the applicant was being consid-
21 ered until the contractor demonstrates compli-
22 ance with this section.

23 “(d) DEFINITIONS.—In this section:

24 “(1) CONDITIONAL OFFER.—The term ‘condi-
25 tional offer’ means an offer of employment for a po-

1 sition related to work under a contract that is condi-
 2 tioned upon the results of a criminal history inquiry.

3 “(2) CRIMINAL HISTORY RECORD INFORMA-
 4 TION.—The term ‘criminal history record informa-
 5 tion’ has the meaning given that term in section
 6 9201 of title 5.”.

7 (2) CLERICAL AMENDMENT.—The table of sec-
 8 tions for chapter 47 of title 41, United States Code,
 9 is amended by adding at the end the following new
 10 item:

“4714. Prohibition on criminal history inquiries by contractors prior to condi-
 tional offer.”.

11 (3) EFFECTIVE DATE.—Section 4714 of title
 12 41, United States Code, as added by paragraph (1),
 13 shall apply with respect to contracts awarded pursu-
 14 ant to solicitations issued after the effective date de-
 15 scribed in section 1122(b)(2) of this subtitle.

16 (b) DEFENSE CONTRACTS.—

17 (1) IN GENERAL.—Chapter 137 of title 10,
 18 United States Code, is amended by inserting after
 19 section 2338 the following new section:

20 **“§ 2339. Prohibition on criminal history inquiries by**
 21 **contractors prior to conditional offer**

22 “(a) LIMITATION ON CRIMINAL HISTORY INQUIR-
 23 IES.—

1 “(1) IN GENERAL.—Except as provided in para-
2 graphs (2) and (3), the head of an agency—

3 “(A) may not require that an individual or
4 sole proprietor who submits a bid for a contract
5 to disclose criminal history record information
6 regarding that individual or sole proprietor be-
7 fore determining the apparent awardee; and

8 “(B) shall require as a condition of receiv-
9 ing a Federal contract and receiving payments
10 under such contract that the contractor may
11 not verbally or through written form request
12 the disclosure of criminal history record infor-
13 mation regarding an applicant for a position re-
14 lated to work under such contract before such
15 contractor extends a conditional offer to the ap-
16 plicant.

17 “(2) OTHERWISE REQUIRED BY LAW.—The
18 prohibition under paragraph (1) does not apply with
19 respect to a contract if consideration of criminal his-
20 tory record information prior to a conditional offer
21 with respect to the position is otherwise required by
22 law.

23 “(3) EXCEPTION FOR CERTAIN POSITIONS.—

24 “(A) IN GENERAL.—The prohibition under
25 paragraph (1) does not apply with respect to—

1 “(i) a contract that requires an indi-
2 vidual hired under the contract to access
3 classified information or to have sensitive
4 law enforcement or national security du-
5 ties; or

6 “(ii) a position that the Secretary of
7 Defense identifies under the regulations
8 issued under subparagraph (B).

9 “(B) REGULATIONS.—

10 “(i) ISSUANCE.—Not later than 16
11 months after the date of enactment of the
12 Fair Chance to Compete for Jobs Act of
13 2019, the Secretary of Defense, in con-
14 sultation with the Administrator of Gen-
15 eral Services, shall issue regulations identi-
16 fying additional positions with respect to
17 which the prohibition under paragraph (1)
18 shall not apply, giving due consideration to
19 positions that involve interaction with mi-
20 nors, access to sensitive information, or
21 managing financial transactions.

22 “(ii) COMPLIANCE WITH CIVIL RIGHTS
23 LAWS.—The regulations issued under
24 clause (i) shall—

1 “(I) be consistent with, and in no
2 way supersede, restrict, or limit the
3 application of title VII of the Civil
4 Rights Act of 1964 (42 U.S.C. 2000e
5 et seq.) or other relevant Federal civil
6 rights laws; and

7 “(II) ensure that all hiring activi-
8 ties conducted pursuant to the regula-
9 tions are conducted in a manner con-
10 sistent with relevant Federal civil
11 rights laws.

12 “(b) COMPLAINT PROCEDURES.—The Secretary of
13 Defense shall establish and publish procedures under
14 which an applicant for a position with a Department of
15 Defense contractor may submit a complaint, or any other
16 information, relating to compliance by the contractor with
17 subsection (a)(1)(B).

18 “(c) ACTION FOR VIOLATIONS OF PROHIBITION ON
19 CRIMINAL HISTORY INQUIRIES.—

20 “(1) FIRST VIOLATION.—If the Secretary of
21 Defense determines that a contractor has violated
22 subsection (a)(1)(B), the Secretary shall—

23 “(A) notify the contractor;

1 “(B) provide 30 days after such notifica-
2 tion for the contractor to appeal the determina-
3 tion; and

4 “(C) issue a written warning to the con-
5 tractor that includes a description of the viola-
6 tion and the additional remedies that may apply
7 for subsequent violations.

8 “(2) SUBSEQUENT VIOLATIONS.—If the Sec-
9 retary of Defense determines that a contractor that
10 was subject to paragraph (1) has committed a sub-
11 sequent violation of subsection (a)(1)(B), the Sec-
12 retary shall notify the contractor, shall provide 30
13 days after such notification for the contractor to ap-
14 peal the determination, and, in consultation with the
15 relevant Federal agencies, may take actions, depend-
16 ing on the severity of the infraction and the contrac-
17 tor’s history of violations, including—

18 “(A) providing written guidance to the
19 contractor that the contractor’s eligibility for
20 contracts requires compliance with this section;

21 “(B) requiring that the contractor respond
22 within 30 days affirming that the contractor is
23 taking steps to comply with this section; and

24 “(C) suspending payment under the con-
25 tract for which the applicant was being consid-

4 “(1) **CONDITIONAL OFFER.**—The term ‘condi-
5 tional offer’ means an offer of employment for a po-
6 sition related to work under a contract that is condi-
7 tioned upon the results of a criminal history inquiry.

(2) EFFECTIVE DATE.—Section 2339(a) of title 10, United States Code, as added by paragraph (1), shall apply with respect to contracts awarded pursuant to solicitations issued after the effective date described in section 1122(b)(2) of this subtitle.

“2339. Prohibition on criminal history inquiries by contractors prior to conditional offer.”.

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this subtitle, the Fed-

1 eral Acquisition Regulatory Council shall revise the
2 Federal Acquisition Regulation to implement section
3 4714 of title 41, United States Code, and section
4 2339 of title 10, United States Code, as added by
5 this section.

6 (2) CONSISTENCY WITH OFFICE OF PERSONNEL
7 MANAGEMENT REGULATIONS.—The Federal Acquisi-
8 tion Regulatory Council shall revise the Federal Ac-
9 quisition Regulation under paragraph (1) to be con-
10 sistent with the regulations issued by the Director of
11 the Office of Personnel Management under [section
12 1122(b)(1)] to the maximum extent practicable. The
13 Council shall include together with such revision an
14 explanation of any substantive modification of the
15 Office of Personnel Management regulations, includ-
16 ing an explanation of how such modification will
17 more effectively implement the rights and protec-
18 tions under this section.

19 **SEC. 1134. REPORT ON EMPLOYMENT OF INDIVIDUALS**
20 **FORMERLY INCARCERATED IN FEDERAL**
21 **PRISONS.**

22 (a) DEFINITION.—In this section, the term “covered
23 individual”—

1 (1) means an individual who has completed a
2 term of imprisonment in a Federal prison for a Fed-
3 eral criminal offense; and

4 (2) does not include an alien who is or will be
5 removed from the United States for a violation of
6 the immigration laws (as such term is defined in sec-
7 tion 101 of the Immigration and Nationality Act (8
8 U.S.C. 1101)).

9 (b) STUDY AND REPORT REQUIRED.—The Director
10 of the Bureau of Justice Statistics, in coordination with
11 the Director of the Bureau of the Census, shall—

12 (1) not later than 180 days after the date of
13 enactment of this subtitle, design and initiate a
14 study on the employment of covered individuals after
15 their release from Federal prison, including by col-
16 lecting—

17 (A) demographic data on covered individ-
18 uals, including race, age, and sex; and

19 (B) data on employment and earnings of
20 covered individuals who are denied employment,
21 including the reasons for the denials; and

22 (2) not later than 2 years after the date of en-
23 actment of this subtitle, and every 5 years there-
24 after, submit a report that does not include any per-

sonally identifiable information on the study conducted under paragraph (1) to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Health, Education, Labor, and Pensions of the Senate;

(C) the Committee on Oversight and Reform of the House of Representatives; and

(D) the Committee on Education and Labor of the House of Representatives.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS Subtitle A—Assistance and Training

SEC. 1201. MODIFICATION OF AUTHORITY TO BUILD CAPACITY OF FOREIGN SECURITY FORCES.

(a) **AUTHORITY.**—Subsection (a)(7) of section 333 of title 10, United States Code, is amended by inserting “existing” before “international coalition operation”.

(b) **NOTICE AND WAIT ON ACTIVITIES UNDER PROGRAMS.**—Subsection (e) of such section is amended by adding at the end the following:

“(9) In the case of a program described in subsection (a)(7), each of the following:

1 “(A) A description of whether assistance
 2 under the program could be provided pursuant
 3 to other authorities under this title, the Foreign
 4 Assistance Act of 1961, or any other train and
 5 equip authorities of the Department of Defense.

6 “(B) An identification of each such author-
 7 ity described in subparagraph (A).”.

8 **SEC. 1202. MODIFICATION AND EXTENSION OF CROSS**
 9 **SERVICING AGREEMENTS FOR LOAN OF PER-**
 10 **SONNEL PROTECTION AND PERSONNEL SUR-**
 11 **VIVABILITY EQUIPMENT IN COALITION OPER-**
 12 **ATIONS.**

13 Section 1207 of the Carl Levin and Howard P.
 14 “Buck” McKeon National Defense Authorization Act for
 15 Fiscal Year 2015 (10 U.S.C. 2342 note) is amended—

16 (1) by redesignating subsections (d) and (e) as
 17 subsections (e) and (f), respectively;

18 (2) by inserting after subsection (c) the fol-
 19 lowing:

20 “(d) **REPORTS TO CONGRESS.**—If the authority pro-
 21 vided under this section is exercised during a fiscal year,
 22 the Secretary of Defense shall, with the concurrence of
 23 the Secretary of State, submit to the appropriate commit-
 24 tees of Congress a report on the exercise of such authority
 25 by not later than October 30 of the year in which such

1 fiscal year ends. Each report on the exercise of such au-
2 thority shall specify the recipient country of the equipment
3 loaned, the type of equipment loaned, and the duration
4 of the loan of such equipment.”; and

5 (3) in subsection (f), as redesignated, by strik-
6 ing “September 30, 2019” and inserting “December
7 31, 2024”.

8 **SEC. 1203. MODIFICATION OF QUARTERLY REPORT ON OB-**
9 **LIGATION AND EXPENDITURE OF FUNDS FOR**
10 **SECURITY COOPERATION PROGRAMS AND**
11 **ACTIVITIES.**

12 Section 381(b) of title 10, United States Code, is
13 amended by striking “30 days” and inserting “60 days”.

14 **SEC. 1204. INTEGRATION OF GENDER PERSPECTIVES AND**
15 **MEANINGFUL PARTICIPATION BY WOMEN IN**
16 **SECURITY COOPERATION AUTHORITIES.**

17 Section 333(c)(3) of title 10, United States Code, is
18 amended—

19 (1) in the heading, by inserting “THE INTEGRA-
20 TION OF GENDER PERSPECTIVES AND MEANINGFUL
21 PARTICIPATION BY WOMEN,” after “FUNDAMENTAL
22 FREEDOMS,”; and

23 (2) in the text, by inserting “the integration of
24 gender perspectives and meaningful participation by
25 women,” after “fundamental freedoms,”.

1 **SEC. 1205. REPORT ON PARTICIPANTS IN SECURITY CO-**
2 **OPERATION TRAINING PROGRAMS AND RE-**
3 **CIPIENTS OF SECURITY ASSISTANCE TRAIN-**
4 **ING THAT HAVE BEEN DESIGNATED FOR**
5 **HUMAN RIGHTS ABUSES OR TERRORIST AC-**
6 **TIVITIES.**

7 (a) IN GENERAL.—Not later than 180 days after the
8 date of the enactment of this Act, the Secretary of State
9 and the Secretary of Defense, in consultation with the
10 heads of other appropriate Federal departments and agen-
11 cies, shall submit to the appropriate congressional commit-
12 tees a report on individuals and units of security forces
13 of foreign countries that—

14 (1) have participated in security cooperation
15 training programs or received security assistance
16 training authorized under the Foreign Assistance
17 Act of 1961 (22 U.S.C. 2151 et seq.) or title 10,
18 United States Code; and

19 (2) at any time during the period beginning on
20 January 1, 2009, and ending on the date of the en-
21 actment of this Act—

22 (A) have been subject to United States
23 sanctions relating to violations of human rights
24 under any provision of law, including under—

1 (i) the Global Magnitsky Human
2 Rights Accountability Act (22 U.S.C. 2656
3 note);

4 (ii) section 620M of the Foreign As-
5 sistance Act of 1961 (22 U.S.C. 2378d); or

6 (iii) section 362 of title 10, United
7 States Code; or

8 (B) have been subject to United States
9 sanctions relating to terrorist activities under
10 authorities provided in—

11 (i) section 219 of the Immigration
12 and Nationality Act (8 U.S.C. 1189);

13 (ii) the National Emergencies Act (50
14 U.S.C. 1601 et seq.);

15 (iii) the International Emergency Eco-
16 nomic Powers Act (50 U.S.C. 1701 et
17 seq.), other than sanctions on the importa-
18 tion of goods provided for under such Act;

19 or

20 (iv) any other provision of law.

21 (b) UPDATE.—The Secretary of State and the Sec-
22 retary of Defense, in consultation with the heads of other
23 appropriate Federal departments and agencies, shall sub-
24 mit to the appropriate congressional committees an annual
25 update of the report required by subsection (a) on individ-

1 uals and units of security forces of foreign countries
2 that—

3 (1) have participated in security cooperation
4 training programs or received security assistance
5 training authorized under the Foreign Assistance
6 Act of 1961 (22 U.S.C. 2151 et seq.) or title 10,
7 United States Code; and

8 (2) at any time during the preceding year, any
9 of the provisions of subparagraph (A) or (B) of sub-
10 section (a)(2) have applied with respect to such indi-
11 viduals or units.

12 (c) FORM.—The report required by subsection (a)
13 shall be submitted in unclassified form, but may include
14 a classified annex.

15 (d) DEFINITIONS.—In this section:

16 (1) APPROPRIATE CONGRESSIONAL COMMIT-
17 TEES.—The term “appropriate congressional com-
18 mittees” means—

19 (A) the Committee on Armed Services and
20 the Committee on Foreign Relations of the Sen-
21 ate; and

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

1 (2) GOOD.—The term “good” means any arti-
2 cle, natural or man-made substance, material, supply
3 or manufactured product, including inspection and
4 test equipment, and excluding technical data.

5 **SEC. 1206. PLAN TO PROVIDE CONSISTENCY OF ADMINIS-**
6 **TRATION OF AUTHORITIES RELATING TO**
7 **VETTING OF UNITS OF SECURITY FORCES OF**
8 **FOREIGN COUNTRIES; MODIFICATION OF AS-**
9 **SESSMENT, MONITORING, AND EVALUATION**
10 **OF SECURITY COOPERATION PROGRAMS AND**
11 **ACTIVITIES.**

12 (a) IN GENERAL.—Not later than 180 days after the
13 date of the enactment of this Act, the Secretary of Defense
14 and Secretary of State shall jointly develop, implement,
15 and submit to the congressional defense committees, the
16 Committee on Foreign Relations of the Senate, and the
17 Committee on Foreign Affairs of the House of Representa-
18 tives a plan to provide consistency in administration of
19 section 362 of title 10, United States Code, and section
20 620M of the Foreign Assistance Act of 1961 (22 U.S.C.
21 2378d).

22 (b) MATTERS TO BE INCLUDED.—The plan required
23 by subsection (a) shall contain the following:

24 (1) Common standards and procedures which
25 shall be used by the Department of Defense and De-

1 partment of State to obtain and verify information
2 regarding the vetting of units of the security forces
3 of foreign countries for gross violation of human
4 rights under the authorities described in subsection
5 (a), including—

6 (A) public guidelines for external sources
7 to report information; and

8 (B) methods and criteria employed by the
9 Department of Defense and Department of
10 State to determine whether sources, source re-
11 porting, and allegations are credible.

12 (2) Measures to ensure the Department of De-
13 fense has read-only access to the International Vet-
14 ting and Security Tracking (INVEST) system, and
15 any successor or equivalent system.

16 (3) Measures to ensure the authorities de-
17 scribed in subsection (a) are applied to any foreign
18 forces, irregular forces, groups, and individuals that
19 receive support from the United States military.

20 (c) FORM.—The plan required by subsection (a) shall
21 be submitted in unclassified form, but may include a clas-
22 sified annex.

23 (d) INTEGRATION OF HUMAN RIGHTS AND CIVILIAN
24 PROTECTION INTO ASSESSMENT, MONITORING, AND

1 EVALUATION OF SECURITY COOPERATION PROGRAMS
2 AND ACTIVITIES.—

3 (1) REPORTS REQUIRED.—The Secretary of
4 Defense shall submit to the appropriate congressional
5 committees an interim report and a final report
6 on the steps the Secretary will take to incorporate
7 partner units' activities, as such activities relate
8 to human rights and protection of civilians, into
9 the program elements described in section 383(b)(1)
10 of title 10, United States Code.

11 (2) DEADLINES.—

12 (A) INTERIM REPORT.—The interim report
13 required under paragraph (1) shall be submitted
14 to the appropriate congressional committees
15 not later than 180 days after the date of
16 the enactment of this Act and shall include a
17 summary of the progress of the Secretary in
18 implementing the steps described in such paragraph.
19

20 (B) FINAL REPORT.—The final report required
21 under paragraph (1) shall be submitted
22 to the appropriate congressional committees not
23 later than one year after the date of enactment
24 of this Act and shall specifically identify the ac-

1 tions the Secretary took to implement the steps
2 described in paragraph (1).

3 (3) APPROPRIATE CONGRESSIONAL COMMIT-
4 TEES DEFINED.—In this subsection, the term “ap-
5 propriate congressional committees” means the fol-
6 lowing:

7 (A) The Committee on Armed Services and
8 the Committee on Foreign Affairs of the House
9 of Representatives.

10 (B) The Committee on Armed Services and
11 the Committee on Foreign Relations of the Sen-
12 ate.

13 **SEC. 1207. PROHIBITION ON USE OF FUNDS TO TRANSFER**
14 **DEFENSE ARTICLES AND SERVICES TO AZER-**
15 **BAIJAN.**

16 None of the funds authorized to be appropriated by
17 this Act or otherwise made available to the Department
18 of Defense for fiscal year 2020 may be used to transfer
19 defense articles or services to Azerbaijan unless the Presi-
20 dent certifies to Congress that the transfer of such defense
21 articles or services does not threaten civil aviation.

1 **SEC. 1208. EXTENSION OF AUTHORITY FOR SUPPORT OF**
2 **SPECIAL OPERATIONS FOR IRREGULAR WAR-**
3 **FARE.**

4 Section 1202(a) of the National Defense Authoriza-
5 tion Act for Fiscal Year 2018 (Public Law 115–91; 131
6 Stat. 1639) is amended by striking “2020” and inserting
7 “2023”.

8 **SEC. 1209. MULTINATIONAL REGIONAL SECURITY EDU-**
9 **CATION CENTER.**

10 (a) IN GENERAL.—Not later than 120 days after the
11 date of the enactment of this Act, the Secretary of Defense
12 shall provide to the Committee on Armed Services and the
13 Committee on Foreign Affairs of the House of Representa-
14 tives and the Committee on Armed Services and the Com-
15 mittee on Foreign Relations of the Senate a briefing on
16 the utility and feasibility of establishing a multinational
17 regional security education center, including as a satellite
18 entity of the Daniel K. Inouye Asia-Pacific Center for Se-
19 curity Studies that is located in a member country of the
20 Association for Southeast Asian Nations, to offer year-
21 round training and educational courses to Southeast Asian
22 and Indo-Pacific civilian and military security personnel
23 to enhance engagement of territorial and maritime secu-
24 rity, transnational and asymmetric threats, and defense
25 sector governance in the Indo-Pacific region. Training
26 may also include English-language training, human rights

1 training, rule of law and legal studies, security governance
2 and institution-building courses, and budget and procure-
3 ment training.

4 (b) ELEMENTS OF BRIEFING.—The briefing required
5 under subsection (a) shall include—

6 (1) the objectives for establishing a multi-
7 national regional security center in the region;

8 (2) the utility and feasibility of establishing
9 such a center, including the benefits and challenges
10 of doing so;

11 (3) the resources required;

12 (4) whether alternative centers and programs
13 exist to provide the training and objectives specified
14 in this provision; and

15 (5) the manner in which such a center would
16 improve and strengthen cooperation with partner
17 countries of the Association for Southeast Asian Na-
18 tions.

19 **SEC. 1210. TRAINING FOR PARTICIPANTS IN PROFES-**
20 **SIONAL MILITARY EDUCATION PROGRAMS.**

21 Any foreign person participating in professional mili-
22 tary education programs authorized pursuant to section
23 541 of the Foreign Assistance Act of 1961 (22 U.S.C.
24 2347) from funds authorized to be appropriated or other-

1 wise made available by this Act shall also be required to
2 participate in human rights training.

3 **SEC. 1210A. REPORT ON PLAN TO TRANSFER FUNDS IN**
4 **CONNECTION WITH THE PROVISION OF SUP-**
5 **PORT UNDER SECTION 385 OF TITLE 10,**
6 **UNITED STATES CODE.**

7 (a) IN GENERAL.—The Secretary of Defense shall
8 submit to the appropriate congressional committees a re-
9 port on its plan to transfer funds in connection with the
10 provision of support under section 385 of title 10, United
11 States Code, for fiscal year 2020.

12 (b) MATTERS TO BE INCLUDED.—The report re-
13 quired by subsection (a) shall include—

14 (1) a list of foreign assistance programs and ac-
15 tivities that should receive support under such au-
16 thority on a priority basis, including foreign assist-
17 ance programs and activities of the United States
18 Agency for International Development and the De-
19 partment of State; and

20 (2) a justification for providing such support to
21 such programs and activities, including as to how
22 such programs and activities relate to the National
23 Security Strategy and National Military Strategy.

1 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
2 FINED.—In this section, the term “appropriate congres-
3 sional committees” means—

4 (1) the Committee on Armed Services and the
5 Committee on Foreign Relations of the Senate; and

6 (2) the Committee on Armed Services and the
7 Committee on Foreign Affairs of the House of Rep-
8 resentatives.

9 **Subtitle B—Matters Relating to**
10 **Afghanistan and Pakistan**

11 **SEC. 1211. EXTENSION AND MODIFICATION OF AUTHORITY**
12 **FOR REIMBURSEMENT OF CERTAIN COALI-**
13 **TION NATIONS FOR SUPPORT PROVIDED TO**
14 **UNITED STATES MILITARY OPERATIONS.**

15 (a) EXTENSION.—Subsection (a) of section 1233 of
16 the National Defense Authorization Act for Fiscal Year
17 2008 (Public Law 110– 181; 122 Stat. 393) is amended
18 in the matter preceding paragraph (1) by striking “Octo-
19 ber 1, 2018, and ending on December 31, 2019” and in-
20 serting “October 1, 2019, and ending on December 31,
21 2020”.

22 (b) MODIFICATION TO LIMITATION.—Subsection
23 (d)(1) of such section is amended—

1 (1) by striking “October 1, 2018, and ending
2 on December 31, 2019” and inserting “October 1,
3 2019, and ending on December 31, 2020”; and

4 (2) by striking “\$350,000,000” and inserting
5 “\$450,000,000”.

6 **SEC. 1212. MODIFICATION AND EXTENSION OF AFGHAN**
7 **SPECIAL IMMIGRANT VISA PROGRAM.**

8 (a) **PRINCIPAL ALIENS.**—Subclause (I) of section
9 602(b)(2)(A)(ii) of the Afghan Allies Protection Act of
10 2009 (8 U.S.C. 1101 note) is amended to read as follows:

11 “(I) by, or on behalf of, the
12 United States Government; or”.

13 (b) **EXTENSION OF AFGHAN SPECIAL IMMIGRANT**
14 **PROGRAM.**—Section 602(b)(3)(F) of the Afghan Allies
15 Protection Act of 2009 (8 U.S.C. 1101 note) is amend-
16 ed—

17 (1) in the heading, by striking “2015, 2016, AND
18 2017” and inserting “2015 THROUGH 2020”;

19 (2) in the matter preceding clause (i), by strik-
20 ing “18,500” and inserting “18,870”;

21 (3) in clause (i), by striking “December 31,
22 2020” and inserting “December 31, 2021”; and

23 (4) in clause (ii), by striking “December 31,
24 2020” and inserting “December 31, 2021”.

1 **SEC. 1213. EXTENSION OF AUTHORITY TO TRANSFER DE-**
2 **FENSE ARTICLES AND PROVIDE DEFENSE**
3 **SERVICES TO THE MILITARY AND SECURITY**
4 **FORCES OF AFGHANISTAN.**

5 (a) EXTENSION OF AUTHORITY.—Subsection (h) of
6 section 1222 of the National Defense Authorization Act
7 for Fiscal Year 2013 (Public Law 112–239; 126 Stat.
8 1992) is amended by striking “December 31, 2020” and
9 inserting “December 31, 2022”.

10 (b) EXCESS DEFENSE ARTICLES.—Subsection (i)(2)
11 of such section is amended by striking “December 31,
12 2020” each place it appears and inserting “December 31,
13 2022”.

14 **SEC. 1214. EXTENSION AND MODIFICATION OF AUTHORITY**
15 **TO ACQUIRE PRODUCTS AND SERVICES PRO-**
16 **DUCED IN COUNTRIES ALONG A MAJOR**
17 **ROUTE OF SUPPLY TO AFGHANISTAN.**

18 (a) TERMINATION OF AUTHORITY.—Subsection (f) of
19 section 801 of the National Defense Authorization Act for
20 Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2399)
21 is amended by striking “December 31, 2019” and insert-
22 ing “December 31, 2021”.

23 (b) REPORT ON AUTHORITY.—Such section, as so
24 amended, is further amended by adding at the end the
25 following:

26 “(g) REPORT ON AUTHORITY.—

1 “(1) IN GENERAL.—Not later than March 1,
2 2020, and March 1, 2021, the Secretary of Defense
3 shall submit to the appropriate congressional com-
4 mittees a report on the use of the authority provided
5 in subsection (a). The report shall address, at a min-
6 imum, the following:

7 “(A) The number of determinations made
8 by the Secretary pursuant to subsection (b).

9 “(B) A description of the products and
10 services acquired using the authority.

11 “(C) The extent to which the use of the
12 authority has met the objectives of subpara-
13 graph (A), (B), or (C) of subsection (b)(2).

14 “(D) A list of the countries providing prod-
15 ucts or services as a result of a determination
16 made pursuant to subsection (b).

17 “(2) APPROPRIATE CONGRESSIONAL COMMIT-
18 TEES DEFINED.—For purposes of this subsection,
19 the term ‘appropriate congressional committees’
20 means—

21 “(A) the congressional defense committees;

22 and

23 “(B) the Committee on Foreign Affairs of
24 the House of Representatives and the Com-
25 mittee on Foreign Relations of the Senate.”.

1 **SEC. 1215. AUTHORITY FOR CERTAIN PAYMENTS TO RE-**
2 **DRESS INJURY AND LOSS IN AFGHANISTAN,**
3 **IRAQ, SYRIA, SOMALIA, LIBYA, AND YEMEN.**

4 (a) **AUTHORITY.**—During the period beginning on the
5 date of the enactment of this Act and ending on December
6 31, 2020, not more than \$5,000,000, to be derived from
7 funds authorized to be appropriated to the Office of the
8 Secretary of Defense under the Operation and Mainte-
9 nance, Defense-wide account, may be made available for
10 ex gratia payments for damage, personal injury, or death
11 that is incident to combat operations of the United States
12 Armed Forces in Afghanistan, Iraq, Syria, Somalia,
13 Libya, and Yemen.

14 (b) **QUARTERLY REPORT.**—Not later than 90 days
15 after the date of the enactment of this Act, and every 90
16 days thereafter, the Secretary of Defense shall submit to
17 the congressional defense committees a report including
18 the following:

19 (1) With respect to each ex gratia payment
20 made under the authority in this subsection or any
21 other authority during the preceding 90-day period,
22 each of the following:

23 (A) The amount used for such payments.

24 (B) The manner in which claims for such
25 payments were verified.

1 (C) The officers or officials authorized to
2 approve claims for payments.

3 (D) The manner in which payments are
4 made.

5 (2) With respect to a preceding 90-day period
6 in which no ex gratia payments were made—

7 (A) whether any such payment was re-
8 fused, along with the reason for such refusal; or

9 (B) any other reason for which no such
10 payments were made.

11 (c) AUTHORITIES APPLICABLE TO PAYMENT.—Any
12 payment made pursuant to this subsection shall be made
13 in accordance with the authorities and limitations in sec-
14 tion 8121 of the Department of Defense Appropriations
15 Act, 2015 (division C of Public Law 113–235), other than
16 subsection (h) of such section.

17 **SEC. 1216. EXTENSION OF SEMIANNUAL REPORT ON EN-**
18 **HANCING SECURITY AND STABILITY IN AF-**
19 **GHANISTAN.**

20 Section 1225 of the Carl Levin and Howard P.
21 “Buck” McKeon National Defense Authorization Act for
22 Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3558)
23 is amended—

24 (1) in subsection (a)—

1 (A) in paragraph (2), by striking “Decem-
2 ber 15, 2020” and inserting “December 15,
3 2022”; and

4 (B) by amending paragraph (3) to read as
5 follows:

6 “(3) FORM.—Each report required under para-
7 graph (1) shall be submitted in unclassified form
8 without any designation relating to dissemination
9 control, but may include a classified annex.”; and

10 (2) in subsection (b)—

11 (A) by inserting “, to include the progress
12 of the Government of Afghanistan on securing
13 Afghan territory and population,” after “the
14 current security conditions in Afghanistan”;

15 (B) by striking “and the Haqqani Net-
16 work” and inserting “the Haqqani Network,
17 and the Islamic State of Iraq and Syria
18 Khorasan”; and

19 (C) by adding at the end the following:

20 “(9) MONITORING AND EVALUATION MEASURES
21 RELATING TO ASFF.—A description of the moni-
22 toring and evaluation measures that the Department
23 of Defense and the Government of Afghanistan are
24 taking to ensure that funds of the Afghanistan Secu-
25 rity Forces Fund provided to the Government of Af-

1 ghanistan as direct government-to-government as-
2 sistance are not subject to waste, fraud, or abuse.”.

3 **SEC. 1217. SPECIAL IMMIGRANT VISA PROGRAM REPORT-**
4 **ING REQUIREMENT.**

5 (a) IN GENERAL.—Not later than 180 days after the
6 date of the enactment of this Act, the Inspector General
7 of the Department of State shall submit a report, which
8 may contain a classified annex, to—

9 (1) the Committee on the Judiciary, the Com-
10 mittee on Foreign Relations, and the Committee on
11 Armed Services of the Senate; and

12 (2) the Committee on the Judiciary, the Com-
13 mittee on Foreign Affairs, and the Committee on
14 Armed Services of the House of Representatives.

15 (b) CONTENTS.—The report submitted under sub-
16 section (a) shall evaluate the obstacles to effective protec-
17 tion of Afghan and Iraqi allies through the special immi-
18 grant visa programs and suggestions for improvements in
19 future programs, including information relating to—

20 (1) the hiring of locally employed staff and con-
21 tractors;

22 (2) documenting the identity and employment
23 of locally employed staff and contractors of the
24 United States Government, including the possibility

1 of establishing a central database of employees of
2 the United States Government and its contractors;

3 (3) the protection and safety of employees of lo-
4 cally employed staff and contractors;

5 (4) means of expediting processing at all stages
6 of the process for applicants, including consideration
7 of reducing required forms;

8 (5) appropriate staffing levels for expedited
9 processing domestically and abroad;

10 (6) the effect of uncertainty of visa availability
11 on visa processing;

12 (7) the cost and availability of medical examina-
13 tions; and

14 (8) means to reduce delays in interagency proc-
15 essing and security checks.

16 (c) CONSULTATION.—In preparing the report under
17 subsection (a), the Inspector General shall consult with
18 current and, to the extent possible, former employees of—

19 (1) the Department of State, Bureau of Con-
20 sular Affairs, Visa Office;

21 (2) the Department of State, Bureau of Near
22 Eastern Affairs and South and Central Asian Af-
23 fairs, Executive Office;

24 (3) the United States embassy in Kabul, Af-
25 ghanistan, Consular Section;

- 1 (4) the United States embassy in Baghdad,
2 Iraq, Consular Section;
3 (5) the Department of Homeland Security, U.S.
4 Citizenship and Immigration Services;
5 (6) the Department of Defense; and
6 (7) non-governmental organizations providing
7 legal aid in the special immigrant visa application
8 process.

9 **SEC. 1218. MEANINGFUL INCLUSION OF AFGHAN WOMEN IN**
10 **PEACE NEGOTIATIONS.**

11 As part of any activities of the Department of De-
12 fense relating to the ongoing peace process in Afghanistan,
13 the Secretary of Defense, in coordination with the Sec-
14 retary of State, shall seek to ensure the meaningful par-
15 ticipation of Afghan women in that process in a manner
16 consistent with the Women, Peace, and Security Act of
17 2017 (22 U.S.C. 2152j et seq.), including through advo-
18 cacy for the inclusion of Afghan women leaders in ongoing
19 and future negotiations to end the conflict in Afghanistan.

**Subtitle C—Matters Relating to
Syria, Iraq, and Iran**

**SEC. 1221. MODIFICATION OF AUTHORITY TO PROVIDE AS-
SISTANCE TO COUNTER THE ISLAMIC STATE
OF IRAQ AND SYRIA.**

(a) LIMITATION ON AVAILABILITY OF AUTHORITY.—

Of the amounts made available for fiscal year 2020 pursuant to the authorization in 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. 3558), as amended by this section, not more than 70 percent may be obligated or expended until the date on which the Secretary of Defense submits 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 in unclassified form, that may include a classified annex, that includes each of the following:

(1) Any updates to or changes in the plan, strategy, process, vetting requirements and process as described in subsection (e) of such section 1236, and end-use monitoring mechanisms and procedures.

(2) A description of how attacks against United States or coalition personnel are being mitigated,

1 statistics on any such attacks, including “green-on-
2 blue” attacks.

3 (3) A description of the forces receiving assist-
4 ance authorized under subsection (a) of such section
5 1236.

6 (4) A description of the recruitment, through-
7 put, and retention rates of recipients and equipment.

8 (5) A description of any misuse or loss of pro-
9 vided equipment and how such misuse or loss is
10 being mitigated.

11 (6) An assessment of the operational effective-
12 ness of the forces receiving assistance authorized
13 under subsection (a) of such section 1236.

14 (7) A description of sustainment support pro-
15 vided to the forces authorized under subsection (a)
16 of such section 1236.

17 (8) A list of new projects for construction, re-
18 pair, or renovation commenced during the period
19 covered by such progress report, and a list of
20 projects for construction, repair, or renovation con-
21 tinuing from the period covered by the preceding
22 progress report.

23 (9) A statement of the amount of funds ex-
24 pended during the period for which the report is
25 submitted.

1 (10) An assessment of the effectiveness of the
2 assistance authorized under subsection (a) of such
3 section 1236.

4 (11) A list of the forces or elements of forces
5 that are restricted from receiving assistance under
6 subsection (a) of such section 1236, other than the
7 forces or elements of forces with respect to which
8 the Secretary of Defense has exercised the waiver
9 authority under subsection (j) of such section 1236,
10 as a result of vetting required by subsection (e) of
11 such section 1236 or by section 2249e of title 10,
12 United States Code, and a detailed description of
13 the reasons for such restriction, including for each
14 force or element, as applicable, the following:

15 (A) Information relating to gross violation
16 of human rights committed by such force or ele-
17 ment, including the time-frame of the alleged
18 violation.

19 (B) The source of the information de-
20 scribed in subparagraph (A) and an assessment
21 of the veracity of the information.

22 (C) The association of such force or ele-
23 ment with terrorist groups or groups associated
24 with the Government of Iran.

1 (D) The amount and type of any assist-
2 ance provided to such force or element by the
3 Government of Iran.

4 (12) An assessment of—

5 (A) security in liberated areas in Iraq;

6 (B) the extent to which security forces
7 trained and equipped, directly or indirectly, by
8 the United States are prepared to provide post-
9 conflict stabilization and security in such liber-
10 ated areas; and

11 (C) the effectiveness of security forces in
12 the post-conflict environment and an identifica-
13 tion of which such forces will provide post-con-
14 flict stabilization and security in such liberated
15 areas.

16 (13) A summary of available information relat-
17 ing to the disposition of militia groups throughout
18 Iraq, with particular focus on groups in areas liber-
19 ated from ISIS or in sensitive areas with historically
20 mixed ethnic or minority communities.

21 (b) FUNDING.—Subsection (g) of section 1236 of the
22 Carl Levin and Howard P. “Buck” McKeon National De-
23 fense Authorization Act for Fiscal Year 2015 (Public Law
24 113–291; 128 Stat. 3558) is amended—

1 (1) by striking “fiscal year 2019” and inserting
2 “fiscal year 2020”; and

3 (2) by striking “\$850,000,000” and inserting
4 “\$663,000,000”.

5 (c) MODIFICATION OF ELEMENTS IN QUARTERLY
6 PROGRESS REPORTS.—Subsection (d) of such section
7 1236 is amended—

8 (1) in paragraph (11), by striking “section
9 2249e of title 10, United States Code” and inserting
10 “section 362 of title 10, United States Code”; and

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

13 “(13) A summary of available information re-
14 lating to the disposition of militia groups throughout
15 Iraq, with particular focus on groups in areas liber-
16 ated from ISIS or in sensitive areas with historically
17 mixed ethnic or minority communities.”.

18 (d) CLARIFICATION WITH RESPECT TO SCOPE OF
19 AUTHORITY.—

20 (1) IN GENERAL.—Subsection (j)(2) of such
21 section 1236 is amended to read as follows:

22 “(2) SCOPE OF ASSISTANCE AUTHORITY.—Not-
23 withstanding paragraph (1), the authority granted
24 by subsection (a) may only be exercised in consulta-
25 tion with the Government of Iraq.”.

1 (2) TECHNICAL CORRECTION.—The heading of
2 subsection (j) of such section 1236 is amended by
3 inserting “; SCOPE” after “AUTHORITY”.

4 (e) TECHNICAL CORRECTION.—Subsection (c) of
5 such section 1236 is amended in the matter preceding
6 paragraph (1) by striking “subsection (a)(1)” and insert-
7 ing “subsection (b)(1)(A)”.

8 **SEC. 1222. EXTENSION AND MODIFICATION OF AUTHORITY**
9 **TO PROVIDE ASSISTANCE TO THE VETTED**
10 **SYRIAN OPPOSITION.**

11 (a) IN GENERAL.—Section 1209 of the Carl Levin
12 and Howard P. “Buck” McKeon National Defense Au-
13 thorization Act for Fiscal Year 2015 (Public Law 113–
14 291; 128 Stat. 3559) is amended as follows:

15 (1) In subsection (a)—

16 (A) in the matter preceding paragraph
17 (1)—

18 (i) by inserting “, appropriately vetted
19 local security forces in northeast Syria, in-
20 cluding units of the Syrian Democratic
21 Forces and their associated counter-ter-
22 rorism units,” after “elements of the Syr-
23 ian opposition”; and

24 (ii) by striking “December 31, 2019”
25 and inserting “December 31, 2020”.

1 (B) in paragraph (1), by inserting “or pre-
2 viously controlled by ISIL” after “Syrian oppo-
3 sition”.

4 (2) By amending subsection (b) to read as fol-
5 lows:

6 “(b) NOTICE BEFORE PROVISION OF ASSISTANCE.—
7 Not later than 15 days prior to each instance of the provi-
8 sion of assistance under subsection (a), the Secretary of
9 Defense, in coordination with the Secretary of State, shall
10 submit to the appropriate congressional committees and
11 leadership of the House of Representatives and Senate a
12 notification that includes the following:

13 “(1) The plan for providing the assistance.

14 “(2) The requirements and process used to de-
15 termine appropriately vetted recipients with respect
16 to the assistance.

17 “(3) The mechanisms and procedures that will
18 be used to monitor and report to the appropriate
19 congressional committees and leadership of the
20 House of Representatives and Senate on unauthor-
21 ized end-use of provided training and equipment or
22 other violations of relevant law by appropriately vet-
23 ted recipients.

1 “(4) The amount, type, and purpose of assist-
2 ance to be funded and the recipient of the assist-
3 ance.

4 “(5) The budget and implementation timeline,
5 with milestones and anticipated delivery schedule for
6 the assistance.

7 “(6) A description of any material use of assist-
8 ance previously provided under subsection (a) to any
9 appropriately vetted recipient of such assistance for
10 a purpose other than the purposes specified in sub-
11 section (a) that occurred since the most recent noti-
12 fication submitted by the Secretary pursuant to this
13 subsection, with a specific description of the fol-
14 lowing:

15 “(A) The details of such material misuse.

16 “(B) The recipient or recipients respon-
17 sible for such material misuse.

18 “(C) The consequences of such material
19 misuse.

20 “(D) The actions taken by the Secretary to
21 remedy the causes and effects of such material
22 misuse.

23 “(7) The goals and objectives of the assistance.

1 “(8) The concept of operations, timelines, and
2 types of training, equipment, stipends, sustainment,
3 construction, and supplies to be provided.

4 “(9) The roles and contributions of partner na-
5 tions.

6 “(10) The number and role of United States
7 Armed Forces personnel involved.

8 “(11) Any additional military support and
9 sustainment activities.

10 “(12) Any other relevant details.”.

11 (3) By amending subsection (c) to read as fol-
12 lows:

13 “(c) FORM.—The notifications required by subsection
14 (b) shall be submitted in unclassified form but may in-
15 clude a classified annex.”.

16 (4) By striking subsection (f) and inserting the
17 following:

18 “(f) RESTRICTION ON SCOPE OF ASSISTANCE IN THE
19 FORM OF WEAPONS.—

20 “(1) IN GENERAL.—The Secretary may only
21 provide assistance in the form of weapons pursuant
22 to the authority under subsection (a) if such weap-
23 ons are small arms, including handguns, rifles and
24 carbines, sub-machine guns, or light machine guns.

1 “(2) WAIVER.—The Secretary may waive the
2 restriction under paragraph (1) if the Secretary cer-
3 tifies to the appropriate congressional committees
4 that such provision of law would (but for the waiver)
5 impede national security objectives of the United
6 States by prohibiting, restricting, delaying, or other-
7 wise limiting the provision of assistance. Such waiver
8 shall not take effect until 15 days after the date on
9 which such certification is submitted to the appro-
10 prium congressional committees.”.

11 (5) In subsection (g)—

12 (A) by inserting “, at the end of the 15-
13 day period beginning on the date the Secretary
14 notifies the congressional defense committees of
15 the amount, source, and intended purpose of
16 such contributions” after “as authorized by this
17 section”; and

18 (B) by striking “operation and mainte-
19 nance accounts” and all that follows through
20 the end of the subsection and inserting “ac-
21 counts.”.

22 (6) In subsection (k), by inserting “, at the end
23 of the 15-day period beginning on the date the Sec-
24 retary notifies the congressional defense committees
25 of the amount, recipient, and intended purpose of

1 such assistance” after “authorized under this sec-
2 tion”.

3 (7) In subsection (l)—

4 (A) by striking “\$10,000,000” and insert-
5 ing “\$20,000,000”;

6 (B) by adding at the end the following new
7 sentence: “Amounts accepted as contributions
8 pursuant to the authority in subsection (g) for
9 construction and repair projects may be ex-
10 pended without regard to the limitation under
11 this subsection.”;

12 (C) by striking “REPAIR PROJECTS.—The
13 aggregate” and inserting “REPAIR
14 PROJECTS.—

15 “(1) IN GENERAL.—The aggregate”; and

16 (D) by adding at the end the following:

17 “(2) WAIVER.—The Secretary may waive the
18 limitation under paragraph (1) if the Secretary cer-
19 tifies to the appropriate congressional committees
20 that such provision of law would (but for the waiver)
21 impede national security objectives of the United
22 States by prohibiting, restricting, delaying, or other-
23 wise limiting the provision of assistance. Such waiver
24 shall not take effect until 15 days after the date on

1 which such certification is submitted to the appro-
2 priate congressional committees.”.

3 (8) By striking subsection (j).

4 (9) By redesignating subsections (k) through
5 (m) (as amended by this subsection) as subsections
6 (j) through (l), respectively.

7 (b) EFFECTIVE DATE AND AVAILABILITY OF AU-
8 THORITY.—

9 (1) IN GENERAL.—The amendments made by
10 subsection (a) shall take effect on the date of the en-
11 actment of this section.

12 (2) AVAILABILITY OF AUTHORITY.—Notwith-
13 standing paragraph (1), the Secretary may not pro-
14 vide assistance pursuant to the authority provided
15 by section 1209 of the Carl Levin and Howard P.
16 “Buck” McKeon National Defense Authorization
17 Act for Fiscal Year 2015 (Public Law 113–291; 128
18 Stat. 3559), as amended by subsection (a) of this
19 section, during the period beginning on January 1,
20 2020, and ending on the date on which each quar-
21 terly report required to be submitted pursuant to
22 subsection (d) of such section 1209, as of the date
23 of the enactment of this section, has been submitted.

1 **SEC. 1223. EXTENSION AND MODIFICATION OF AUTHORITY**
2 **TO SUPPORT OPERATIONS AND ACTIVITIES**
3 **OF THE OFFICE OF SECURITY COOPERATION**
4 **IN IRAQ.**

5 (a) EXTENSION OF AUTHORITY.—Subsection (f)(1)
6 of section 1215 of the National Defense Authorization Act
7 for Fiscal Year 2012 (10 U.S.C. 113 note) is amended
8 by striking “fiscal year 2019” and inserting “fiscal year
9 2020”.

10 (b) AMOUNT AVAILABLE.—Such section is further
11 amended—

12 (1) in subsection (c), by striking “fiscal year
13 2019” and inserting “fiscal year 2020”; and

14 (2) in subsection (d), by striking “fiscal year
15 2019” and inserting “fiscal year 2020”.

16 (c) LIMITATION ON AVAILABILITY OF FUNDS.—Of
17 the amount available for fiscal year 2020 for section 1215
18 of the National Defense Authorization Act for Fiscal Year
19 2012, as amended by this section, not more than an
20 amount equal to 50 percent may be obligated or expended
21 for the Office of Security Cooperation in Iraq until the
22 date on which the Secretary of Defense certifies to the
23 congressional defense committees, the Committee on For-
24 eign Affairs of the House of Representatives, and the
25 Committee on Foreign Relations of the Senate, that each

1 of the following reforms relating to that Office has been
2 completed:

3 (1) The appointment of a Senior Defense Offi-
4 cial/Defense Attache to oversee the Office.

5 (2) The development of a Joint Service staffing
6 plan to reorganize the Office similar to that of other
7 security cooperation offices in the region, that places
8 foreign area officers in key leadership positions and
9 closes duplicative or extraneous sections.

10 (3) The planning and initiation of bilateral en-
11 gagement with the Government of Iraq for the pur-
12 pose of establishing a Joint Military Commission
13 and the initiation and drafting of a five-year security
14 assistance roadmap for developing strategic and sus-
15 tainable military capacity and capabilities for Iraq
16 that includes a plan to reform Iraq's defense indus-
17 trial base and security sector by reducing corruption
18 and optimizing procurement.

19 **SEC. 1224. PROHIBITION ON PROVISION OF WEAPONS AND**
20 **OTHER FORMS OF SUPPORT TO CERTAIN OR-**
21 **GANIZATIONS.**

22 None of the funds authorized to be appropriated by
23 this Act or otherwise made available to the Department
24 of Defense for fiscal year 2020 may be used to knowingly
25 provide weapons or any other form of support to Al Qaeda,

1 the Islamic State of Iraq and Syria (ISIS), Jabhat Fateh
2 al Sham Hamas, Hizballah, Palestine Islamic Jihad, al-
3 Shabaab, Islamic Revolutionary Guard Corps, or any indi-
4 vidual or group affiliated with any such organization.

5 **SEC. 1225. RULE OF CONSTRUCTION RELATING TO USE OF**
6 **MILITARY FORCE AGAINST IRAN.**

7 Nothing in this Act or any amendment made by this
8 Act may be construed to authorize the use of military force
9 against Iran.

10 **SEC. 1226. SENSE OF CONGRESS ON SUPPORT FOR MIN-**
11 **ISTRY OF PESHMERGA FORCES OF THE**
12 **KURDISTAN REGION OF IRAQ.**

13 It is the sense of Congress that—

14 (1) the United States led coalition and coalition
15 enabled partner forces, including Ministry of
16 Peshmerga forces of the Kurdistan Region of Iraq
17 and Iraqi Security Forces (ISF), have made signifi-
18 cant gains in liberating all territory in Iraq from Is-
19 lamic State of Iraq and Syria (ISIS) control and dis-
20 rupting ISIS safe havens and networks;

21 (2) nevertheless, ISIS is regenerating key func-
22 tions and capabilities in Iraq, and ISIS elements will
23 continue to exist in Iraq for the foreseeable future;

24 (3) ISIS will attempt to rebuild combat power
25 through clandestine networks providing sanctuary,

1 and ISIS will continue to attempt to conduct insur-
2 gent-type activities while simultaneously recruiting
3 and training fighters, establishing facilitation net-
4 works, and attempting to remain relevant in the in-
5 formation domain;

6 (4) the Ministry of Peshmerga forces of the
7 Kurdistan Region of Iraq made significant contribu-
8 tions and sacrifices in the United States-led cam-
9 paign to degrade, dismantle, and destroy ISIS; and

10 (5) the Department of Defense and the Depart-
11 ment of State should continue to work with and sup-
12 port the non-partisan forces of the Ministry of
13 Peshmerga of the Kurdistan Region of Iraq in order
14 to continue to develop their capabilities, promote se-
15 curity sector reforms, and enhance sustainability and
16 interoperability with the other elements of the Iraqi
17 security forces in order to provide for Iraq's lasting
18 security against terrorist threats.

19 **SEC. 1227. SENSE OF CONGRESS ON SUPPORTING THE RE-**
20 **TURN AND REPATRIATION OF RELIGIOUS**
21 **AND ETHNIC MINORITIES IN IRAQ TO THEIR**
22 **ANCESTRAL HOMELANDS.**

23 (a) FINDINGS.—Congress finds that—

24 (1) the Nineveh Plain and the wider region
25 have been the ancestral homeland of Assyrian

1 Chaldean Syriac Christians, Yazidis, Shabak, and
2 other religious and ethnic minorities, where they
3 lived for centuries until the Islamic State of Iraq
4 and Syria (ISIS) overran and occupied the area in
5 2014;

6 (2) in 2016, then-Secretary of State John
7 Kerry announced, “In my judgment Daesh is re-
8 sponsible for genocide against groups in areas under
9 its control, including Yezidis, Christians, and Shia
10 Muslims. Daesh is genocidal by self-proclamation, by
11 ideology, and by actions—in what it says, what it
12 believes, and what it does. Daesh is also responsible
13 for crimes against humanity and ethnic cleansing di-
14 rected at these same groups and in some cases also
15 against Sunni Muslims, Kurds, and other minori-
16 ties.”;

17 (3) these atrocities were undertaken with the
18 specific intent to bring about the eradication and
19 displacement of Christians, Yazidis, and other com-
20 munities and the destruction of their cultural herit-
21 age, in violation of the United Nations Convention
22 on the Prevention and Punishment of the Crime of
23 Genocide signed by the United States on December
24 11, 1948;

1 (4) in 2016, the House of Representatives
2 passed H. Con. Res. 75 expressing the sense of the
3 House of Representatives that the atrocities per-
4 petrated by ISIS against religious and ethnic minori-
5 ties in Iraq and Syria include war crimes, crimes
6 against humanity, and genocide;

7 (5) through joint efforts of the United States
8 and 79 allies and partners, ISIS has been terri-
9 torially defeated in Iraq and Syria;

10 (6) in July 2018, under the direction of Vice
11 President Pence, the Genocide Recovery and Perse-
12 cution Response Program partnered with the De-
13 partment of State, the United States Agency for
14 International Development, and local faith and com-
15 munity leaders to rapidly and directly deliver aid to
16 persecuted communities, beginning with Iraq;

17 (7) Christians in Iraq once numbered over 1.5
18 million in 2003 and have dwindled to less than
19 200,000 today;

20 (8) armed militia groups linked to Iran, oper-
21 ating systematically in Sinjar and the Nineveh
22 Plains, have harassed and intimidated religious and
23 ethnic minorities thereby destabilizing northern Iraq
24 and preventing local and indigenous minorities to re-
25 turn to their homelands;

1 (9) Iraqi religious minorities have faced chal-
2 lenges in integrating into the Iraqi Security Forces
3 and Kurdish Peshmerga;

4 (10) over 500 acres of productive agricultural
5 lands in eastern Ninevah Governate have been
6 burned in cases of arson in May 2019 alone, de-
7 stroying significant wheat and barley cultivation
8 areas;

9 (11) these agricultural resources are critical to
10 northern Iraq's livelihood, especially that of minority
11 populations, and continued crop arson prevents safe
12 and prosperous return of minority populations as
13 well as complicates stabilization efforts; and

14 (12) facilitating the success of communities in
15 Sinjar and the Nineveh Plains requires a commit-
16 ment from international, Iraqi, Kurdish, and local
17 authorities, in partnership with local faith leaders, to
18 promote the safety and security of all people, espe-
19 cially religious and ethnic minorities.

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

22 (1) it should remain a policy priority of the
23 United States, working with international partners,
24 the Government of Iraq, the Kurdistan Regional
25 Government, and local populations, to support the

1 safe return of displaced indigenous people of the
2 Nineveh Plain and Sinjar to their ancestral home-
3 land;

4 (2) it should be a policy priority of the Govern-
5 ment of Iraq, the Kurdish Regional Government, the
6 United States, and the international community to
7 guarantee the restoration of fundamental human
8 rights, including property rights, to genocide victims,
9 and to see that ethnic and religious pluralism sur-
10 vives in Iraq;

11 (3) Iraqi Security Forces and the Kurdish
12 Peshmerga should work to more fully integrate all
13 communities, including religious minority commu-
14 nities, to counter current and future terrorist
15 threats; and

16 (4) the United States, working with inter-
17 national allies and partners, should continue to lead
18 coordination of efforts to provide for the safe return
19 and future security of religious minorities in the
20 Nineveh Plain and Sinjar.

21 **SEC. 1228. REPORT ON THE STATUS OF DECONFLICTION**
22 **CHANNELS WITH IRAN.**

23 (a) IN GENERAL.—Not later than 30 days after the
24 date of enactment of this Act, the President shall submit

1 to Congress a report on the status of deconfliction chan-
2 nels with Iran.

3 (b) MATTERS TO BE INCLUDED.—The report re-
4 quired by subsection (a) shall include the following:

5 (1) The status of United States military-to-mili-
6 tary deconfliction channels with Iran to prevent mili-
7 tary and diplomatic miscalculation.

8 (2) The status of United States diplomatic
9 deconfliction channels with Iran to prevent mis-
10 calculation, define ambiguities, and correct mis-
11 understandings that could otherwise lead to unin-
12 tended consequences, including unnecessary or
13 harmful military activity.

14 (3) An analysis of the need and rationale for bi-
15 lateral and multilateral deconfliction channels, in-
16 cluding an assessment of recent United States expe-
17 rience with such channels of communication with
18 Iran.

19 **SEC. 1229. PROHIBITION OF UNAUTHORIZED MILITARY**
20 **FORCE IN OR AGAINST IRAN.**

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

22 (1) The acquisition by the Government of Iran
23 of a nuclear weapon would pose a grave threat to
24 international peace and stability and the national se-

1 security of the United States and United States allies,
2 including Israel.

3 (2) The Government of Iran is a leading state
4 sponsor of terrorism, continues to materially support
5 the regime of Bashar al-Assad, and is responsible
6 for ongoing gross violations of the human rights of
7 the people of Iran.

8 (3) Article I of the United States Constitution
9 requires the President to obtain authorization from
10 Congress before engaging in war with Iran.

11 (b) CLARIFICATION OF CURRENT LAW.—Nothing in
12 the Authorization for Use of Military Force (Public Law
13 107–40; 50 U.S.C. 1541 note), the Authorization for Use
14 of Military Force Against Iraq Resolution of 2002 (Public
15 Law 107–243; 50 U.S.C. 1541 note), or any other provi-
16 sion of law enacted before the date of the enactment of
17 this Act may be construed to provide authorization for the
18 use of military force against Iran.

19 (c) PROHIBITION OF UNAUTHORIZED MILITARY
20 FORCE IN OR AGAINST IRAN.—

21 (1) IN GENERAL.—Except as provided in para-
22 graph (1), no Federal funds may be used for any
23 use of military force in or against Iran unless Con-
24 gress has—

25 (A) declared war; or

1 (B) enacted specific statutory authoriza-
2 tion for such use of military force after the date
3 of the enactment of this Act that meets the re-
4 quirements of the War Powers Resolution (50
5 U.S.C. 1541 et seq.).

6 (2) EXCEPTION.—The prohibition under para-
7 graph (1) shall not apply to a use of military force
8 that is consistent with section (2)(c) of the War
9 Powers Resolution.

10 (d) RULES OF CONSTRUCTION.—(1) Nothing in this
11 section may be construed to prevent the President from
12 using necessary and appropriate force to defend United
13 States allies and partners if Congress enacts specific stat-
14 utory authorization for such use of force consistent with
15 the requirements of the War Powers Resolution (50
16 U.S.C. 1541 et seq.).

17 (2) Nothing in this Act may be construed to relieve
18 the executive branch of restrictions on the use of force,
19 reporting, or consultation requirements set forth in the
20 War Powers Resolution (50 U.S.C. 1541 et seq.).

21 (3) Nothing in this Act may be construed to authorize
22 the use of military force.

**Subtitle D—Matters Relating to
Russia**

**SEC. 1231. PROHIBITION ON THE USE OF FUNDS TO SUS-
PEND, TERMINATE, OR WITHDRAW THE
UNITED STATES FROM THE OPEN SKIES
TREATY.**

(a) FINDINGS.—Congress finds the following:

(1) Since 1992, the United States has supported the Open Skies Treaty with dedicated aircraft and observation mission teams, conducting several hundred training and observation missions with other countries.

(2) This commitment by the United States has helped to confirm and refine operational procedures, to improve implementation and effectiveness of the Open Skies Treaty, and provide United States leadership and engagement opportunities that have supported broader objectives and improved European transparency.

(3) The Open Skies Treaty provides signatories with the ability to gather information through aerial imaging on military forces and activities of concern to them which contributes to greater transparency and stability in the Euro-Atlantic region, which ben-

1 efits both the United States and United States allies
2 and partners.

3 (4) In order to maximize United States benefits
4 from the Open Skies Treaty, the United States
5 needs to recapitalize and modernize its aircraft and
6 sensors, and the ongoing work to certify the Digital
7 Visual Imaging System and the new effort for the
8 Open Skies Treaty Aircraft Recapitalization
9 (OSTAR) are critical to United States leadership
10 and involvement in the Treaty.

11 (5) The current 1960s-era United States air-
12 craft used with respect to the Open Skies Treaty are
13 ill-suited to extreme operating environments in Rus-
14 sia and experience regular, unplanned maintenance
15 issues, often resulting in mission delays or cancella-
16 tions.

17 (6) The OSTAR effort will provide a United
18 States aircraft capability that allows the United
19 States to fully implement the goals and objectives of
20 the Open Skies Treaty.

21 (7) The United States also demonstrated in De-
22 cember 2018, along with United States allies of
23 Canada, the United Kingdom, France, Germany,
24 and Romania, that Open Skies Treaty mechanisms
25 can be used during times of crisis.

1 (8) Following Russia’s unprovoked attack on
2 Ukrainian vessels near the Kerch Strait, the United
3 States and United States allies conducted an “ex-
4 traordinary” Open Skies Treaty observation mission
5 over Ukraine to reaffirm commitment to Ukraine.

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

8 (1) the United States should forcefully address
9 Russian violations of its obligations under the Open
10 Skies Treaty; and

11 (2) due to the significant benefits that observa-
12 tion missions under the Open Skies Treaty provide
13 to the United States and United States allies, the
14 United States should commit to continued participa-
15 tion in the Treaty.

16 (c) PROHIBITION.—

17 (1) IN GENERAL.—Except as provided in para-
18 graph (2), none of the funds authorized to be appro-
19 priated by this Act or otherwise made available to
20 the Department of Defense for fiscal year 2020 may
21 be obligated or expended to take any action to sus-
22 pend, terminate, or withdraw the United States from
23 the Open Skies Treaty.

24 (2) EXCEPTION.—The prohibition in paragraph
25 (1) shall not apply if the Secretary of Defense and

1 the Secretary of State jointly determine and certify
2 to the congressional defense committees, the Com-
3 mittee on Foreign Affairs of the House of Rep-
4 resentatives, and the Committee on Foreign Rela-
5 tions of the Senate, that—

6 (A) Russia is in material breach of its obli-
7 gations under the Open Skies Treaty and is not
8 taking steps to return to compliance with such
9 obligations, and all other state parties to the
10 Open Skies Treaty concur in such determina-
11 tion of the Secretaries; or

12 (B) withdrawing from the Open Skies
13 Treaty would be in the best interests of United
14 States national security and the other state
15 parties to the Open Skies Treaty have been con-
16 sulted with respect to such withdrawal.

17 (d) REPEAL OF LIMITATION ON USE OF FUNDS TO
18 VOTE TO APPROVE OR OTHERWISE ADOPT ANY IMPLE-
19 MENTING DECISION OF THE OPEN SKIES CONSULTATIVE
20 COMMISSION AND MODIFICATIONS TO REPORT.—

21 (1) IN GENERAL.—Section 1236 of the Na-
22 tional Defense Authorization Act for Fiscal Year
23 2017 (Public Law 114–328; 130 Stat. 2491) is
24 amended—

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

3 (B) by redesignating subsections (c), (d),
4 (e), and (f) as subsections (a), (b), (c), and (d),
5 respectively.

6 (2) MODIFICATIONS TO REPORT.—Subsection
7 (a) of such section, as so redesignated, is amended—

8 (A) in the heading, by striking “QUAR-
9 TERLY” and inserting “BI-ANNUAL”;

10 (B) in paragraph (1)—

11 (i) by inserting “the Secretary of
12 State,” before “the Secretary of Energy”;

13 (ii) by striking “quarterly basis” and
14 inserting “bi-annual basis”;

15 (iii) by striking “by the Russian Fed-
16 eration over the United States” and insert-
17 ing “by all parties to the Open Skies Trea-
18 ty, including the United States, under the
19 Treaty”; and

20 (iv) by striking “calendar quarter”
21 and inserting “preceding 6-month period”;
22 and

23 (C) in paragraph (2), by striking subpara-
24 graphs (B), (C), and (D) and inserting the fol-
25 lowing:

1 “(B) In the case of an observation flight
2 by the United States, including an observation
3 flight over the territory of Russia—

4 “(i) an analysis of data collected that
5 supports United States intelligence and
6 military collection goals; and

7 “(ii) an assessment of data collected
8 regarding military activity that could not
9 be collected through other means.

10 “(C) In the case of an observation flight
11 over the territory of the United States—

12 “(i) an analysis of whether and the
13 extent to which any United States critical
14 infrastructure was the subject of image
15 capture activities of such observation
16 flight;

17 “(ii) an estimate for the mitigation
18 costs imposed on the Department of De-
19 fense or other United States Government
20 agencies by such observation flight; and

21 “(iii) assessment of how such informa-
22 tion is used by party conducting the obser-
23 vation flight, for what purpose, and how
24 the information fits into the overall collec-
25 tion posture.”.

1 (3) FORM.—Subsection (c) of such section, as
2 so redesignated, is amended by striking “certifi-
3 cation, report, and notice” and inserting “report”.

4 (4) DEFINITIONS.—Subsection (d) of such sec-
5 tion, as so redesignated, is amended—

6 (A) by striking paragraphs (3) and (6);
7 and

8 (B) by redesignating paragraphs (4), (5),
9 and (7) as paragraphs (3), (4), and (5), respec-
10 tively.

11 (e) OPEN SKIES: IMPLEMENTATION PLAN.—Section
12 1235(a) of the National Defense Authorization Act for
13 Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1660)
14 is amended—

15 (1) in paragraph (1)—

16 (A) by striking “during such fiscal year”
17 and inserting “during a calendar year”; and

18 (B) by striking “the President submits”
19 and all that follows and inserting “the Sec-
20 retary of Defense provides to the appropriate
21 congressional committees a briefing on a plan
22 described in paragraph (2) with respect to such
23 calendar year.”;

24 (2) in paragraph (2), by striking “such fiscal
25 year” and inserting “such calendar year”; and

1 (3) in paragraph (3), by striking “a fiscal year
2 and submit the updated plan” and inserting “a cal-
3 endar year and provide a briefing on the updated
4 plan”.

5 (f) DEFINITION OF OPEN SKIES TREATY; TREATY.—
6 In this section, the term “Open Skies Treaty” or “Treaty”
7 means the Treaty on Open Skies, done at Helsinki March
8 24, 1992, and entered into force January 1, 2002.

9 **SEC. 1232. EXTENSION OF LIMITATION ON MILITARY CO-**
10 **OPERATION BETWEEN THE UNITED STATES**
11 **AND RUSSIA.**

12 Section 1232(a) of the National Defense Authoriza-
13 tion Act for Fiscal Year 2017 (Public Law 114–328; 130
14 Stat. 2488), is amended by striking “or 2019” and insert-
15 ing “, 2019, or 2020”.

16 **SEC. 1233. PROHIBITION ON AVAILABILITY OF FUNDS RE-**
17 **LATING TO SOVEREIGNTY OF RUSSIA OVER**
18 **CRIMEA.**

19 (a) PROHIBITION.—None of the funds authorized to
20 be appropriated by this Act or otherwise made available
21 for fiscal year 2020 for the Department of Defense may
22 be obligated or expended to implement any activity that
23 recognizes the sovereignty of Russia over Crimea.

24 (b) WAIVER.—The Secretary of Defense, with the
25 concurrence of the Secretary of State, may waive the re-

1 restriction on the obligation or expenditure of funds required
2 by subsection (a) if the Secretary—

3 (1) determines that to do so is in the national
4 security interest of the United States; and

5 (2) submits a notification of the waiver, at the
6 time the waiver is invoked, to the Committee on
7 Armed Services and the Committee on Foreign Af-
8 fairs of the House of Representatives and the Com-
9 mittee on Armed Services and the Committee on
10 Foreign Relations of the Senate.

11 **SEC. 1234. MODIFICATION AND EXTENSION OF UKRAINE SE-**
12 **CURITY ASSISTANCE INITIATIVE.**

13 Section 1250 of the National Defense Authorization
14 Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat.
15 1068) is amended—

16 (1) in subsection (a), by striking “in coordina-
17 tion with the Secretary of State” and inserting
18 “with the concurrence of the Secretary of State”;

19 (2) in subsection (c)—

20 (A) in paragraph (1), by striking “50 per-
21 cent of the funds available for fiscal year 2019
22 pursuant to subsection (f)(4)” and inserting
23 “50 percent of the funds available for fiscal
24 year 2020 pursuant to subsection (f)(5)”;

1 (B) in paragraph (3), by striking “fiscal
2 year 2019” and inserting “fiscal year 2020”;
3 and

4 (C) in paragraph (5), by striking “Of the
5 funds available for fiscal year 2019 pursuant to
6 subsection (f)(4)” and inserting “Of the funds
7 available for fiscal year 2020 pursuant to sub-
8 section (f)(5)”; and

9 (3) in subsection (f), by adding at the end the
10 following:

11 “(5) For fiscal year 2020, \$250,000,000.”.

12 **SEC. 1235. REPORT ON TREATIES RELATING TO NUCLEAR**
13 **ARMS CONTROL.**

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

15 (1) On October 24, 2018, the House Committee
16 on Armed Services and House Committee on For-
17 eign Affairs wrote to the Secretary of Defense re-
18 questing information regarding the Administration’s
19 policies and strategies related to nuclear arms con-
20 trol.

21 (2) The Committees did not receive the re-
22 quested information from the Secretary of Defense.

23 (b) ASSESSMENT REQUIRED.—Not later than 120
24 days after the date of the enactment of this Act, the Sec-
25 retary of Defense, in consultation with the Secretary of

1 State and the Director of National Intelligence, shall sub-
2 mit to the Committee on Armed Services, the Permanent
3 Select Committee on Intelligence, and the Committee on
4 Foreign Affairs of the House of Representatives and the
5 Committee on Armed Services, the Select Committee on
6 Intelligence, and the Committee on Foreign Relations of
7 the Senate an assessment that includes each of the fol-
8 lowing:

9 (1) The implications, in terms of military threat
10 to the United States or its allies in Europe, of Rus-
11 sian deployment of intermediate-range cruise and
12 ballistic missiles without restriction.

13 (2) What new capabilities the United States
14 might need in order to pursue additional tech-
15 nologies or programs to offset such Russian capabili-
16 ties, and the costs associated with such capabilities,
17 technologies, and programs.

18 (3) An assessment of the threat to the United
19 States of Russia's strategic nuclear force in the
20 event the New START Treaty lapses.

21 (4) What measures could have been taken short
22 of withdrawal, including economic, military, and dip-
23 lomatic options, to increase pressure on Russia for
24 violating the INF Treaty.

1 (5) The status of all consultations with allies
2 pertaining to the INF Treaty and the threat posed
3 by Russian forces that are noncompliant with the
4 obligations of such treaty.

5 (6) The impact that Russian withdrawal from
6 the INF Treaty and the expiration of the New
7 START Treaty could have on long-term United
8 States-Russia strategic stability.

9 (c) WITHHOLDING OF FUNDS.—Until the date of the
10 submission of the assessment required by subsection (b),
11 an amount that is equal to 20 percent of the total amount
12 authorized to be appropriated to the Office of the Sec-
13 retary of Defense under the Operations and Maintenance,
14 Defense-Wide account for the travel of persons shall be
15 withheld from obligation or expenditure.

16 (d) DEFINITIONS.—In this section:

17 (1) NEW START TREATY.—The term “New
18 START Treaty” means the Treaty between the
19 United States of America and the Russian Federa-
20 tion on Measures for the Further Reduction and
21 Limitation of Strategic Offensive Arms, signed at
22 Prague April 8, 2010, and entered into force Feb-
23 ruary 5, 2011.

24 (2) INF TREATY.—The term “INF Treaty”
25 means the Treaty between the United States of

1 America and the Union of Soviet Socialist Republics
2 on the Elimination of Their Intermediate-Range and
3 Shorter-Range Missiles, signed at Washington De-
4 cember 8, 1987, and entered into force June 1,
5 1988.

6 **SEC. 1236. SENSE OF CONGRESS ON UPDATING AND MOD-**
7 **ERNIZING EXISTING AGREEMENTS TO AVERT**
8 **MISCALCULATION BETWEEN THE UNITED**
9 **STATES AND RUSSIA.**

10 It is the sense of Congress that, in order to strength-
11 en the defense of United States and its allies and partners
12 in Europe and avert the risk of miscalculation and unin-
13 tended escalation that could lead to a broader and dan-
14 gerous military catastrophe, the Secretary of Defense and
15 Secretary of State, in consultation with the commander
16 of United States European Command and Assistant Sec-
17 retary of State for European and Eurasian Affairs,
18 should—

19 (1) pursue updating and modernizing the
20 Agreement on the prevention of incidents on and
21 over the high seas (entered into force with respect
22 to the United States on May 25, 1972; 23 U.S.T.
23 1063);

24 (2) explore additional options to reduce the risk
25 of accidents in the air; and

1 (3) explore the possibility of updating the noti-
2 fications in the Vienna Document of the Organiza-
3 tion for Security and Cooperation in Europe with a
4 view to reducing the risk that the United States, the
5 North Atlantic Treaty Organization, or Russia
6 might misinterpret a military exercise, including
7 pursuing greater use of the Vienna Document's pro-
8 vision that provides for voluntary hosting of visits
9 that seek to dispel possible concern regarding mili-
10 tary activities.

11 **SEC. 1237. SENSE OF CONGRESS ON SUPPORT FOR GEOR-**
12 **GIA.**

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

14 (1) Georgia is a valued friend of the United
15 States and has repeatedly demonstrated its commit-
16 ment to advancing the mutual interests of both
17 countries, including the deployment of Georgian
18 forces as part of the former International Security
19 Assistance Force (ISAF) and the current Resolute
20 Support Mission led by the North Atlantic Treaty
21 Organization (NATO) in Afghanistan and the Multi-
22 National Force in Iraq.

23 (2) The European Deterrence Initiative builds
24 the partnership capacity of Georgia so it can work

1 more closely with the United States and NATO, as
2 well as provide for its own defense.

3 (3) In addition to the European Deterrence Ini-
4 tiative, Georgia's participation in the NATO initia-
5 tive Partnership for Peace is paramount to inter-
6 operability with the United States and NATO, and
7 establishing a more peaceful environment in the re-
8 gion.

9 (4) Despite the losses suffered, as a NATO
10 partner, Georgia is committed to the Resolute Sup-
11 port Mission in Afghanistan with the fourth-largest
12 contingent on the ground.

13 (b) SENSE OF CONGRESS.—Congress—

14 (1) reaffirms United States support for Geor-
15 gia's sovereignty and territorial integrity within its
16 internationally-recognized borders, and does not rec-
17 ognize the independence of the Abkhazia and South
18 Ossetia regions currently occupied by the Russian
19 Federation; and

20 (2) supports continued cooperation between the
21 United States and Georgia and the efforts of the
22 Government of Georgia to provide for the defense of
23 its people and sovereign territory.

1 **SEC. 1238. SENSE OF CONGRESS ON SUPPORT FOR ESTO-**
2 **NIA, LATVIA, AND LITHUANIA.**

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

4 (1) The Baltic countries of Estonia, Latvia, and
5 Lithuania are highly valued allies of the United
6 States, and they have repeatedly demonstrated their
7 commitment to advancing our mutual interests as
8 well as those of the NATO Alliance.

9 (2) Operation Atlantic Resolve is a series of ex-
10 ercises and coordinating efforts demonstrating the
11 United States' commitment to its European partners
12 and allies, including the Baltic countries of Estonia,
13 Latvia, and Lithuania, with the shared goal of peace
14 and stability in the region. Operation Atlantic Re-
15 solve strengthens communication and understanding,
16 and is an important effort to deter Russian aggres-
17 sion in the region.

18 (3) Through Operation Atlantic Resolve, the
19 European Deterrence Initiative undertakes exercises,
20 training, and rotational presence necessary to reas-
21 sure and integrate our allies, including the Baltic
22 countries, into a common defense framework.

23 (4) All three Baltic countries contributed to the
24 NATO-led International Security Assistance Force
25 in Afghanistan, sending troops and operating with
26 few caveats. The Baltic countries continue to commit

1 resources and troops to the Resolute Support Mis-
2 sion in Afghanistan.

3 (b) SENSE OF CONGRESS.—Congress—

4 (1) reaffirms its support for the principle of col-
5 lective defense in Article 5 of the North Atlantic
6 Treaty for our NATO allies, including Estonia, Lat-
7 via, and Lithuania;

8 (2) supports the sovereignty, independence, ter-
9 ritorial integrity, and inviolability of Estonia, Latvia,
10 and Lithuania as well as their internationally recog-
11 nized borders, and expresses concerns over increas-
12 ingly aggressive military maneuvering by the Rus-
13 sian Federation near their borders and airspace;

14 (3) expresses concern over and condemns sub-
15 versive and destabilizing activities by the Russian
16 Federation within the Baltic countries; and

17 (4) encourages the Administration to further
18 enhance defense cooperation efforts with Estonia,
19 Latvia, and Lithuania and supports the efforts of
20 their Governments to provide for the defense of their
21 people and sovereign territory.

1 **SEC. 1239. ANNUAL REPORT ON CYBER ATTACKS AND IN-**
2 **TRUSIONS AGAINST THE DEPARTMENT OF**
3 **DEFENSE BY CERTAIN FOREIGN ENTITIES.**

4 (a) IN GENERAL.—Not later than 180 days after the
5 date of the enactment of this Act, and each fiscal year
6 thereafter through fiscal year 2023, the Secretary of De-
7 fense shall submit to the congressional defense committees
8 a report on cyber attacks and intrusions in the previous
9 12 months by agents or associates of the Governments of
10 the Russian Federation, the People’s Republic of China,
11 the Islamic Republic of Iran, and the Democratic People’s
12 Republic of Korea against or into—

13 (1) the information systems (as such term is
14 defined in section 3502 of title 44, United States
15 Code) of—

16 (A) the Department of Defense; and

17 (B) any contractor of the Department of
18 Defense that works on sensitive United States
19 military technology; and

20 (2) the personal communications of the per-
21 sonnel of the Department of Defense.

22 (b) FORM.—The report required by subsection (a)
23 shall be submitted in classified form.

1 **SEC. 1240. REPORT ON RUSSIAN MILITARY INVOLVEMENT**
2 **IN THE AFRICOM AOR.**

3 (a) REPORT.—Not later than 120 days after the date
4 of the enactment of this Act, the Secretary of Defense,
5 in coordination with the Secretary of State, shall provide
6 to the appropriate congressional committees a report on
7 military assistance provided by the Russian Federation or
8 any private military corporations headquartered or reg-
9 istered in Russia to countries in the U.S. Africa Command
10 (AFRICOM) Area of Responsibility (AOR).

11 (b) MATTERS TO BE INCLUDED.—The report re-
12 quired by subsection (a) shall include the following:

13 (1) A description of all known bilateral agree-
14 ments between Russia and African governments ne-
15 gotiated since 2014, including military and technical
16 cooperation, arms sales, and mineral exploration.

17 (2) An analysis of any direct or indirect mili-
18 tary support Russia or private military corporations
19 based in Russia are providing to non-state armed
20 groups in Africa, including a description of the types
21 of support.

22 (3) A description of arms sales within the pre-
23 vious calendar year by the Russian defense sector to
24 African countries, and an analysis of whether any of
25 such arms sales constitute significant transactions
26 within the meaning of section 231 of the Countering

1 America's Adversaries Through Sanctions Act of
2 2017 (22 U.S.C. 9525).

3 (4) An analysis of the extent to which such
4 arms sales may be in violation of United Nations Se-
5 curity Council-imposed arms embargoes in Africa,
6 including with regard to South Sudan, the Demo-
7 cratic Republic of Congo, and the Central African
8 Republic.

9 (5) An analysis of Russian disinformation and
10 propaganda operations in African countries, and the
11 extent to which such operations pose a risk to
12 United States interests in Africa.

13 (6) A plan to counteract destabilizing Russian
14 activities in Africa.

15 (c) FORM.—The report required by subsection (a)
16 shall be submitted in unclassified form, but may include
17 a classified annex.

18 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
19 DEFINED.—In this section, the term “appropriate con-
20 gressional committees” means—

- 21 (1) the Committee on Armed Services and the
22 Committee on Foreign Relations of the Senate; and
23 (2) the Committee on Armed Services and the
24 Committee on Foreign Affairs of the House of Rep-
25 resentatives.

1 **SEC. 1240A. REPORTS RELATING TO THE NEW START TREA-**
2 **TY.**

3 (a) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that the United States should seek to extend the
5 New START Treaty, from its initial termination date in
6 February 2021 to February 2026, as provided for under
7 Article XIV of the Treaty, unless—

8 (1) the President determines and informs the
9 appropriate congressional committees that Russia is
10 in material breach of the Treaty; or

11 (2) the Treaty is superseded by a new arms
12 control agreement that provides equal or greater
13 constraints, transparency, and verification measures
14 with regard to Russia's nuclear forces.

15 (b) PROHIBITION ON USE OF FUNDS TO WITHDRAW
16 FROM THE NEW START TREATY.—Notwithstanding any
17 other provision of law, none of the funds authorized to
18 be appropriated by this Act or otherwise made available
19 to the Department of Defense for fiscal year 2020 may
20 be used to take any action to withdraw the United States
21 from the New START Treaty, unless the President deter-
22 mines and so informs the appropriate congressional com-
23 mittees that Russia is in material breach of the Treaty.

24 (c) ASSESSMENTS FROM DIRECTOR OF NATIONAL
25 INTELLIGENCE.—

1 (1) RELATING TO EXPIRATION OF NEW START
2 TREATY.—Not later than 180 days after the date of
3 the enactment of this Act, the Director of National
4 Intelligence shall submit to the appropriate congressional
5 committees an intelligence assessment based
6 on all sources of the national security and intelligence
7 implications of the expiration of the New
8 START Treaty without the United States and Russia
9 having entered into a new arms control agreement
10 that provides equal or greater constraints,
11 transparency, and verification measures with regard
12 to Russia’s nuclear forces. The assessment shall be
13 submitted in an unclassified form, but may contain
14 a classified annex, and shall include the following
15 elements:

16 (A) A description of the size and posture
17 of Russia’s nuclear forces, including strategic
18 nuclear warheads and strategic delivery vehicles,
19 as well as predicted force levels through
20 February 2026 under each of the following potential
21 scenarios:

22 (i) The Treaty expires in February
23 2026 without such a replacement agreement.
24 ment.

1 (ii) The Treaty is extended until Feb-
2 ruary 2026.

3 (B) A description of Russia's likely re-
4 sponse to an expiration of the New START
5 Treaty, including potential changes to Russia's
6 nuclear forces, conventional forces, as well as
7 Russia's willingness to negotiate an arms con-
8 trol agreement on Russian non-strategic or tac-
9 tical nuclear weapons, short-and-intermediate-
10 range delivery systems, (including dual-capable
11 and nuclear-only), and new strategic delivery
12 systems (such as the kinds announced by Presi-
13 dent Putin on March 1, 2018) in the future.

14 (C) An assessment of the strategic impact
15 on United States and Russian strategic nuclear
16 forces if the Treaty is not extended and such an
17 agreement is not concluded, including the likeli-
18 hood that Russia pursues new strategic offen-
19 sive arms research and development programs.

20 (D) An assessment of the potential quan-
21 tity of Russia's new strategic delivery systems
22 (such as the kinds announced by President
23 Putin on March 1, 2018) between 2021 and
24 2026, and the impact to strategic stability be-

1 tween Russia and the United States as related
2 to Russia's existing strategic forces.

3 (E) An assessment of the impact on
4 United States allies if the limitations on Rus-
5 sia's nuclear forces are dissolved if the Treaty
6 is not extended and such an agreement is not
7 concluded.

8 (F) A description of the verification and
9 transparency benefits of the Treaty and a de-
10 scription of the Treaty's impact on the United
11 States' understanding of Russia's military and
12 nuclear forces.

13 (G) An assessment of how the United
14 States' confidence in its understanding of Rus-
15 sia's strategic nuclear arsenal and future nu-
16 clear force levels would be impacted if the Trea-
17 ty is not extended and such an agreement is not
18 concluded.

19 (H) An assessment of what actions would
20 be necessary for the United States to remediate
21 the loss of the Treaty's verification and trans-
22 parency benefits if the Treaty is not extended
23 and such an agreement is not concluded, and
24 an estimate of the remedial resources required

1 to ensure no concomitant loss of understanding
2 of Russia's military and nuclear forces.

3 (2) RELATING TO RUSSIA'S WILLINGNESS TO
4 ENGAGE IN NUCLEAR ARMS CONTROL NEGOTIA-
5 TIONS.—Not later than 180 days after the date of
6 the enactment of this Act, the Director of National
7 Intelligence shall submit to the appropriate congres-
8 sional committees an intelligence assessment based
9 on all sources of Russia's willingness to engage in
10 nuclear arms control negotiations and Russia's pri-
11 orities in these negotiations. The assessment shall be
12 submitted in an unclassified form but may contain
13 a classified annex, and shall include the following
14 elements:

15 (A) An assessment of Russia's willingness
16 to extend the New START Treaty and its likely
17 negotiating position to discuss such an exten-
18 sion with the United States.

19 (B) An assessment of Russia's interest in
20 negotiating a broader arms control agreement
21 that would include nuclear weapons systems not
22 accountable under the New START Treaty, in-
23 cluding non-strategic nuclear weapons.

24 (C) An assessment of what concessions
25 Russia would likely seek from the United States

1 during such negotiations, including what addi-
2 tional United States' military capabilities Rus-
3 sia would seek to limit, in any broader arms
4 control negotiation.

5 (d) REPORTS AND BRIEFING FROM SECRETARY OF
6 STATE.—

7 (1) RELATING TO NATO, NATO MEMBER COUN-
8 TRIES, AND OTHER UNITED STATES ALLIES.—Not
9 later than 180 days after the date of the enactment
10 of this Act, the Secretary of State, in consultation
11 with the Secretary of Defense, shall submit a report,
12 which shall be in an unclassified form but may con-
13 tain a classified annex, and provide a briefing to the
14 appropriate congressional committees that in-
15 cludes—

16 (A) an assessment of the likely reactions of
17 the North Atlantic Treaty Organization
18 (NATO), NATO member countries, and other
19 United States allies to a United States decision
20 not to extend the New START Treaty or enter
21 into a new agreement with Russia to replace
22 the Treaty that provides equal or greater con-
23 straints, transparency, and verification meas-
24 ures with regard to Russia's nuclear forces; and

1 (B) a description of the consultations un-
2 dertaken with such allies in which the New
3 START Treaty was raised, and the level of al-
4 lied interest in, recommendations on, or con-
5 cerns raised with respect to discussions between
6 the United States and Russia relating to the
7 Treaty and other related matters.

8 (2) RELATING TO ONGOING IMPLEMENTATION
9 OF THE NEW START TREATY.—Not later than 60
10 days after the date of the enactment of this Act, and
11 every 90 days thereafter until the New START
12 Treaty is extended or expires, the Secretary of
13 State, in consultation with the Secretary of Defense,
14 shall submit a report, which shall be in an unclassi-
15 fied form but may contain a classified annex, to the
16 appropriate congressional committees with an as-
17 sessment of the following elements:

18 (A) Whether the Russian Federation re-
19 mains in compliance with its obligations under
20 the New START Treaty.

21 (B) Whether implementation of the New
22 START Treaty remains in the national security
23 interest of the United States.

24 (3) RELATING TO OTHER MATTERS.—Not later
25 than 90 days after the date of the enactment of this

1 Act, and every 180 days thereafter until the New
2 START Treaty is extended or expires, the Secretary
3 of State, in consultation with the Secretary of De-
4 fense, shall provide a briefing to the appropriate
5 congressional committees that includes the following
6 elements:

7 (A) A description of any discussions with
8 Russia on the Treaty or on a broader, multilat-
9 eral arms control treaty with Russia and other
10 countries on the reduction and limitation of
11 strategic offensive arms, and discussions ad-
12 dressing the disparity between the non-strategic
13 nuclear weapons stockpiles of Russia and of the
14 United States, at the Assistant Secretary level,
15 Ambassadorial level, or higher.

16 (B) The dates, locations, discussion topics,
17 agenda, outcomes, and Russian interlocutors in-
18 volved in those discussions.

19 (C) An identification of the United States
20 Government departments and agencies involved
21 in the discussions.

22 (D) The types of systems, both nuclear
23 and nonnuclear, discussed by either side in such
24 discussions as the potential subjects of an
25 agreement.

1 (E) Whether an offer of extension of the
2 Treaty for any length of time, or to negotiate
3 a new agreement, has been offered by either
4 side.

5 (e) REPORT AND BRIEFING FROM SECRETARY OF
6 DEFENSE.—Not later than 180 days after the date of the
7 enactment of this Act, the Secretary of Defense, in con-
8 sultation with the Secretary of Energy and the Secretary
9 of State, shall submit a report, which shall be in unclassi-
10 fied form but may contain a classified annex, and provide
11 a briefing to the appropriate congressional committees
12 that includes—

13 (1) an assessment of the impact on the United
14 States nuclear arsenal and posture of the expiration
15 of the New START Treaty without the United
16 States and Russia having entered into a new agree-
17 ment with Russia to replace the Treaty that provides
18 equal or greater constraints, transparency, and
19 verification measures with regard to Russia's nuclear
20 forces;

21 (2) a description of the potential changes to the
22 expected force structure of the Armed Forces to re-
23 spond to potential changes in Russia's nuclear pos-
24 ture if the limitations in the Treaty are no longer in
25 force, and in the absence of such a new bilateral or

1 multilateral agreement, and an estimation of ex-
2 pected costs necessary to make such changes to the
3 force structure of the Armed Forces;

4 (3) a description, to be submitted jointly with
5 the Secretary of Energy, of potential changes to the
6 modernization plan for the United States nuclear
7 weapons complex, which anticipates the continued
8 existence of the Treaty, if the Treaty is not extended
9 or such a new bilateral or multilateral agreement is
10 not concluded;

11 (4) a description of the strategic impact on
12 United States and Russian strategic nuclear forces
13 if the Treaty is not extended or such a new bilateral
14 or multilateral agreement is not concluded; and

15 (5) a description of potential changes regarding
16 United States nuclear weapons forward deployed to
17 Europe and regarding the nuclear deterrent of the
18 United Kingdom and France, if the Treaty is not ex-
19 tended or such a new bilateral or multilateral agree-
20 ment is not concluded.

21 (f) PRESIDENTIAL CERTIFICATION IN ADVANCE OF
22 EXPIRATION OF NEW START TREATY.—Not later than
23 September 7, 2020, if the New START Treaty has not
24 been extended, and if the United States and Russia have
25 not entered into a new treaty to replace the New START

1 Treaty, the President shall submit a report, which shall
2 be in an unclassified form but may contain a classified
3 annex, to the appropriate congressional committees that
4 contains the following elements—

5 (1) an assessment as to whether the limits of
6 the New START Treaty on Russia’s strategic nu-
7 clear forces advance United States national security
8 interests;

9 (2) an explanation of how the United States
10 will address the imminent expiration of the New
11 START Treaty, including—

12 (A) a plan to extend the New START
13 Treaty before it expires;

14 (B) a plan to otherwise retain the Treaty’s
15 limits on Russia’s nuclear forces; or

16 (C) a plan to provide for the expiration of
17 the Treaty, including—

18 (i) a justification for why the expira-
19 tion of the Treaty is in the national secu-
20 rity interest of the United States; and

21 (ii) a plan, including steps the United
22 States military and the intelligence com-
23 munity will take before February 5, 2021,
24 to account for the expiration of the Treaty
25 and the failure to replace it with a new

1 agreement to maintain confidence in
2 United States nuclear deterrence require-
3 ments and a similar level of confidence in
4 intelligence information regarding Russia's
5 nuclear forces.

6 (g) DEPARTMENT OF DEFENSE REPORTING RE-
7 QUIREMENTS IN EVENT OF EXPIRATION OF NEW START
8 TREATY.—If the New START Treaty expires before the
9 United States and Russia enter into a new arms control
10 agreement to replace the Treaty that provides equal or
11 greater constraints, transparency, and verification meas-
12 ures with regard to the Russia's nuclear forces, not later
13 than 30 days after such expiration—

14 (1) the Secretary of Defense shall submit to the
15 appropriate congressional committees a report de-
16 scribing changes to the expected force structure of
17 the Armed Forces and estimating the expected costs
18 necessary to make such changes; and

19 (2) the Secretary of Defense and the Secretary
20 of Energy shall jointly submit to the appropriate
21 congressional committees a report—

22 (A) describing the manner in which the
23 current United States nuclear modernization
24 plan, which anticipates the continued existence

1 of the Treaty, will be modified without the ex-
2 istence of the Treaty; and

3 (B) including—

4 (i) the information required to be sub-
5 mitted in the report required by section
6 1043 of the National Defense Authoriza-
7 tion Act for Fiscal Year 2012 (Public Law
8 112–81; 125 Stat. 1576);

9 (ii) a separate 10-year cost estimate
10 from the Department of Defense to imple-
11 ment a nuclear sustainment plan; and

12 (iii) a separate 10-year cost estimate
13 from the Department of Energy to imple-
14 ment a nuclear sustainment and mod-
15 ernization plan.

16 (h) DEFINITIONS.—In this section:

17 (1) APPROPRIATE CONGRESSIONAL COMMIT-
18 TEES.—The term “appropriate congressional com-
19 mittees” means—

20 (A) the Committee on Foreign Affairs, the
21 Committee on Armed Services, and the Perma-
22 nent Select Committee on Intelligence of the
23 House of Representatives; and

1 (B) the Committee on Foreign Relations,
2 the Committee on Armed Services, and the Se-
3 lect Committee on Intelligence of the Senate.

4 (2) INTELLIGENCE COMMUNITY.—The term
5 “intelligence community” has the meaning given
6 that term in section 3 of the National Security Act
7 of 1947 (50 U.S.C. 3003).

8 (3) NEW START TREATY; TREATY.—The terms
9 “New START Treaty” and “Treaty” mean the
10 Treaty between the United States of America and
11 the Russian Federation on Measures for the Further
12 Reduction and Limitation of Strategic Offensive
13 Arms, signed on April 8, 2010, and entered into
14 force on February 5, 2011.

15 **SEC. 1240B. UNITED STATES ACTIONS RELATING TO RUS-**
16 **SIAN INTERFERENCE IN ELECTIONS FOR**
17 **FEDERAL OFFICE.**

18 (a) PROHIBITION ON TRANSACTIONS RELATING TO
19 NEW RUSSIAN SOVEREIGN DEBT.—

20 (1) IN GENERAL.—Not later than 90 days after
21 the date of the enactment of this Act, the President
22 shall issue regulations prohibiting United States per-
23 sons from engaging in transactions with, providing
24 financing for, or in any other way dealing in Russian

1 sovereign debt that is issued on or after the date
2 that is 180 days after such date of enactment.

3 (2) RUSSIAN SOVEREIGN DEBT DEFINED.—For
4 purposes of this subsection, the term “Russian sov-
5 ereign debt” means—

6 (A) bonds issued by the Russian Central
7 Bank, the Russian National Wealth Fund, the
8 Russian Federal Treasury, or agents or affili-
9 ates of any such institution, with a maturity of
10 more than 14 days;

11 (B) new foreign exchange swap agreements
12 with the Russian Central Bank, the Russian
13 National Wealth Fund, or the Russian Federal
14 Treasury, the duration of which agreement is
15 longer than 14 days; and

16 (C) any other financial instrument, the du-
17 ration or maturity of which is more than 14
18 days, that the President determines represents
19 the sovereign debt of Russia.

20 (3) REQUIREMENT TO PROMPTLY PUBLISH
21 GUIDANCE.—The President shall concurrently pub-
22 lish guidance on the implementation of the regula-
23 tions issued pursuant to paragraph (1).

24 (b) DETERMINATION OF RUSSIAN INTERFERENCE IN
25 ELECTIONS FOR FEDERAL OFFICE.—

1 (1) IN GENERAL.—Not later than 30 days after
2 an election for Federal office, the Director of Na-
3 tional Intelligence, in consultation with the Director
4 of the Federal Bureau of Investigation, the Director
5 of the National Security Agency, and the Director of
6 the Central Intelligence Agency, shall—

7 (A) determine whether or not the Govern-
8 ment of Russia, or any person acting as an
9 agent of or on behalf of that government, know-
10 ingly engaged in interference in the election;
11 and

12 (B) submit to the appropriate congres-
13 sional committees and leadership a report on
14 that determination, including an identification
15 of the government or person that interfered in
16 the election if the Director determines that in-
17 terference did occur.

18 (2) ADDITIONAL REPORTING.—If the Director
19 of National Intelligence determines and reports
20 under paragraph (1) that neither the Government of
21 Russia nor any person acting as an agent of or on
22 behalf of that government knowingly engaged in in-
23 terference in an election for Federal office, and the
24 Director subsequently determines that such govern-
25 ment, or such a person, did engage in such inter-

1 ference, the Director shall submit to the appropriate
2 congressional committees and leadership a report on
3 the subsequent determination not later than 30 days
4 after making that determination.

5 (3) FORM OF REPORT.—Each report required
6 by paragraph (1) or (2) shall be submitted in un-
7 classified form but may include a classified annex.

8 (c) LIFTING THE PROHIBITION ON TRANSACTIONS
9 RELATING TO NEW RUSSIAN SOVEREIGN DEBT.—The
10 President shall immediately suspend the prohibition on
11 transactions relating to Russian sovereign debt required
12 under subsection (a) if, no later than 90 days after the
13 date on which a report required under subsection (b) is
14 submitted to the appropriate congressional committees
15 and leadership and no later than 120 days after the most
16 recent election for Federal office, whichever is sooner—

17 (1) the Director of National Intelligence has in
18 its report required under subsection (b) affirmatively
19 determined that neither the Government of Russia,
20 nor any person acting as an agent of or on behalf
21 of that government, has knowingly engaged in inter-
22 ference in the most recent election for Federal office;
23 and

1 (2) Congress has passed a joint resolution certi-
2 fying the determination of the Director of National
3 Intelligence.

4 (d) REIMPOSING THE PROHIBITION ON TRANS-
5 ACTIONS RELATING TO NEW RUSSIAN SOVEREIGN
6 DEBT.—The President shall immediately reimpose the
7 prohibition on transactions relating to Russian sovereign
8 debt required under subsection (a) if, after 90 days fol-
9 lowing the date on which a report required under sub-
10 section (b) is submitted to the appropriate congressional
11 committees and leadership or 120 days following the most
12 recent election for Federal office, whichever is sooner—

13 (1) the Director of National Intelligence, in the
14 report required under subsection (b), has not affirm-
15 atively determined that neither the Government of
16 Russia, nor any person acting as an agent of or on
17 behalf of that government, has knowingly engaged in
18 interference in the most recent election for Federal
19 office; or

20 (2) Congress has failed to pass a joint resolu-
21 tion certifying the determination of the Director of
22 National Intelligence in its report required under
23 subsection (b) that neither the Government of Rus-
24 sia, nor any person acting as an agent of or on be-

1 half of that government, has knowingly engaged in
2 interference in the most recent Federal election.

3 (e) DEFINITIONS.—In this section:

4 (1) APPROPRIATE CONGRESSIONAL COMMIT-
5 TEES.—The term “appropriate congressional com-
6 mittees” means—

7 (A) the Committee on Banking, Housing,
8 and Urban Affairs, the Committee on Foreign
9 Relations, the Committee on Finance, the Se-
10 lect Committee on Intelligence, and the Com-
11 mittee on Rules and Administration of the Sen-
12 ate; and

13 (B) the Committee on Financial Services,
14 the Committee on Foreign Affairs, the Com-
15 mittee on Ways and Means, the Permanent Se-
16 lect Committee on Intelligence, and the Com-
17 mittee on House Administration of the House
18 of Representatives.

19 (2) APPROPRIATE CONGRESSIONAL COMMIT-
20 TEES AND LEADERSHIP.—The term “appropriate
21 congressional committees and leadership” means—

22 (A) the appropriate congressional commit-
23 tees;

24 (B) the majority leader and minority lead-
25 er of the Senate; and

1 (C) the Speaker, the majority leader, and
2 the minority leader of the House of Representa-
3 tives.

4 (3) ELECTIONS FOR FEDERAL OFFICE.—The
5 term “elections for Federal office” has the meaning
6 given such term in the Federal Election Campaign
7 Act of 1971 (52 U.S.C. 30101 et seq.), except that
8 such term does not include a special election.

9 (4) INTERFERENCE IN ELECTIONS FOR FED-
10 ERAL OFFICE.—The term “interference”, with re-
11 spect to an election for Federal office:

12 (A) Means any of the following actions of
13 the government of a foreign country, or any
14 person acting as an agent of or on behalf of
15 such a government, undertaken with the intent
16 to influence the election:

17 (i) Obtaining unauthorized access to
18 election and campaign infrastructure or re-
19 lated systems or data and releasing such
20 data or modifying such infrastructure, sys-
21 tems, or data.

22 (ii) Blocking or degrading otherwise
23 legitimate and authorized access to election
24 and campaign infrastructure or related
25 systems or data.

1 (iii) Contributions or expenditures for
2 advertising, including on the internet.

3 (iv) Using social or traditional media
4 to spread significant amounts of false in-
5 formation to individuals in the United
6 States.

7 (B) Does not include communications
8 clearly attributable to news and media outlets
9 which are publicly and explicitly either con-
10 trolled or in large part funded by the govern-
11 ment of a foreign country.

12 (5) KNOWINGLY.—The term “knowingly”, with
13 respect to conduct, a circumstance, or a result,
14 means that a person has actual knowledge, or should
15 have known, of the conduct, the circumstance, or the
16 result.

17 (6) PERSON.—The term “person” means an in-
18 dividual or entity.

19 (7) UNITED STATES PERSON.—The term
20 “United States person” means—

21 (A) a United States citizen or an alien law-
22 fully admitted for permanent residence to the
23 United States; or

24 (B) an entity organized under the laws of
25 the United States or of any jurisdiction within

1 the United States, including a foreign branch of
 2 such an entity.

3 **Subtitle E—Matters Relating to the**
 4 **Indo-Pacific Region**

5 **SEC. 1241. MODIFICATION OF INDO-PACIFIC MARITIME SE-**
 6 **CURITY INITIATIVE.**

7 (a) TYPES OF ASSISTANCE AND TRAINING.—Sub-
 8 section (c)(2)(A) of section 1263 of the National Defense
 9 Authorization Act for Fiscal Year 2016 (10 U.S.C. 2282
 10 note) is amended by inserting “the law of armed conflict,
 11 the rule of law, and” after “respect for”.

12 (b) NOTICE TO CONGRESS ON ASSISTANCE AND
 13 TRAINING.—Subsection (g)(1) of such section is amend-
 14 ed—

15 (1) in subparagraph (A), by inserting at the
 16 end before the period the following: “, the specific
 17 unit or units whose capacity to engage in activities
 18 under a program of assistance or training to be pro-
 19 vided under subsection (a) will be built under the
 20 program, and the amount, type, and purpose of the
 21 support to be provided”;

22 (2) by redesignating subparagraph (F) as sub-
 23 paragraph (J); and

24 (3) by inserting after subparagraph (E) the fol-
 25 lowing new subparagraphs:

1 “(F) Information, including the amount,
2 type, and purpose, on assistance and training
3 provided under subsection (a) during the three
4 preceding fiscal years, if applicable.

5 “(G) A description of the elements of the
6 theater campaign plan of the geographic com-
7 batant command concerned and the interagency
8 integrated country strategy that will be ad-
9 vanced by the assistance and training provided
10 under subsection (a).

11 “(H) A description of whether assistance
12 and training provided under subsection (a)
13 could be provided pursuant to—

14 “(i) section 333 of title 10, United
15 States Code, or other security cooperation
16 authorities of the Department of Defense;
17 or

18 “(ii) security cooperation authorities
19 of the Department of State.

20 “(I) An identification of each such author-
21 ity described in subparagraph (H).”.

22 (c) ANNUAL MONITORING REPORTS.—Such section
23 is amended—

24 (1) by redesignating subsection (h) as sub-
25 section (j); and

1 (2) by inserting after subsection (g) the fol-
2 lowing new subsection:

3 “(h) ANNUAL MONITORING REPORTS.—

4 “(1) IN GENERAL.—Not later than December
5 31, 2019, and annually thereafter, the Secretary of
6 Defense shall submit to the appropriate committees
7 of Congress a report setting forth, for the preceding
8 calendar year, the following:

9 “(A) Information, by recipient foreign
10 country, on the status of funds allocated for as-
11 sistance and training provided under subsection
12 (a), including funds allocated but not yet obli-
13 gated or expended.

14 “(B) Information, by recipient foreign
15 country, on the delivery and use of assistance
16 and training provided under subsection (a).

17 “(C) Information, by recipient foreign
18 country, on the timeliness of delivery of assist-
19 ance and training provided under subsection (a)
20 as compared to the timeliness of delivery of as-
21 sistance and training previously provided to the
22 foreign country under subsection (a).

23 “(2) APPROPRIATE COMMITTEES OF CONGRESS
24 DEFINED.—In this subsection, the term ‘appropriate

1 committees of Congress' has the meaning given the
2 term in subsection (g)(2).”.

3 (d) LIMITATIONS.—Such section, as so amended, is
4 further amended by inserting after subsection (h), as
5 added by subsection (c)(2), the following:

6 “(i) LIMITATIONS.—

7 “(1) ASSISTANCE OTHERWISE PROHIBITED BY
8 LAW.—The Secretary of Defense may not use the
9 authority in subsection (a) to provide any type of as-
10 sistance or training that is otherwise prohibited by
11 any provision of law.

12 “(2) PROHIBITION ON ASSISTANCE TO UNITS
13 THAT HAVE COMMITTED GROSS VIOLATIONS OF
14 HUMAN RIGHTS.—The provision of assistance and
15 training pursuant to a program under subsection (a)
16 shall be subject to the provisions of section 362 of
17 title 10, United States Code.

18 “(3) ASSESSMENT, MONITORING, AND EVALUA-
19 TION OF PROGRAMS AND ACTIVITIES.—The provision
20 of assistance and training pursuant to a program
21 under subsection (a) shall be subject to the provi-
22 sions of section 383 of title 10, United States
23 Code.”.

24 (e) REPORT.—

1 (1) IN GENERAL.—Not later than January 31,
2 2020, the Secretary of Defense, with the concur-
3 rence of the Secretary of State, shall submit to the
4 appropriate congressional committees a report on
5 the implementation of the Indo-Pacific Maritime Se-
6 curity Initiative under section 1263 of the National
7 Defense Authorization Act for Fiscal Year 2016, as
8 amended by this section.

9 (2) MATTERS TO BE INCLUDED.—The report
10 required by paragraph (1) shall include the fol-
11 lowing:

12 (A) Objectives of the Initiative, including—

13 (i) a discussion of United States secu-
14 rity requirements that are satisfied or en-
15 hanced under the Initiative; and

16 (ii) an assessment of progress toward
17 each such objective and the metrics used to
18 assess such progress.

19 (B) A discussion of how the Initiative re-
20 lates to, complements, or overlaps with other
21 United States security cooperation and security
22 assistance authorities.

23 (C) A description of the process and cri-
24 teria by which the utilization of each such au-

1 thority or authorities described in subparagraph
2 (B) is determined.

3 (D) An assessment, by recipient foreign
4 country, of—

5 (i) the country's capabilities relating
6 to maritime security and maritime domain
7 awareness;

8 (ii) the country's capability enhance-
9 ment priorities, including how such prior-
10 ities relate to the theater campaign strat-
11 egy, country plan, and theater campaign
12 plan relating to maritime security and
13 maritime domain awareness;

14 (E) A discussion, by recipient foreign
15 country, of—

16 (i) priority capabilities that the De-
17 partment of Defense plans to enhance
18 under the Initiative and priority capabili-
19 ties the Department plans to enhance
20 under separate United States security co-
21 operation and security assistance authori-
22 ties; and

23 (ii) the anticipated timeline for assist-
24 ance and training for each such capability.

1 (F) Information, by recipient foreign coun-
2 try, on the delivery and use of assistance and
3 training provided under the Initiative.

4 (G) Any other matters the Secretary of
5 Defense determines should be included.

6 (3) FORM.—The report required by paragraph
7 (1) shall be submitted in unclassified form without
8 any designation relating to dissemination control,
9 but may include a classified annex.

10 (4) DEFINITION.—In this section, the term
11 “appropriate congressional committees” means—

12 (A) the congressional defense committees;
13 and

14 (B) the Committee on Foreign Relations of
15 the Senate and the Committee on Foreign Af-
16 fairs of the House of Representatives.

17 **SEC. 1242. EXTENSION AND MODIFICATION OF REPORT ON**
18 **MILITARY AND SECURITY DEVELOPMENTS**
19 **INVOLVING NORTH KOREA.**

20 (a) EXTENSION.—Subsection (a) of section 1236 of
21 the National Defense Authorization Act for Fiscal Year
22 2012 (Public Law 112–81; 125 Stat. 1641) is amended—

23 (1) by striking “and November 1, 2017” and
24 inserting “November 1, 2017, April 1, 2020, and
25 April 1, 2021”; and

1 (2) by inserting “(without any designation re-
2 lating to dissemination control)” after “unclassi-
3 fied”.

4 (b) ADDITIONAL MATTERS TO BE INCLUDED.—Sub-
5 section (b) of such section is amended—

6 (1) by redesignating paragraph (8) as para-
7 graph (9); and

8 (2) by inserting after paragraph (7) the fol-
9 lowing new paragraph:

10 “(8) Developments in North Korea’s nuclear
11 program, including the size and state of North Ko-
12 rea’s stockpile of nuclear weapons, its nuclear strat-
13 egy and associated doctrines, its civil and military
14 production capacities, and projections of its future
15 arsenals.”.

16 **SEC. 1243. LIMITATION ON USE OF FUNDS TO REDUCE THE**
17 **TOTAL NUMBER OF MEMBERS OF THE**
18 **ARMED FORCES SERVING ON ACTIVE DUTY**
19 **WHO ARE DEPLOYED TO SOUTH KOREA.**

20 None of the funds authorized to be appropriated by
21 this Act may be used to reduce the total number of mem-
22 bers of the Armed Forces serving on active duty who are
23 deployed to South Korea below 28,500 unless the Sec-
24 retary of Defense first certifies to the congressional de-
25 fense committees the following:

1 (1) Such a reduction is in the national security
2 interest of the United States and will not signifi-
3 cantly undermine the security of United States allies
4 in the region.

5 (2) The Secretary has appropriately consulted
6 with allies of the United States, including South
7 Korea and Japan, regarding such a reduction.

8 **SEC. 1244. REPORT ON DIRECT, INDIRECT, AND BURDEN-**
9 **SHARING CONTRIBUTIONS OF JAPAN AND**
10 **SOUTH KOREA.**

11 (a) IN GENERAL.—Not later than March 1, 2020,
12 and March 1, 2021, the Secretary of Defense shall submit
13 to the appropriate congressional committees a report on
14 the direct, indirect, and burden-sharing contributions of
15 Japan and South Korea to support overseas military in-
16 stallations of the United States and United States Armed
17 Forces deployed to or permanently stationed in Japan and
18 South Korea, respectively.

19 (b) ELEMENTS.—The report required by subsection
20 (a) shall include the following:

21 (1) The benefits to United States national secu-
22 rity and regional security derived from the forward
23 presence of United States Armed Forces in the
24 Indo-Pacific region, including Japan and South
25 Korea.

1 (2) For calendar year 2016 and each subse-
2 quent calendar year, a description of the one-time
3 and recurring costs associated with the presence of
4 United States Armed Forces in Japan and South
5 Korea, including—

6 (A) costs to relocate the Armed Forces
7 within Japan and South Korea and to realign
8 the Armed Forces from Japan and South
9 Korea;

10 (B) military personnel costs;

11 (C) operation and maintenance costs; and

12 (D) military construction costs.

13 (3) A description of direct, indirect, and bur-
14 den-sharing contributions of Japan and South
15 Korea, including—

16 (A) contributions for labor costs associated
17 with the presence of United States Armed
18 Forces;

19 (B) contributions to military construction
20 projects of the Department of Defense, includ-
21 ing planning, design, environmental reviews,
22 construction, construction management costs,
23 rents on privately-owned land, facilities, labor,
24 utilities, and vicinity improvements;

1 (C) contributions such as loan guarantees
2 on public-private venture housing and payment-
3 in-kind for facilities returned to Japan and
4 South Korea;

5 (D) contributions accepted for labor, logis-
6 tics, utilities, facilities, and any other purpose;
7 and

8 (E) other contributions as determined ap-
9 propriate by the Secretary.

10 (4) The methodology and accounting procedures
11 used to measure and track direct, indirect, and bur-
12 den-sharing contributions made by Japan and South
13 Korea.

14 (c) DESCRIPTION OF CONTRIBUTIONS IN UNITED
15 STATES DOLLARS.—The report required by subsection (a)
16 shall describe the direct, indirect, and burden-sharing con-
17 tributions of Japan and South Korea in United States dol-
18 lars and shall specify the exchange rates used to determine
19 the United States dollar value of such contributions.

20 (d) FORM.—The report required by subsection (a)
21 shall be submitted in unclassified form without any des-
22 ignation relating to dissemination control, but may contain
23 a classified annex.

1 (e) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
2 FINED.—In this section, the term “appropriate congres-
3 sional committees” means—

- 4 (1) the congressional defense committees; and
5 (2) the Committee on Foreign Relations of the
6 Senate and the Committee on Foreign Affairs of the
7 House of Representatives.

8 **SEC. 1245. REPORT ON STRATEGY ON THE PHILIPPINES.**

9 (a) STRATEGY REQUIRED.—Not later than 120 days
10 after the date of the enactment of this Act, the Secretary
11 of Defense, in consultation with the Secretary of State,
12 shall submit to the appropriate congressional committees
13 a report describing the Department of Defense’s objectives
14 and strategy for achieving such objectives with the Phil-
15 ippines.

16 (b) ELEMENTS OF STRATEGY.—The strategy re-
17 quired by subsection (b) shall include the following:

18 (1) A description of the national security inter-
19 ests and objectives of the United States furthered by
20 the Mutual Defense Treaty between the Republic of
21 the Philippines and the United States of America.

22 (2) A description of the regional security envi-
23 ronment, including an assessment of threats to
24 United States national security interests and the

1 role of the Department of Defense in addressing
2 such threats, including—

3 (A) a description of security challenges
4 detrimental to regional peace and global sta-
5 bility;

6 (B) a description of violent extremist orga-
7 nizations present in the Philippines and the pri-
8 mary objectives of each such organization, in-
9 cluding—

10 (i) an assessment of the size and ca-
11 pability of each such organization;

12 (ii) an assessment of the transnational
13 threat posed by each such organization;

14 (iii) an assessment of recent trends in
15 the capability and influence of each such
16 organization; and

17 (iv) a description of the metrics used
18 to assess the capability and influence of
19 each such organization.

20 (3) A description of Department of Defense ob-
21 jectives with respect to the Philippines and the
22 benchmarks for assessing progress towards such ob-
23 jectives.

24 (4) An identification of all current and planned
25 Department of Defense resources, programs, and ac-

1 activities to support the strategy, including a review of
2 the necessity of an ongoing named operation and the
3 criteria used to determine such necessity.

4 (5) An identification of all current and planned
5 Department of Defense security cooperation and
6 other support or assistance programs or activities in
7 the Philippines, including—

8 (A) a description of the purpose, objec-
9 tives, and type of training, equipment, or assist-
10 ance provided under each such program or ac-
11 tivity;

12 (B) an identification of the lead agency re-
13 sponsible for each such program or activity;

14 (C) an identification of the authority or
15 authorities under which each such program or
16 activity is conducted;

17 (D) a description of the process and cri-
18 teria used to determine utilization between each
19 such authority or authorities;

20 (E) a description of how each such pro-
21 gram or activity advances United States na-
22 tional security interests as it relates to the De-
23 partment's strategy on the Philippines;

24 (F) an identification of the specific units of
25 the Philippine national security forces to receive

1 training, equipment, or assistance under each
2 such program;

3 (G) a description of the process and cri-
4 teria by which specific units of the Philippine
5 national security forces are selected as recipi-
6 ents of such programs and activities;

7 (H) an assessment of the current oper-
8 ational effectiveness of such units and their
9 command and control structures and a descrip-
10 tion of the metrics used to make and carry out
11 such assessment;

12 (I) an identification of priority capabilities
13 of such units to enhance through training,
14 equipment, or assistance under each such pro-
15 gram or activity;

16 (J) a plan to monitor and assess each such
17 program or activity to meet its objectives to en-
18 hance the capabilities of each such unit;

19 (K) a description of the planned posture of
20 United States Armed Forces and the planned
21 level of engagement by such forces with ele-
22 ments of the Philippine national security forces;
23 and

24 (L) an identification of—

1 (i) units of the Philippine national se-
2 curity forces that are alleged or determined
3 to have committed human rights abuses;
4 and

5 (ii) units of the Philippine national se-
6 curity forces that are under the command
7 and control of any unit identified under
8 clause (i) or otherwise associated with any
9 such unit.

10 (6) A description of relations of the Philippines
11 with other countries in the Indo-Pacific region.

12 (7) Any other matters the Secretary of Defense
13 determines should be included.

14 (c) FORM.—The strategy required by subsection (b)
15 shall be submitted in unclassified form without any des-
16 ignation relating to dissemination control, but may contain
17 a classified annex.

18 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
19 DEFINED.—In this section, the term “appropriate con-
20 gressional committees” means—

21 (1) the congressional defense committees; and
22 (2) the Committee on Foreign Relations of the
23 Senate and the Committee on Foreign Affairs of the
24 House of Representatives.

1 **SEC. 1246. MODIFICATION OF ANNUAL REPORT ON MILI-**
2 **TARY AND SECURITY DEVELOPMENTS IN-**
3 **VOLVING THE PEOPLE’S REPUBLIC OF**
4 **CHINA.**

5 (a) ANNUAL REPORT.—Subsection (a) of section
6 1202 of the National Defense Authorization Act for Fiscal
7 Year 2000 (10 U.S.C. 113 note) is amended by inserting
8 “, in consultation with the heads of other Federal depart-
9 ments and agencies as appropriate,” after “the Secretary
10 of Defense”.

11 (b) MATTERS TO BE INCLUDED.—Subsection (b) of
12 such section is amended by striking paragraph (26) and
13 inserting the following:

14 “(26) An assessment of Chinese overseas in-
15 vestment, including a state-owned or controlled dig-
16 ital or physical infrastructure project of China, and
17 their relationship to Chinese security and military
18 objectives, including implications for United States
19 military or government interests related to denial of
20 access, compromised intelligence activities, and net-
21 work advantages.”.

22 (c) SPECIFIED CONGRESSIONAL COMMITTEES.—Sub-
23 section (c) of such section is amended—

24 (1) in paragraph (1), by striking “and the Com-
25 mittee on Foreign Relations” and inserting “, the

1 Committee on Foreign Relations, and the Select
2 Committee on Intelligence”; and

3 (2) in paragraph (2), by striking “and the Com-
4 mittee on International Relations” and inserting “,
5 the Committee on Foreign Affairs, and the Perma-
6 nent Select Committee on Intelligence”.

7 (d) OTHER DEFINITIONS.—Such section, as so
8 amended, is further amended—

9 (1) by redesignating subsection (d) as sub-
10 section (e); and

11 (2) by inserting after subsection (c) the fol-
12 lowing:

13 “(d) OTHER DEFINITIONS.—

14 “(1) IN GENERAL.—In subsection (b)(26), the
15 term ‘state-owned or controlled digital or physical
16 infrastructure project of China’ means a transpor-
17 tation, energy, or information technology infrastruc-
18 ture project owned, controlled, under the direct or
19 indirect influence of, or subsidized by the Govern-
20 ment of China, including any agency, instrumen-
21 tality, subdivision, or other unit of government at
22 any level of jurisdiction.

23 “(2) OWNED; CONTROLLED.—In paragraph
24 (1)—

“(A) the term ‘owned’, with respect to a project, means a majority or controlling interest, whether by value or voting interest, in that project, including through fiduciaries, agents, or other means; and

“(B) the term ‘controlled’, with respect to a project, means—

“(i) the power by any means to determine or influence, directly or indirectly, important matters affecting the project, regardless of the level of ownership and whether or not that power is exercised; and

“(ii) any Chinese company operating in a sector identified as a strategic industry in the Chinese Government’s ‘Made in China 2025’ strategy to make China a ‘manufacturing power’ as a core national interest.”.

SEC. 1247. MODIFICATION OF ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE PEOPLE’S REPUBLIC OF CHINA.

(a) ANNUAL REPORT.—Subsection (a) of section 1202 of the National Defense Authorization Act for Fiscal Year 2000 (10 U.S.C. 113 note) is amended by inserting

1 “, in consultation with the heads of other Federal depart-
2 ments and agencies as appropriate,” after “the Secretary
3 of Defense”.

4 (b) MATTERS TO BE INCLUDED.—Subsection (b) of
5 such section is amended by adding at the end the fol-
6 lowing:

7 “(29) Developments relating to the China Coast
8 Guard (in this paragraph referred to as the ‘CCG’),
9 including an assessment of—

10 “(A) how the change in the CCG’s com-
11 mand structure to report to China’s Central
12 Military Commission affects the CCG’s status
13 as a law enforcement entity;

14 “(B) the implications of the CCG’s com-
15 mand structure with respect to the use of the
16 CCG as a coercive tool in ‘gray zone’ activity in
17 the East China Sea and the South China Sea;
18 and

19 “(C) how the change in the CCG’s com-
20 mand structure may affect interactions between
21 the CCG and the United States Navy.

22 “(30) An assessment of the nature of Chinese
23 military relations with Russia, including what stra-
24 tegic objectives China and Russia share and are act-
25 ing on, and on what objectives they misalign.

1 “(31) An assessment of—

2 “(A) China’s expansion of its surveillance
3 state;

4 “(B) any correlation of such expansion
5 with its oppression of its citizens and its threat
6 to United States national security interests
7 around the world; and

8 “(C) an overview of the extent to which
9 such surveillance corresponds to the overall re-
10 spect, or lack thereof, for human rights.”.

11 (c) SPECIFIED CONGRESSIONAL COMMITTEES.—Sub-
12 section (c) of such section is amended—

13 (1) in paragraph (1), by striking “and the Com-
14 mittee on Foreign Relations” and inserting “, the
15 Committee on Foreign Relations, and the Select
16 Committee on Intelligence”; and

17 (2) in paragraph (2), by striking “and the Com-
18 mittee on International Relations” and inserting “,
19 the Committee on Foreign Affairs, and the Perma-
20 nent Select Committee on Intelligence”.

21 **SEC. 1248. SENSE OF CONGRESS ON TAIWAN.**

22 It is the sense of Congress that—

23 (1) the Taiwan Relations Act (22 U.S.C. 3301
24 et seq.) and the “Six Assurances” are both corner-
25 stones of United States relations with Taiwan;

1 (2) the United States should continue to
2 strengthen defense and security cooperation with
3 Taiwan to support the development of capable,
4 ready, and modern defense forces necessary for Tai-
5 wan to maintain a sufficient self-defense capability,
6 including capabilities in support of an asymmetric
7 defense strategy;

8 (3) the United States should continue to sup-
9 port the acquisition by Taiwan of appropriate defen-
10 sive weapons through foreign military sales, direct
11 commercial sales, and industrial cooperation, with a
12 particular emphasis on asymmetric warfare, infor-
13 mation sharing, air defense, and maritime capabili-
14 ties, consistent with the Taiwan Relations Act;

15 (4) the United States should improve the pre-
16 dictability of arms sales to Taiwan by ensuring time-
17 ly review of and response to requests of Taiwan for
18 defense articles and defense services as well as time-
19 ly notification to Congress and adherence to congres-
20 sional oversight and review procedures; and

21 (5) the Secretary of Defense, in consultation
22 with the Secretary of State, should promote policies
23 concerning cooperation and exchanges that enhance
24 the security of Taiwan, including exchanges between
25 senior defense officials and general officers of the

1 United States and Taiwan consistent with the Tai-
2 wan Travel Act (Public Law 115–135).

3 **SEC. 1249. ENHANCING DEFENSE COOPERATION WITH**
4 **SINGAPORE.**

5 It is the sense of Congress that—

6 (1) the United States Armed Forces and Singa-
7 porean armed forces have built a strong and endur-
8 ing security partnership based on long-standing and
9 mutually beneficial cooperation;

10 (2) security cooperation between the United
11 States Armed Forces and Singaporean armed forces
12 is crucial to promoting peace and stability in the
13 Asia-Pacific region;

14 (3) Singapore’s status as a major security co-
15 operation partner of the United States, as recog-
16 nized in the “2005 Strategic Framework Agreement
17 between the United States and the Republic of
18 Singapore for a Closer Partnership in Defense and
19 Security”, has an important role in the promotion of
20 peace and stability, and global efforts to counter ter-
21 rorism;

22 (4) Singapore’s provision of access to its mili-
23 tary facilities for the United States has supported
24 the continued security presence of the United States
25 in Southeast Asia;

1 (5) the Singaporean armed forces’ support of
2 United States-led multinational reconstruction ef-
3 forts in Iraq from 2003 to 2008, reconstruction and
4 stabilization efforts in Afghanistan from 2007 to
5 2013, counter-piracy operations in the Gulf of Aden
6 under the ambit of Combined Task Force 151, and
7 contribution of physical and military assets to the
8 Defeat-ISIS Coalition since 2014, has contributed to
9 global efforts to counter terrorism;

10 (6) in recognition of the enduring security part-
11 nership between the United States and Singapore,
12 the Secretary of State, in consultation with the Sec-
13 retary of Defense, should, in negotiating the renewal
14 of the “1990 Memorandum of Understanding Re-
15 garding the United States Use of Facilities in Singa-
16 pore” that is due in 2020:

17 (A) reinforce Singapore’s status as a major
18 security cooperation partner of the United
19 States;

20 (B) enhance defense cooperation; and

21 (C) increase interoperability between the
22 United States Armed Forces and Singaporean
23 armed forces to promote peace and stability in
24 the Asia-Pacific region.

1 **SEC. 1250. MODIFICATION OF REPORT RELATING TO EN-**
2 **HANCING DEFENSE AND SECURITY CO-**
3 **OPERATION WITH INDIA.**

4 Section 1292(a)(2) of the National Defense Author-
5 ization Act for Fiscal Year 2017 (Public Law 114–328;
6 22 U.S.C. 2751 note) is amended—

7 (1) in subparagraph (B)—

8 (A) in clause (iv), by striking “and” at the
9 end;

10 (B) in clause (v), by striking the period at
11 the end and inserting “; and”; and

12 (C) by adding at the end the following:

13 “(vi) a description of defense coopera-
14 tion between the United States and India
15 in the Western Indian Ocean, including—

16 “(I) a description of military ac-
17 tivities of the United States and
18 India, separately, in the Western In-
19 dian Ocean;

20 “(II) a description of military co-
21 operation activities between the
22 United States and India in the areas
23 of humanitarian assistance, counter
24 terrorism, counter piracy, maritime
25 security, and other areas as the Sec-
26 retary determines appropriate;

1 “(III) a description of how the
2 relevant geographic combatant com-
3 mands coordinate their activities with
4 the Indian military in the Western In-
5 dian Ocean;

6 “(IV) a description of the mecha-
7 nisms in place to ensure the relevant
8 geographic combatant commands
9 maximize defense cooperation with
10 India in the Western Indian Ocean;
11 and

12 “(V) areas of future opportunity
13 to increase military engagement with
14 India in the Western Indian Ocean.”.

15 (2) by adding at the end the following:

16 “(C) DEFINITIONS.—In subparagraph
17 (B)(vi):

18 “(i) RELEVANT GEOGRAPHIC COMBAT-
19 ANT COMMANDS.—The term ‘relevant geo-
20 graphic combatant commands’ means the
21 United States Indo-Pacific Command,
22 United States Central Command, and
23 United States Africa Command.

24 “(ii) WESTERN INDIAN OCEAN.—The
25 term ‘Western Indian Ocean’ means the

1 area in the Indian Ocean extending from
2 the west coast of India to the east coast of
3 Africa.”.

4 **SEC. 1250A. REPORT ON EXPANSION OF SECURITY CO-**
5 **OPERATION AND ASSISTANCE TO PACIFIC IS-**
6 **LAND COUNTRIES.**

7 (a) IN GENERAL.—Not later than March 31, 2020,
8 the Secretary of Defense and the Secretary of State shall
9 jointly submit to the appropriate congressional committees
10 a report on the current status of security cooperation and
11 assistance with Pacific Island countries and the feasibility
12 of expanding such cooperation and assistance. At a min-
13 imum, the report shall include the following foreign coun-
14 tries:

- 15 (1) Papua New Guinea.
- 16 (2) Vanuatu.
- 17 (3) The Solomon Islands.
- 18 (4) Fiji.
- 19 (5) The Federated States of Micronesia.
- 20 (6) Palau.
- 21 (7) Kiribati.
- 22 (8) The Marshall Islands.
- 23 (9) Nauru.
- 24 (10) Tonga.

1 (b) MATTERS TO BE INCLUDED.—The report re-
2 quired by subsection (a) should include the following:

3 (1) An identification of elements of the theater
4 campaign plan of the geographic combatant com-
5 mand concerned and the interagency integrated
6 country strategy that will be advanced by expansion
7 of security cooperation and assistance programs and
8 activities with countries identified in subsection (a).

9 (2) An assessment of each country's capabili-
10 ties, a description of each country's capability en-
11 hancement priorities, and a discussion of United
12 States security cooperation and assistance authori-
13 ties (to include the Indo-Pacific Maritime Security
14 Initiative under section 333 of title 10, United
15 States Code, International Military Education and
16 Training, Foreign Military Financing, International
17 Narcotics Control and Law Enforcement, and the
18 transfer of excess defense articles) and how such au-
19 thorities may be utilized to enhance the priority ca-
20 pabilities of each such country.

21 (3) A description of absorption capacity and
22 sustainability issues for each foreign country and a
23 plan to resolve such issues.

1 (4) An identification of the estimated annual
2 cost for such assistance and training for fiscal year
3 2020 through fiscal year 2025.

4 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
5 FINED.—In this section, the term “appropriate congres-
6 sional committees” means—

7 (1) the congressional defense committees;

8 (2) the Committee on Foreign Relations and
9 the Subcommittee on State, Foreign Operations, and
10 Related Programs of the Committee on Appropria-
11 tions of the Senate; and

12 (3) the Committee on Foreign Affairs and the
13 Subcommittee on State, Foreign Operations, and
14 Related Programs of the Committee on Appropria-
15 tions of the House of Representatives.

16 **SEC. 1250B. REPORT ON FOREIGN MILITARY ACTIVITIES IN**
17 **PACIFIC ISLAND COUNTRIES.**

18 (a) IN GENERAL.—Not later than 120 days after the
19 date of the enactment of this Act, the Under Secretary
20 of Defense for Intelligence, in coordination with the Direc-
21 tor of the Defense Intelligence Agency and the Director
22 of National Intelligence, shall submit to the congressional
23 defense committees a report specifying and analyzing—

24 (1) strategic interests of foreign militaries in
25 Pacific Island countries, known or emerging foreign

1 partnerships or alliances with non-Pacific Island
2 countries, and foreign military training, exercises, or
3 operations in the region, excluding with countries
4 who are members of the Southeast Asia Treaty Or-
5 ganization;

6 (2) gaps in intelligence collection capabilities
7 and activities that prevent or may prevent a com-
8 prehensive understanding of current intelligence as-
9 sessments for Pacific Island countries; and

10 (3) plans to overcome any current intelligence
11 collection deficiencies, including an analysis of both
12 United States and allied and partner intelligence col-
13 lection capabilities and activities.

14 (b) PACIFIC ISLAND COUNTRY DEFINED.—In this
15 section, the term “Pacific Island country” includes any of
16 the following countries: The Republic of Fiji, the Republic
17 Kiribati, the Marshall Islands, the Federated States of Mi-
18 cronesia, the Republic of Nauru, the Republic of Palau,
19 the Independent State of Samoa, the Solomon Islands, the
20 Kingdom of Tonga, Tuvalu, and the Republic of Vanuatu.

21 **SEC. 1250C. REPORT ON ZTE COMPLIANCE WITH SUPER-**
22 **SEDING SETTLEMENT AGREEMENT AND SU-**
23 **PERSEDING ORDER.**

24 (a) IN GENERAL.—Not later than 180 days after the
25 date of the enactment of this Act, and annually thereafter,

1 the President shall submit to Congress a report on the
2 compliance of Zhongxing Telecommunications Equipment
3 Corporation (ZTE Corporation) and ZTE Kangxun Tele-
4 communications Ltd. (ZTE Kangxun) (collectively,
5 “ZTE”) with the Superseding Settlement Agreement and
6 Superseding Order reached with the Department of Com-
7 merce on June 8, 2018.

8 (b) FORM.—The report required by subsection (a)
9 shall be submitted in unclassified form and publicly acces-
10 sible, but may include a classified annex.

11 **SEC. 1250D. LIMITATION ON REMOVAL OF HUAWEI TECH-**
12 **NOLOGIES CO. LTD. FROM ENTITY LIST OF**
13 **BUREAU OF INDUSTRY AND SECURITY.**

14 The Secretary of Commerce may not remove Huawei
15 Technologies Co. Ltd. (in this section referred to as
16 “Huawei”) from the entity list maintained by the Bureau
17 of Industry and Security and set forth in Supplement No.
18 4 to part 744 of title 15, Code of Federal Regulations,
19 until the Secretary certifies to Congress that—

20 (1) neither Huawei nor any senior officers of
21 Huawei have engaged in actions in violation of sanc-
22 tions imposed by the United States or the United
23 Nations in the 5-year period preceding the certifi-
24 cation;

1 (2) Huawei has not engaged in theft of United
2 States intellectual property in that 5-year period;

3 (3) Huawei does not pose an ongoing threat to
4 United States telecommunications systems or critical
5 infrastructure; and

6 (4) Huawei does not pose a threat to critical in-
7 frastructure of allies of the United States.

8 **SEC. 1250E. SENSE OF CONGRESS ON THE ENDURING**
9 **UNITED STATES COMMITMENT TO THE FREE-**
10 **LY ASSOCIATED STATES.**

11 It is the sense of Congress that—

12 (1) the United States has strong and enduring
13 interests in the security and prosperity of Oceania
14 and the Western Pacific region, including close rela-
15 tionships with the countries of Palau, the Marshall
16 Islands and the Federated States of Micronesia,
17 with whom the United States shares Compacts of
18 Free Association;

19 (2) the United States and the Freely Associated
20 States share values including democracy and human
21 rights, as well as mutual interest in a free, open and
22 prosperous Indo-Pacific region;

23 (3) the United States should expand support to
24 the Freely Associated States on issues of concern,
25 including climate change mitigation, protection of

1 the marine environment and maritime law enforce-
2 ment;

3 (4) the United States should expeditiously begin
4 negotiations on the renewal of the Compacts of Free
5 Association and conclude such negotiations prior to
6 the expiration of the current compacts in 2023 and
7 2024; and

8 (5) the United States honors the service of the
9 men and women of the Freely Associated States who
10 serve in the United States Armed Forces.

11 **SEC. 1250F. REPORT BY DEFENSE INTELLIGENCE AGENCY**
12 **ON CERTAIN MILITARY CAPABILITIES OF**
13 **CHINA AND RUSSIA.**

14 (a) REPORT.—The Director of the Defense Intel-
15 ligence Agency shall submit to the Secretary of Defense
16 and the appropriate congressional committees a report on
17 the military capabilities of China and Russia.

18 (b) MATTERS INCLUDED.—The report under sub-
19 section (a) shall include, with respect to the military of
20 China and the military of Russia, the following:

21 (1) An update on the presence, status, and ca-
22 pability of the military with respect to any national
23 training centers similar to the Combat Training
24 Center Program of the United States.

1 (2) An analysis of a readiness deployment cycle
2 of the military, including—

3 (A) as compared to such a cycle of the
4 United States; and

5 (B) an identification of metrics used in the
6 national training centers of that military.

7 (3) A comprehensive investigation into the ca-
8 pability and readiness of the mechanized logistics of
9 the army of the military, including—

10 (A) an analysis of field maintenance,
11 sustainment maintenance, movement control,
12 intermodal operations, and supply; and

13 (B) how such functions under subpara-
14 graph (A) interact with specific echelons of that
15 military.

16 (4) An assessment of the future of mechanized
17 army logistics of the military.

18 (c) NONDUPLICATION OF EFFORTS.—The Defense
19 Intelligence Agency may make use of or add to any exist-
20 ing reports completed by the Agency in order to respond
21 to the reporting requirement under subsection (a).

22 (d) FORM.—The report under subsection (a) may be
23 submitted in classified form.

1 (e) BRIEFING.—The Director shall provide a briefing
2 to the Secretary and the committees specified in sub-
3 section (a) on the report under such subsection.

4 (f) APPROPRIATE CONGRESSIONAL COMMITTEES.—
5 In this section, the term “appropriate congressional com-
6 mittees” means—

7 (1) the Committee on Armed Services, the Per-
8 manent Select Committee on Intelligence, and the
9 Committee on Foreign Affairs of the House of Rep-
10 resentatives; and

11 (2) the Committee on Armed Services, the Se-
12 lect Committee on Intelligence, and the Committee
13 on Foreign Relations of the Senate.

14 **SEC. 1250G. REPORT ON CYBERSECURITY ACTIVITIES WITH**
15 **TAIWAN.**

16 Not later than 180 days after the date of the enact-
17 ment of this Act, the Secretary of Defense shall submit
18 to the congressional defense committees a report on the
19 following:

20 (1) The feasibility of establishing a high-level,
21 interagency United States-Taiwan working group for
22 coordinating responses to emerging issues related to
23 cybersecurity.

1 (2) A discussion of the Department of De-
2 fense's current and future plans to engage with Tai-
3 wan in cybersecurity activities.

4 (3) A discussion of obstacles encountered in
5 forming, executing, or implementing agreements
6 with Taiwan for cybersecurity activities.

7 (4) Any other matters the Secretary of Defense
8 determines should be included.

9 **SEC. 1250H. SENSE OF CONGRESS ON UNITED STATES-**
10 **INDIA DEFENSE RELATIONSHIP.**

11 It is the sense of Congress that the United States
12 should strengthen and enhance its major defense partner-
13 ship with India and work toward the following mutual se-
14 curity and diplomatic objectives:

15 (1) Expanding engagement in multilateral
16 frameworks, including the quadrilateral dialogue
17 among the United States, India, Japan, and Aus-
18 tralia, to promote regional security and defend
19 shared values and common interests in the rules-
20 based order.

21 (2) Increasing the frequency and scope of ex-
22 changes between senior civilian officials and military
23 officers of the United States and India to support
24 the development and implementation of the major
25 defense partnership.

1 (3) Exploring additional steps to implement the
2 major defense partner designation to better facilitate
3 interoperability, information sharing, and appro-
4 priate technology transfers.

5 (4) Pursuing strategic initiatives to help develop
6 the defense capabilities of India.

7 (5) Conducting additional combined exercises
8 with India in the Persian Gulf, Indian Ocean, and
9 western Pacific regions.

10 (6) Furthering cooperative efforts to promote
11 stability and security in Afghanistan.

12 **SEC. 1250I. UNITED STATES-INDIA DEFENSE COOPERATION**
13 **IN THE WESTERN INDIAN OCEAN.**

14 (a) REPORT.—

15 (1) IN GENERAL.—Not later than 180 days
16 after the date of the enactment of this Act, the Sec-
17 retary of Defense shall submit to the relevant con-
18 gressional committees a report on defense coopera-
19 tion between the United States and India in the
20 Western Indian Ocean.

21 (2) MATTERS TO BE INCLUDED.—The report
22 required by paragraph (1) shall include the fol-
23 lowing:

1 (A) A description of military activities of
2 the United States and India, separately, in the
3 Western Indian Ocean.

4 (B) A description of military cooperation
5 activities between the United States and India
6 in the areas of humanitarian assistance,
7 counterterrorism, counter piracy, maritime se-
8 curity, and other areas as the Secretary deter-
9 mines appropriate.

10 (C) A description of how the relevant geo-
11 graphic combatant commands coordinate their
12 activities with the Indian military in the West-
13 ern Indian Ocean.

14 (D) A description of the mechanisms in
15 place to ensure the relevant geographic combat-
16 ant commands maximize defense cooperation
17 with India in the Western Indian Ocean.

18 (E) A description of how the major defense
19 partnership with India will be utilized to en-
20 hance cooperation with India in the Western In-
21 dian Ocean.

22 (F) Areas of future opportunity to increase
23 military engagement with India in the Western
24 Indian Ocean.

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

4 (b) DEFINITIONS.—In this section:

5 (1) RELEVANT CONGRESSIONAL COMMIT-
6 TEES.—The term “relevant congressional commit-
7 tees” means—

8 (A) the Committee on Foreign Relations,
9 the Committee on Armed Services, and the
10 Committee on Appropriations of the Senate;
11 and

12 (B) the Committee on Foreign Affairs, the
13 Committee on Armed Services, and the Com-
14 mittee on Appropriations of the House of Rep-
15 resentatives.

16 (2) RELEVANT GEOGRAPHIC COMBATANT COM-
17 MANDS.—The term “relevant geographic combatant
18 commands” means the United States Indo-Pacific
19 Command, United States Central Command, and
20 United States Africa Command.

21 (3) WESTERN INDIAN OCEAN.—The term
22 “Western Indian Ocean” means the area in the In-
23 dian Ocean extending from the west coast of India
24 to the east coast of Africa.

1 **SEC. 1250J. CHINESE FOREIGN DIRECT INVESTMENT IN**
2 **COUNTRIES OF THE ARCTIC REGION.**

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

4 (1) China is projecting a physical presence in
5 the Arctic through upgrading to advanced ice-
6 breakers, utilizing the Arctic Ocean more regularly
7 through subsidizing arctic shipping, deploying un-
8 manned ice stations, and engaging in large and so-
9 phisticated data collection efforts in countries of the
10 Arctic region, including Iceland, Greenland, and
11 Canada.

12 (2) The 2017 Center for Naval Analysis (CNA)
13 report “Unconstrained Foreign Direct Investment:
14 An Emerging Challenge to Arctic Security” con-
15 cluded that China has been actively engaged in
16 economies of countries of the Arctic region.

17 (3) The CNA report documented a pattern of
18 strategic investment by China in the economies of
19 countries of the Arctic region, including the United
20 States, Canada, Greenland, Iceland, Norway, and
21 Russia, in areas such as raw land, oil and gas, min-
22 erals, and infrastructure.

23 (4) Chinese investments in countries of the Arc-
24 tic region are significant. For instance, Chinese for-
25 eign direct investment constituted nearly 12 percent

1 of Greenland’s gross domestic product for the period
2 from 2012 to 2017.

3 (5) China’s 2018 Arctic Policy White Paper
4 documented the Chinese intent to create a “Polar
5 Silk Road” in the Arctic.

6 (6) China’s “Polar Silk Road” is an extension
7 of China’s Belt and Road Initiative (BRI).

8 (7) China is increasingly using the BRI as the
9 impetus for increasing People’s Liberation Army de-
10 ployments to regions where China has significant in-
11 vestments, primarily through BRI.

12 (8) China has demonstrated an interest in
13 using BRI to gain military access to strategic re-
14 gions.

15 (9) Understanding how China’s foreign direct
16 investment in countries of the Arctic region affects
17 such countries is critical to understanding the degree
18 to which China is able to access the region.

19 (b) INDEPENDENT STUDY.—

20 (1) IN GENERAL.—Not later than 45 days after
21 the date of enactment of this Act, the Secretary of
22 Defense shall seek to enter into a contract with a
23 federally-funded research and development center
24 described in paragraph (2) to complete an inde-
25 pendent study of Chinese foreign direct investment

1 in countries of the Arctic region, with a focus on the
2 effects of such foreign direct investment on United
3 States national security and near-peer competition
4 in the Arctic region.

5 (2) FEDERALLY-FUNDED RESEARCH AND DE-
6 VELOPMENT CENTER DESCRIBED.—A federally-fund-
7 ed research and development center described in this
8 paragraph is a federally-funded research and devel-
9 opment center that—

10 (A) has access to relevant data and dem-
11 onstrated data-sets regarding foreign direct in-
12 vestment in the Arctic region; and

13 (B) has access to policy experts throughout
14 the United States and the Arctic region.

15 (c) ELEMENTS.—The study required by subsection
16 (b) shall include the following:

17 (1) Projects in the Arctic that are directly or
18 indirectly funded by public and private Chinese enti-
19 ties, to—

20 (A) build public infrastructure;

21 (B) finance of infrastructure;

22 (C) lease mineral and oil and gas leases;

23 (D) purchase real estate;

24 (E) extract or process, including smelting,
25 minerals and oil and gas;

1 (F) engage in shipping or to own and oper-
2 ate or construct shipping infrastructure, includ-
3 ing ship construction;

4 (G) lay undersea cables; and

5 (H) manufacture, own or operate tele-
6 communications capabilities and infrastructure.

7 (2) An analysis the legal environment in which
8 Chinese foreign direct investment are occurring in
9 the United States, Russia, Canada, Greenland, Nor-
10 way, and Iceland. The analysis should include—

11 (A) an assessment of the efficacy of mech-
12 anisms for screening foreign direct investment
13 in the United States, Russia, Canada, Green-
14 land, Norway, and Iceland;

15 (B) an assessment of the degree to which
16 there is transparency in Chinese foreign direct
17 investment in countries of the Arctic region;

18 (C) an assessment of the criteria used to
19 assess potential Chinese foreign direct invest-
20 ment in countries of the Arctic region;

21 (D) an assessment of the efficacy of meth-
22 ods for monitoring approved Chinese foreign di-
23 rect investment in countries of the Arctic re-
24 gion; and

1 (E) an assessment of public reporting of
2 the decision to approve such Chinese foreign di-
3 rect investment.

4 (3) A comparison of Chinese foreign direct in-
5 vestment in countries of the Arctic region to other
6 countries with major investments in such countries,
7 including India, Japan, South Korea, the Nether-
8 lands, and France.

9 (4) An assessment of the environmental impact
10 of past Chinese investments in oil and gas, mineral,
11 and infrastructure projects in the Arctic region, in-
12 cluding the degree to which Chinese investors are re-
13 quired to comply with local environmental laws and
14 post bonds to assure remediation if a project be-
15 comes bankrupt.

16 (5) A review of the 2018 Chinese Arctic Policy
17 and other relevant public and nonpublic Chinese pol-
18 icy documents to determine the following:

19 (A) China's strategic objectives in the Arc-
20 tic region from a military, economic, territorial,
21 and political perspective.

22 (B) China's goals in the Arctic region with
23 respect to its relations with the United States
24 and Russia, including the degree to which ac-
25 tivities of China in the region are an extension

1 of China's strategic competition with the United
2 States.

3 (C) Whether any active or planned infra-
4 structure investments are likely to result in a
5 regular presence of Chinese military vessels or
6 the establishment of military bases in the Arctic
7 region.

8 (D) The extent to which Chinese research
9 activities in the Arctic region are a front for
10 economic activities, including illegal economic
11 espionage, intelligence gathering, and support
12 for future Chinese military activities in the re-
13 gion.

14 (E) The degree to which Arctic littoral
15 states are susceptible to the political and eco-
16 nomic risks of unregulated foreign direct invest-
17 ment.

18 (F) The vulnerability of semi-autonomous
19 regions, such as tribal lands, to Chinese foreign
20 direct investment, including the influence of
21 legal controls and political or economic manipu-
22 lation with respect to such vulnerability.

23 (G) The implications of China's Arctic de-
24 velopment and participation model with respect

1 to forecasting China's military, economy, terri-
2 torial, and political activities.

3 (6) Policy and legislative recommendations to
4 enhance the position of the United States in affairs
5 of the Arctic region, including—

6 (A) recommendations for how the United
7 States would best interact with nongovern-
8 mental organizations such as the World Bank,
9 Arctic Council, United Nations General Assem-
10 bly, and International Maritime Organization;

11 (B) recommendation to pursue or not pur-
12 sue the formation of an Arctic Development
13 Bank and, if pursued, how to organize, fund,
14 and operate the bank;

15 (C) measures the United States can take
16 to promote regional governance and eliminate
17 the soft-power influence from Chinese foreign
18 direct investment, in particular, steps where the
19 United States and Russia should cooperate; and

20 (D) the possibility of negotiating a regional
21 arrangement to regulate foreign direct invest-
22 ment in countries of the Arctic region.

23 (d) REPORT TO DEPARTMENT OF DEFENSE.—Not
24 later than 720 days after the date of the enactment of
25 this Act, the federally-funded research and development

1 center with respect to which the Secretary of Defense has
2 entered into a contract under subsection (b) shall submit
3 to the Secretary a report containing the study under sub-
4 sections (b) and (c).

5 (e) REPORT TO CONGRESS.—Not later than 750 days
6 after the date of the enactment of this Act, the Secretary
7 of Defense shall submit to the appropriate congressional
8 committees the report under subsection (d), without
9 change.

10 (f) APPROPRIATE CONGRESSIONAL COMMITTEE DE-
11 FINED.—In this section, the term “appropriate congres-
12 sional committees” means—

- 13 (1) the congressional defense committees;
- 14 (2) the Committee on Foreign Relations and
15 the Committee on Commerce, Science, and Trans-
16 portation of the Senate; and
- 17 (3) the Committee on Foreign Affairs and the
18 Committee on Transportation and Infrastructure of
19 the House of Representatives.

20 **SEC. 1250K. SENSE OF CONGRESS ON NORTH KOREA.**

21 It is the sense of Congress that—

- 22 (1) diplomacy is essential to address the illegal
23 nuclear program of North Korea;

1 (2) every effort should be made to avoid a mili-
2 tary confrontation with North Korea, as it would
3 pose extreme risks to—

4 (A) United States military personnel;

5 (B) noncombatants, including United
6 States citizens and citizens of United States al-
7 lies; and

8 (C) regional security;

9 (3) the United States should pursue a sustained
10 and credible diplomatic process to achieve the
11 denuclearization of North Korea and an end to the
12 69-year-long Korean War; and

13 (4) until such time as North Korea no longer
14 poses a threat to the United States or United States
15 allies, the United States should, in concert with such
16 allies, continue to deter North Korea through cred-
17 ible defense and deterrence posture.

18 **Subtitle F—Matters Relating to**
19 **Europe and NATO**

20 **SEC. 1251. EXTENSION AND MODIFICATION OF NATO SPE-**
21 **CIAL OPERATIONS HEADQUARTERS.**

22 (a) AUTHORIZATION.—Subsection (a) of section 1244
23 of the National Defense Authorization Act for Fiscal Year
24 2010 (Public Law 111–84; 123 Stat. 2541) is amended
25 by striking “2020” and inserting “2023”.

1 (b) REPEAL OF CERTIFICATION; LIMITATION.—Such
2 section is amended—

3 (1) by striking subsection (c); and

4 (2) by inserting after subsection (b) the fol-
5 lowing new subsection:

6 “(c) LIMITATION.—Of the amounts made available
7 under subsection (a) for fiscal year 2020, not more than
8 90 percent of such amounts may be obligated or expended
9 until the Secretary of Defense, acting through the Assist-
10 ant Secretary of Defense for Special Operations and Low
11 Intensity Conflict, submits to the congressional defense
12 committees a report on the rearrangement of responsibil-
13 ities for overseeing and supporting NSHQ from U.S. Spe-
14 cial Operations Command to U.S. European Command in
15 2019, including—

16 “(1) a justification and description of the im-
17 pact of such rearrangement; and

18 “(2) a description of how such rearrangement
19 will strengthen the role of the NSHQ in fostering
20 special operations capabilities within NATO.”.

21 (c) ANNUAL REPORT.—Such section, as so amended,
22 is further amended by adding at the end the following new
23 subsection:

24 “(d) ANNUAL REPORT.—Not later than March 1 of
25 each year until 2024, the Secretary of Defense shall sub-

1 mit to the congressional defense committees and the Com-
2 mittee on Foreign Relations of the Senate and the Com-
3 mittee on Foreign Affairs of the House of Representatives
4 a report regarding support for the NSHQ. Each report
5 shall include the following:

6 “(1) The total amount of funding provided by
7 the United States and other NATO nations to the
8 NSHQ for operating costs of the NSHQ.

9 “(2) A description of the activities carried out
10 with such funding, including—

11 “(A) the amount of funding allocated for
12 each such activity;

13 “(B) the extent to which other NATO na-
14 tions participate in each such activity;

15 “(C) the extent to which each such activity
16 is carried out in coordination or cooperation
17 with the Joint Special Operations University;

18 “(D) the extent to which each such activity
19 is carried out in relation to other security co-
20 operation activities, exercises, or operations of
21 the Department of Defense;

22 “(E) the extent to which each such activity
23 is designed to meet the purposes set forth in
24 paragraphs (1) through (5) of subsection (b);
25 and

1 “(F) an assessment of the extent to which
2 each such activity will promote the mission of
3 the NSHQ.

4 “(3) Other contributions, financial or in kind,
5 provided by the United States and other NATO na-
6 tions in support of the NSHQ.

7 “(4) Any other matters that the Secretary of
8 Defense considers appropriate.”.

9 **SEC. 1252. MODIFICATION AND EXTENSION OF FUTURE**
10 **YEARS PLAN AND PLANNING TRANSPARENCY**
11 **FOR THE EUROPEAN DETERRENCE INITIA-**
12 **TIVE.**

13 (a) **PLAN REQUIRED.**—Section 1273(a) of the Na-
14 tional Defense Authorization Act for Fiscal Year 2018
15 (Public Law 115–91; 131 Stat. 1696) is amended—

16 (1) in paragraph (1), by striking “the date of
17 the enactment of this Act” and inserting “the date
18 of the enactment of the National Defense Authoriza-
19 tion Act for Fiscal Year 2020, and annually there-
20 after”; and

21 (2) in paragraph (2) to read as follows:

22 “(2) **APPLICABILITY.**—The initial plan shall
23 apply with respect to fiscal year 2021 and at least
24 the four succeeding fiscal years and each subsequent
25 plan shall apply with respect to the next subsequent

1 fiscal year and at least the four succeeding fiscal
2 years.”.

3 (b) BUDGET DISPLAY INFORMATION.—The Sec-
4 retary of Defense shall include in the materials submitted
5 to Congress by the Secretary in support of the budget of
6 the President for fiscal year 2021 and each fiscal year
7 thereafter (as submitted under section 1105 of title 31,
8 United States Code), a detailed budget display for the Eu-
9 ropean Deterrence Initiative that includes the following in-
10 formation (regardless of whether the funding line is for
11 overseas contingency operations):

12 (1) With respect to procurement accounts—

13 (A) amounts displayed by account, budget
14 activity, line number, line item, and line item
15 title; and

16 (B) a description of the requirements for
17 each such amounts specific to the Initiative.

18 (2) With respect to research, development, test,
19 and evaluation accounts—

20 (A) amounts displayed by account, budget
21 activity, line number, program element, and
22 program element title; and

23 (B) a description of the requirements for
24 each such amounts specific to the Initiative.

1 (3) With respect to operation and maintenance
2 accounts—

3 (A) amounts displayed by account title,
4 budget activity title, line number, and sub-
5 activity group title; and

6 (B) a description of how such amounts will
7 specifically be used.

8 (4) With respect to military personnel ac-
9 counts—

10 (A) amounts displayed by account, budget
11 activity, budget subactivity, and budget sub-
12 activity title; and

13 (B) a description of the requirements for
14 each such amounts specific to the Initiative.

15 (5) With respect to each project under military
16 construction accounts (including with respect to un-
17 specified minor military construction and amounts
18 for planning and design), the country, location,
19 project title, and project amount by fiscal year.

20 **SEC. 1253. PROTECTION OF EUROPEAN DETERRENCE INI-**
21 **TIATIVE FUNDS FROM DIVERSION FOR**
22 **OTHER PURPOSES.**

23 (a) REPORT ON OBLIGATION OF FUNDS.—

24 (1) IN GENERAL.—Not later than 15 days after
25 any obligation of funds in an amount of

1 \$10,000,000 or more for the European Deterrence
2 Initiative for fiscal year 2020 and each fiscal year
3 thereafter, the Secretary of Defense shall submit to
4 the congressional defense committees a report on
5 that obligation of such funds for that fiscal year.

6 (2) MATTERS TO BE INCLUDED.—Each report
7 under paragraph (1) shall specify—

8 (A) the activities and forms of assistance
9 for which the Secretary obligated such funds;
10 and

11 (B) the amount of the obligation.

12 (b) END OF FISCAL YEAR REPORT.—Not later than
13 November 30, 2020, and annually thereafter, the Sec-
14 retary of Defense shall submit to the congressional defense
15 committees a report that contains—

16 (1) a detailed summary of funds obligated for
17 the European Deterrence Initiative for the preceding
18 fiscal year; and

19 (2) a detailed comparison of funds obligated for
20 the European Deterrence Initiative for the preceding
21 fiscal year to amounts requested for the Initiative
22 for that fiscal year in the materials submitted to
23 Congress by the Secretary in support of the budget
24 of the President for that fiscal year as required by
25 section 1252(b), including with respect to each of

1 the accounts described in paragraphs (1), (2), (3),
2 (4), and (5) of section 1252(b) and the information
3 required under each such paragraph.

4 **SEC. 1254. STATEMENT OF POLICY ON UNITED STATES**
5 **MILITARY INVESTMENT IN EUROPE.**

6 It is the policy of the United States to develop, imple-
7 ment, and sustain a credible deterrent against aggression
8 and long-term strategic competition by the Government of
9 Russia in order to enhance regional and global security
10 and stability, including by the following:

11 (1) Increased United States presence in Eu-
12 rope, including additional permanently stationed
13 forces, continued rotational deployments, increased
14 pre-positioned military equipment, and sufficient and
15 necessary infrastructure additions and improvements
16 throughout Europe.

17 (2) Planning regarding the United States mili-
18 tary footprint in Europe to recognize the essential
19 role played by United States allies and partners in
20 establishing deterrence and advancing regional and
21 global security and stability.

22 (3) Commitment to the North Atlantic Treaty
23 Organization (NATO) and its founding values and
24 commitments by NATO allies to the common de-
25 fense, including NATO goals regarding defense in-

1 vestments, and to NATO's founding principles of de-
2 mocracy, individual liberty, and the rule of law.

3 (4) Planning to ensure the United States mili-
4 tary footprint in Europe is holistic and geographi-
5 cally appropriate for a comprehensive response to
6 the challenges posed by the Government of Russia
7 across numerous European fronts.

8 (5) Commitment to United States Government
9 investment and prioritization of efforts in Europe,
10 particularly through efforts led by the Department
11 of State, to counter the Government of Russia's
12 global campaign to interfere in and undermine
13 democratic systems of government, elections, values,
14 and institutions, and disrupt United States alliances
15 and partnerships, through indirect action (such as
16 information operations intended to influence), in-
17 cluding robust information sharing and cooperation
18 with partners and allies to counter influence cam-
19 paigns and sufficient cyber, counter-messaging, and
20 intelligence resources.

21 (6) Planning to take into account the impor-
22 tance of strategic stability, arms control, and stra-
23 tegic dialogue as they contribute to United States
24 national security, collective defense, and regional
25 and global security.

1 (7) Encouraging increased communication by
2 NATO officials, to raise awareness of the Alliance's
3 mission, efforts, and concerns achieved by actively
4 engaging with Congress and the executive branch.

5 **SEC. 1255. LIMITATION ON TRANSFER OF F-35 AIRCRAFT**
6 **TO TURKEY.**

7 (a) LIMITATION.—Except as provided in subsection
8 (b), no funds authorized to be appropriated or otherwise
9 made available to the Department of Defense for fiscal
10 year 2020 may be obligated or expended—

11 (1) to transfer, facilitate the transfer, or au-
12 thorize the transfer of, any F-35 aircraft or related
13 support equipment or parts to Turkey;

14 (2) to transfer intellectual property, technical
15 data, or material support necessary for or related to
16 any maintenance or support of the F-35 aircraft
17 necessary to establish Turkey's indigenous F-35 ca-
18 pability; or

19 (3) to construct a storage facility for, or other-
20 wise facilitate the storage in Turkey of, any F-35
21 aircraft transferred to Turkey.

22 (b) EXCEPTION.—The Secretary of Defense, jointly
23 with the Secretary of State, may waive the limitation
24 under subsection (a) only if such Secretaries submit to the
25 appropriate congressional committees a written certifi-

1 cation that contains a determination of such Secretaries,
2 and any relevant documentation that forms the basis for
3 the determination, that—

4 (1) the Government of Turkey has provided
5 credible assurances that Turkey will not accept de-
6 livery of the S-400 air and missile defense system
7 from Russia; or

8 (2) if the Government of Turkey has previously
9 accepted delivery of the S-400 air and missile de-
10 fense system from the Russia, the Government of
11 Turkey—

12 (A) no longer possesses the S-400 air and
13 missile defense system or any other equipment,
14 materials, or personnel associated with such
15 system; and

16 (B) has provided credible assurances that
17 it will not in the future accept delivery of the
18 S-400 air and missile defense system.

19 (c) APPLICABILITY.—The limitation under subsection
20 (a) does not apply with respect to F-35 aircraft operated
21 by the United States Armed Forces.

22 (d) DEFINITIONS.—In this section:

23 (1) APPROPRIATE CONGRESSIONAL COMMIT-
24 TEES.—The term “appropriate congressional com-
25 mittees” means—

1 (A) the congressional defense committees;
2 and

3 (B) the Committee on Foreign Relations of
4 the Senate and the Committee on Foreign Af-
5 fairs of the House of Representatives.

6 (2) TRANSFER.—The term “transfer” includes,
7 with respect to an F–35 aircraft, the physical reloca-
8 tion of the F–35 aircraft outside of the United
9 States.

10 **SEC. 1256. REPORT ON VALUE OF INVESTMENTS IN DUAL**
11 **USE INFRASTRUCTURE PROJECTS BY NATO**
12 **MEMBER STATES.**

13 (a) IN GENERAL.—Not later than June 1, 2020, the
14 Secretary of Defense, jointly with the Secretary of State,
15 shall submit to the appropriate congressional committees
16 a report on the value of investments in dual use infrastruc-
17 ture projects by the member states of the North Atlantic
18 Treaty Organization (NATO) in order to improve military
19 mobility and interoperability across Europe.

20 (b) ELEMENTS.—The report required by subsection
21 (a) shall include the following:

22 (1) The value to collective deterrence provided
23 by investments in dual use infrastructure projects by
24 the member states of NATO in order to meet the

1 military mobility goals set out at the 2018 NATO
2 Summit in Brussels.

3 (2) An assessment of proposed dual use infra-
4 structure projects for NATO.

5 (3) A assessment of proposed of dual use infra-
6 structure projects with respect to which the United
7 States can provide support, including a rec-
8 ommended prioritization of such projects.

9 (c) FORM.—The report required by subsection (a)
10 shall be submitted in unclassified form, but may include
11 a classified annex.

12 (d) DEFINITIONS.—In this section:

13 (1) APPROPRIATE CONGRESSIONAL COMMIT-
14 TEES.—The term “appropriate congressional com-
15 mittees” means—

16 (A) the congressional defense committees;
17 and

18 (B) the Committee on Foreign Relations of
19 the Senate and the Committee on Foreign Af-
20 fairs of the House of Representatives.

21 (2) DUAL USE INFRASTRUCTURE PROJECTS.—
22 The term “dual use infrastructure projects” means
23 those projects identified by the European Commis-
24 sion Action Plan on Military Mobility as necessary
25 to improve the trans-European transport network

1 (TEN-T) to meet the military requirements for mili-
2 tary mobility within and beyond the European
3 Union.

4 **SEC. 1257. SENSE OF CONGRESS ON SUPPORT FOR POLAND.**

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

7 (1) Poland has been a valued member of the
8 North Atlantic Treaty Organization (NATO) since
9 1999 and an important ally of the United States,
10 contributing to the collective defense of NATO allies
11 and deterrence in Europe.

12 (2) Poland has made significant contributions
13 of forces to United States and NATO-led military
14 operations in Afghanistan, Iraq, Kosovo, and coun-
15 tering the Islamic State in Iraq and Syria.

16 (3) Poland contributed at least 2 percent of its
17 gross domestic product to defense spending in 2018,
18 meeting its commitment under the Wales Declara-
19 tion.

20 (4) Poland currently hosts on a rotational basis
21 United States forces from the Armored Combat Bri-
22 gade Team, a Combat Aviation Brigade, a NATO
23 enhanced Forward Presence Battalion, and a U.S.
24 Aegis Ashore missile defense site.

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

3 (1) the United States reaffirms its support for
4 the principle of collective defense in Article 5 of the
5 North Atlantic Treaty for its NATO allies, including
6 Poland;

7 (2) the United States appreciates the important
8 role that Poland plays in NATO efforts to sustain
9 credible deterrence in Europe;

10 (3) the United States supports continued de-
11 fense cooperation and continued exploration of op-
12 portunities for joint military cooperation, infrastruc-
13 ture enhancement, and defense investment with Po-
14 land; and

15 (4) the current and planned projects in Poland
16 funded by the European Deterrence Initiative should
17 be fully implemented in order to support existing
18 and future United States military activity.

19 **SEC. 1258. EUROPEAN CENTER OF EXCELLENCE FOR COUN-**
20 **TERING HYBRID THREATS.**

21 (a) IN GENERAL.—Of the amounts authorized to be
22 appropriated by this Act, the Secretary of Defense shall
23 provide \$2,000,000 for the European Center of Excellence
24 for Countering Hybrid Threats (in this section referred
25 to as the “Center”) to—

1 (1) enhance the ability of military forces and ci-
2 vilian personnel of countries participating in the
3 Center to engage in joint hybrid warfare exercises or
4 coalition or international military operations; and

5 (2) improve interoperability between the armed
6 forces and the military forces of friendly foreign
7 countries in the area of hybrid warfare.

8 (b) CERTIFICATION.—Not later than 180 days after
9 the date of the enactment of this Act, the Secretary of
10 Defense shall—

11 (1) certify to the Committee on Armed Services
12 of the Senate and the Committee on Armed Services
13 of the House of Representatives that the Secretary
14 of Defense has assigned executive agent responsibil-
15 ities for the Center to an appropriate organization
16 within the Department of Defense; and

17 (2) detail the steps being undertaken to
18 strengthen the role of the Center in fostering hybrid
19 warfare defense capabilities and coordination within
20 NATO and the European Union.

21 (c) FUNDING.—

22 (1) INCREASE.—Notwithstanding the amounts
23 set forth in the funding tables in division D, the
24 amount authorized to be appropriated in section 301
25 for operation and maintenance, Defense-wide, as

1 specified in the corresponding funding table in sec-
2 tion 4301, for Office of the Secretary of Defense, is
3 hereby increased by \$2,000,000.

4 (2) OFFSET.—Notwithstanding the amounts set
5 forth in the funding tables in division D, the amount
6 authorized to be appropriated in section 201 for re-
7 search, development, test, and evaluation, as speci-
8 fied in the corresponding funding table in section
9 4201, for Advanced Innovative Technology, is hereby
10 reduced by \$2,000,000.

11 **SEC. 1259. SENSE OF CONGRESS ON EUROPEAN INVEST-**
12 **MENTS IN NATIONAL SECURITY.**

13 It is the sense of Congress that—

14 (1) the North Atlantic Treaty Organization
15 (NATO) is central to United States-European de-
16 fense matters; and

17 (2) military cooperation and coordination in
18 Europe among NATO member countries should
19 complement NATO efforts and not detract from
20 NATO military system interoperability and burden
21 sharing among NATO allies.

1 **SEC. 1260. BRIEFING ON DEPARTMENT OF DEFENSE PRO-**
2 **GRAM TO PROTECT UNITED STATES STU-**
3 **DENTS AGAINST FOREIGN AGENTS.**

4 Not later than 240 days after the date of the enact-
5 ment of this Act, the Secretary of Defense shall provide
6 a briefing to the congressional defense committees on the
7 program described in section 1277 of the National De-
8 fense Authorization Act for Fiscal Year 2018 (Public Law
9 115–91), including an assessment on whether the program
10 is beneficial to students interning, working part time, or
11 in a program that will result in employment post-gradua-
12 tion with Department of Defense components and contrac-
13 tors.

14 **SEC. 1260A. NATO SUPPORT ACT.**

15 (a) FINDINGS.—Congress finds that:

16 (1) The North Atlantic Treaty Organization
17 (NATO), which came into being through the North
18 Atlantic Treaty, which entered into force on April 4,
19 1949, between the United States of America and the
20 other founding members of the North Atlantic Trea-
21 ty Organization, has served as a pillar of inter-
22 national peace and stability, a critical component of
23 United States security, and a deterrent against ad-
24 versaries and external threats.

25 (2) The House of Representatives affirmed in
26 H. Res. 397, on June 27, 2017, that—

1 (A) NATO is one of the most successful
2 military alliances in history, deterring the out-
3 break of another world war, protecting the ter-
4 ritorial integrity of its members, and seeing the
5 Cold War through to a peaceful conclusion;

6 (B) NATO remains the foundation of
7 United States foreign policy to promote a Eu-
8 rope that is whole, free, and at peace;

9 (C) the United States is solemnly com-
10 mitted to the North Atlantic Treaty Organiza-
11 tion's principle of collective defense as enumer-
12 ated in Article 5 of the North Atlantic Treaty;
13 and

14 (D) the House of Representatives—

15 (i) strongly supports the decision at
16 the NATO Wales Summit in 2014 that
17 each alliance member would aim to spend
18 at least 2 percent of its nation's gross do-
19 mestic product on defense by 2024;

20 (ii) condemns any threat to the sov-
21 ereignty, territorial integrity, freedom and
22 democracy of any NATO ally; and

23 (iii) welcomes the Republic of Monte-
24 negro as the 29th member of the NATO
25 Alliance.

1 (b) STATEMENT OF POLICY.—It is the policy of the
2 United States—

3 (1) to remain a member in good standing of
4 NATO;

5 (2) to reject any efforts to withdraw the United
6 States from NATO, or to indirectly withdraw from
7 NATO by condemning or reducing contributions to
8 NATO structures, activities, or operations, in a
9 manner that creates a de facto withdrawal;

10 (3) to continue to work with NATO members to
11 meet their 2014 Wales Defense Investment Pledge
12 commitments; and

13 (4) to support robust United States funding for
14 the European Deterrence Initiative, which increases
15 the ability of the United States and its allies to
16 deter and defend against Russian aggression.

17 (c) PROHIBITION ON THE USE OF FUNDS TO WITH-
18 DRAW FROM NATO.—Notwithstanding any other provi-
19 sion of law, no funds are authorized to be appropriated,
20 obligated, or expended to take any action to withdraw the
21 United States from the North Atlantic Treaty, done at
22 Washington, DC on April 4, 1949, between the United
23 States of America and the other founding members of the
24 North Atlantic Treaty Organization.

1 **SEC. 1260B. EXTENSION AND MODIFICATION OF SECURITY**
2 **ASSISTANCE FOR BALTIC COUNTRIES FOR**
3 **JOINT PROGRAM FOR INTEROPERABILITY**
4 **AND DETERRENCE AGAINST AGGRESSION.**

5 (a) ADDITIONAL MAJOR DEFENSE ARTICLES AND
6 SERVICES.—Subsection (c) of section 1279D of the Na-
7 tional Defense Authorization Act for Fiscal Year 2018 (22
8 U.S.C. 2753 note) is amended—

9 (1) in the matter preceding paragraph (1), by
10 inserting “major” before “defense articles and serv-
11 ices”;

12 (2) in paragraph (5), by inserting “major” be-
13 fore “defense articles and services”;

14 (3) by redesignating paragraph (5), as so
15 amended, as paragraph (6); and

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

18 “(5) Intelligence, surveillance, and reconnais-
19 sance equipment.”.

20 (b) FUNDING.—Subsection (f) of such section 1279D
21 is amended—

22 (1) in paragraph (2), by striking
23 “\$100,000,000” and inserting “\$125,000,000”; and

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

1 “(3) MATCHING AMOUNT.—The amount of as-
2 sistance provided under subsection (a) for procure-
3 ment described in subsection (b) may not exceed the
4 aggregate amount contributed to such procurement
5 by the Baltic nations.”.

6 (c) EXTENSION.—Subsection (g) of such section
7 1279D is amended by striking “December 31, 2020” and
8 inserting “December 31, 2021”.

9 (d) CONFORMING AMENDMENT.—Subsection (b) of
10 such section 1279D is amended by inserting “major” be-
11 fore “defense articles and services” each place it appears.

12 (e) REPORT ON USE OF FUNDING AUTHORITY.—Not
13 later than January 1, 2021, the Secretary of Defense shall
14 submit to the congressional defense committees a report
15 that includes the following:

16 (1) Whether the authority to provide assistance
17 pursuant to section 1279D was used in the previous
18 calendar year.

19 (2) A description of the manner in which funds
20 made available for assistance through such author-
21 ity, if any, were used during such year.

22 (3) Whether alternative sources of funding exist
23 to provide the assistance described in section 1279D.

1 (4) Whether any alternative authorities exist
2 under which the Secretary can provide such assist-
3 ance.

4 **Subtitle G—Other Matters**

5 **SEC. 1261. SENSE OF CONGRESS ON UNITED STATES PART-**
6 **NERS AND ALLIES.**

7 It is the sense of Congress that—

8 (1) United States partners and allies are crit-
9 ical to achieving United States national security in-
10 terests and defense objectives around the world;

11 (2) strong military-to-military relationships with
12 partners and allies have helped to solidify and un-
13 dergird the post-World War II international order
14 and enhanced the United States' security through
15 common defense; and

16 (3) the United States should pursue a long-
17 term policy to strengthen existing military-to-mili-
18 tary relationships and cooperation with partners and
19 allies to achieve mutual objectives, and build new re-
20 lationships based on common values and shared in-
21 terests.

1 **SEC. 1262. MODIFICATION TO REPORT ON LEGAL AND POL-**
2 **ICY FRAMEWORKS FOR THE USE OF MILI-**
3 **TARY FORCE.**

4 Section 1264 of the National Defense Authorization
5 Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat.
6 1689) is amended—

7 (1) in the heading for subsection (a), by strik-
8 ing “INITIAL” and inserting “ANNUAL”;

9 (2) in subsection (a)(1), by striking “90 days
10 after the date of the enactment of this Act” and in-
11 serting “March 1 of each year”;

12 (3) in subsection (a)(2), by striking “during the
13 period” and all that follows to the end and inserting
14 “from the preceding year, including—

15 “(A) a list of all foreign forces, irregular
16 forces, groups, or individuals for which a deter-
17 mination has been made that force could legally
18 be used under the Authorization for Use of
19 Military Force (Public Law 107–40), includ-
20 ing—

21 “(i) the legal and factual basis for
22 such determination; and

23 “(ii) a description of whether force
24 has been used against each such foreign
25 force, irregular force, group, or individual;
26 and

1 “(B) the criteria and any changes to the
2 criteria for designating a foreign force, irreg-
3 ular force, group, or individual as lawfully tar-
4 getable, as a high value target, and as formally
5 or functionally a member of a group covered
6 under the Authorization for Use of Military
7 Force.”; and

8 (4) in subsection (c), by adding at the end the
9 following: “The unclassified portion of each report
10 shall, at a minimum, include each change made to
11 the legal and policy frameworks during the pre-
12 ceding year and the legal, factual, and policy jus-
13 tifications for such changes, and shall be made avail-
14 able to the public at the same time it is submitted
15 to the appropriate congressional committees.”.

16 **SEC. 1263. LIMITATION ON AVAILABILITY OF CERTAIN**
17 **FUNDS UNTIL REPORT SUBMITTED ON DE-**
18 **PARTMENT OF DEFENSE AWARDS AND DIS-**
19 **CIPLINARY ACTION AS A RESULT OF THE 2017**
20 **INCIDENT IN NIGER.**

21 Of the funds authorized to be appropriated by this
22 Act or otherwise made available for fiscal year 2020 for
23 Operation and Maintenance, Defense-Wide, Office of the
24 Secretary of Defense, for Travel of Persons, not more than
25 80 percent of such funds may be obligated or expended

1 until the date on which the Secretary of Defense submits
2 to the congressional defense committees a report that con-
3 tains a description of each award and disciplinary action
4 issued, by rank, as a result of the AR 15–6 investigation
5 findings relating to the incident in Niger in 2017. The
6 report shall be submitted in a format that protects person-
7 ally identifiable information and is consistent with na-
8 tional security.

9 **SEC. 1264. INDEPENDENT ASSESSMENT OF SUFFICIENCY**
10 **OF RESOURCES AVAILABLE TO UNITED**
11 **STATES SOUTHERN COMMAND AND UNITED**
12 **STATES AFRICA COMMAND.**

13 (a) IN GENERAL.—The Secretary of Defense shall
14 seek to enter into a contract with a not-for-profit entity
15 or federally funded research and development center inde-
16 pendent of the Department of Defense to conduct an as-
17 sessment of the sufficiency of resources available to United
18 States Southern Command and United States Africa Com-
19 mand to carry out their respective missions.

20 (b) MATTERS TO BE INCLUDED.—The assessment
21 described in subsection (a) shall include—

22 (1) an assessment of the sufficiency of the re-
23 sources available to United States Southern Com-
24 mand and United States Africa Command, including
25 personnel, human resources, and financial resources,

1 in promoting United States national security inter-
2 ests;

3 (2) an assessment of the level of regional exper-
4 tise and experience of the leadership of each such
5 combatant command and their subordinate organiza-
6 tions, service components, and task forces, to include
7 personnel from agencies other than the Department
8 of Defense;

9 (3) a description of the strategic objectives and
10 end states in the geographic region for which each
11 such combatant command has responsibility and a
12 comparison of the importance and priority of the re-
13 sources available to each such combatant command
14 to perform its mission; and

15 (4) an assessment of the ability of each such
16 combatant command to carry out such strategic ob-
17 jectives and end states, including an assessment of
18 resources available, forces available, and other inter-
19 agency resources available to the combatant com-
20 mand.

21 (c) ACCESS TO INFORMATION.—The not-for-profit
22 entity or federally funded research and development center
23 with which the Secretary enters into the contract under
24 subsection (a) shall have full and direct access to all infor-

1 mation related to resources available to United States
2 Southern Command and United States Africa Command.

3 (d) REPORT.—

4 (1) IN GENERAL.—Not later than 240 days
5 after the date of the enactment of this Act, the not-
6 for-profit entity or federally funded research and de-
7 velopment center with which the Secretary of De-
8 fense enters into the contract under subsection (a)
9 shall submit to the Secretary of Defense, the Sec-
10 retary of State, and the Administrator of the United
11 States Agency for International Development a re-
12 port that contains the assessment required by sub-
13 section (a).

14 (2) SUBMISSION TO CONGRESS.—Not later than
15 1 year after the date of the enactment of this Act,
16 the Secretary of Defense shall submit to the appro-
17 priate congressional committees—

18 (A) a copy of such report without change;

19 and

20 (B) any comments, changes, recommenda-
21 tions, or other information of the Secretary of
22 Defense, the Secretary of State, and the Ad-
23 ministrator of the United States Agency for
24 International Development relating to the as-

1 assessment required by subsection (a) and con-
2 tained in such report.

3 (e) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
4 FINED.—In this section, the term “appropriate congres-
5 sional committees” means—

- 6 (1) the congressional defense committees; and
7 (2) the Committee on Foreign Relations of the
8 Senate and the Committee on Foreign Affairs of the
9 House of Representatives.

10 **SEC. 1265. RULE OF CONSTRUCTION RELATING TO USE OF**
11 **MILITARY FORCE.**

12 Nothing in this Act or any amendment made by this
13 Act may be construed to authorize the use of military
14 force.

15 **SEC. 1266. RULE OF CONSTRUCTION RELATING TO USE OF**
16 **MILITARY FORCE AGAINST VENEZUELA.**

17 Nothing in this Act or any amendment made by this
18 Act may be construed to authorize the use of military force
19 against Venezuela.

20 **SEC. 1267. SENSE OF CONGRESS ON ACQUISITION BY TUR-**
21 **KEY OF PATRIOT SYSTEM.**

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

- 23 (1) The Government of Turkey has indicated in
24 a communication to Congress that there remains an
25 opportunity to meet Turkey’s requirement for an air

1 and missile defense capability through the acquisi-
2 tion of the Patriot system from the United States.

3 (2) The acquisition of the Patriot system could
4 remove the need to acquire the S-400 air and mis-
5 sile defense system from Russia, which is incompat-
6 ible with the integrated air and missile defense sys-
7 tem of the North Atlantic Treaty Organization
8 (NATO) and should preclude Turkey's participation
9 in the F-35 Joint Strike Fighter (JSF) consortium
10 program with the United States.

11 (b) SENSE OF CONGRESS.—Congress—

12 (1) supports the efforts of the United States
13 Government to achieve a satisfactory arrangement
14 with Turkey by which Turkey acquires the Patriot
15 system to defend its airspace, which would preserve
16 Turkey as a production partner in the F-35 JSF
17 consortium program;

18 (2) encourages the Department of Defense to
19 secure the deployment of a Patriot system to Tur-
20 key, under United States or NATO operational con-
21 trol, for the purpose of providing Turkey with an in-
22 terim capability to address urgent vulnerabilities in
23 Turkey's air and missile defense during the period
24 in which an agreement is reached for Turkey's ac-
25 quisition of the Patriot system; and

1 (3) notes that any such deployment of the Pa-
 2 triot or a NATO interoperable system in the interim
 3 is contingent on Turkey’s commitment to cancel the
 4 S–400 air and missile defense system acquisition.

5 **SEC. 1268. AMENDMENTS RELATING TO CIVILIAN CAS-**
 6 **UALTY MATTERS.**

7 (a) MODIFICATION OF RESPONSIBILITY FOR POLICY
 8 ON CIVILIAN CASUALTY MATTERS.—Section 936 of the
 9 John S. McCain National Defense Authorization Act for
 10 Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 134
 11 note) is amended—

12 (1) in subsection (b)—

13 (A) in paragraph (3)—

14 (i) by inserting “appropriate to the
 15 specific regional circumstances” after
 16 “publicly available means”; and

17 (ii) by inserting “or in-person” after
 18 “Internet-based”;

19 (B) in paragraph (5)—

20 (i) in subparagraph (A), by inserting
 21 “, including for acknowledging the status
 22 of any individuals killed or injured who
 23 were initially reported as lawful targets,
 24 but subsequently determined not to be law-
 25 ful targets” after “operations”; and

1 (ii) in subparagraph (B)—

2 (I) by inserting “or other assist-
3 ance” after “payments”; and

4 (II) by striking “necessary” and
5 inserting “reasonable and culturally
6 appropriate”; and

7 (C) in paragraph (7), by striking “and” at
8 the end;

9 (D) by redesignating paragraph (8) as
10 paragraph (10); and

11 (E) by inserting after paragraph (7) the
12 following:

13 “(8) uniform processes and standards across
14 the combatant commands for integrating civilian
15 protection into operational planning, including as-
16 sessments of the optimal staffing models for track-
17 ing, analyzing, and responding to civilian casualties
18 in named military operations of various sizes and
19 compositions, to include multinational coalition oper-
20 ations;

21 “(9) cultivating, developing, retaining, and dis-
22 seminating lessons learned about the proximate
23 cause or causes of civilian casualties, and practices
24 developed to prevent, mitigate, or respond to such
25 casualties; and”;

1 (2) by redesignating subsection (c) as sub-
2 section (d);

3 (3) by inserting after subsection (b) the fol-
4 lowing:

5 “(c) COORDINATION.—

6 “(1) IN GENERAL.—The senior civilian official
7 designated under subsection (a) shall develop and
8 implement steps to increase coordination with the
9 Chiefs of Mission and other appropriate positions in
10 the Department of State in any country with respect
11 to which the policy required pursuant to subsection
12 (a) is relevant.

13 “(2) MATTERS FOR COORDINATION.—The co-
14 ordination required by paragraph (1) shall include
15 the following:

16 “(A) The development of publicly available
17 means, appropriate to the specific regional cir-
18 cumstances, including an internet-based or in-
19 person mechanism, for submission to the
20 United States Government of allegations of ci-
21 vilian casualties resulting from United States
22 military operations.

23 “(B) The offering of reasonable and cul-
24 turally appropriate ex gratia payments or other
25 assistance to civilians who have been injured, or

1 to the families of civilians killed, as a result of
2 United States military operations.”;

3 (4) by inserting after subsection (d), as redesign-
4 nated, the following:

5 “(e) BRIEFING.—Not later than 180 days after the
6 date of the enactment of this subsection, the senior civilian
7 official designated under subsection (a) shall brief the con-
8 gressional defense committees and the Committee on For-
9 eign Relations of the Senate and the Committee on For-
10 eign Affairs of the House of Representatives on—

11 “(1) the updates made to the policy developed
12 by the senior civilian official pursuant to this sec-
13 tion; and

14 “(2) the efforts of the Department to imple-
15 ment such updates.”.

16 (b) MODIFICATION OF ANNUAL REPORT ON CIVILIAN
17 CASUALTIES IN CONNECTION WITH UNITED STATES
18 MILITARY OPERATIONS.—Section 1057 of the National
19 Defense Authorization Act for Fiscal Year 2018 (Public
20 Law 115–91) is amended—

21 (1) in subsection (a), by striking “congressional
22 defense committees” and inserting “appropriate con-
23 gressional committees”; and

24 (2) in subsection (b)—

1 (A) in paragraph (3), by striking the pe-
2 riod at the end and inserting the following:
3 “and, when relevant, makes ex gratia payments
4 or provides other assistance to the victims or
5 their families, including—

6 “(A) whether interviews were conducted
7 with witnesses and survivors of United States
8 lethal actions, directly or through a third party
9 or intermediary;

10 “(B) whether the investigation relied on
11 public reports or other nongovernmental
12 sources; and

13 “(C) the process, criteria, and methodology
14 used to assess external allegations of civilian
15 casualties, including the sources of such allega-
16 tions.”;

17 (B) in paragraph (4), by adding at the end
18 before the period the following: “, including any
19 assistance and support, as appropriate, pro-
20 vided for civilians displaced by such oper-
21 ations”;

22 (C) by redesignating paragraph (6) as
23 paragraph (9); and

24 (D) by inserting after paragraph (5) the
25 following:

1 “(6) A list of allegations where the Department
2 could confirm United States military activity but
3 could not confirm civilian casualties due to lack of
4 evidence, and any steps taken to further corroborate
5 the allegations.

6 “(7) A list of allegations that the Department
7 could not fully assess in a Civilian Casualty Assess-
8 ment Review (CCAR) due to lack of information and
9 any steps taken to obtain additional information
10 needed to conduct a CCAR.

11 “(8) A description of the specific criteria the
12 Department employed during the CCAR to deter-
13 mine that a civilian casualty is more likely than not
14 to have occurred.”; and

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

16 “(f) APPROPRIATE CONGRESSIONAL COMMITTEES
17 DEFINED.—In this section, the term ‘appropriate congres-
18 sional committees’ means—

19 “(1) the congressional defense committees; and

20 “(2) the Committee on Foreign Relations of the
21 Senate and the Committee on Foreign Affairs of the
22 House of Representatives.”.

1 **SEC. 1269. LIMITATION ON THE PRODUCTION OF NUCLEAR**
2 **PROLIFERATION ASSESSMENT STATEMENTS.**

3 (a) **LIMITATION.**—The Secretary of State may not
4 provide to the President, and the President may not sub-
5 mit to Congress, a Nuclear Proliferation Assessment
6 Statement described in subsection a. of section 123 of the
7 Atomic Energy Act of 1954 (42 U.S.C. 2153) with respect
8 to a proposed cooperation agreement with any country
9 that has not signed and implemented an Additional Pro-
10 tocol with the International Atomic Energy Agency, other
11 than a country with which, as of June 19, 2019, there
12 is in effect a civilian nuclear cooperation agreement pursu-
13 ant to such section 123.

14 (b) **WAIVER.**—The limitation under subsection (a)
15 shall be waived with respect to a particular country if—

16 (1) the President submits to the appropriate
17 congressional committees a request to enter into a
18 proposed cooperation agreement with such country
19 that includes a report describing the manner in
20 which such agreement would advance the national
21 security and defense interests of the United States
22 and not contribute to the proliferation of nuclear
23 weapons; and

24 (2) there is enacted a joint resolution approving
25 the waiver of such limitation with respect to such
26 agreement.

1 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
2 FINED.—In this section, the term “appropriate congres-
3 sional committees” means—

- 4 (1) the congressional defense committees;
5 (2) the Committee on Energy and Commerce,
6 the Committee on Foreign Affairs, and the Perma-
7 nent Select Committee on Intelligence of the House
8 of Representatives; and
9 (3) the Committee on Energy and Natural Re-
10 sources, the Committee on Foreign Relations, and
11 the Select Committee on Intelligence of the Senate.

12 **SEC. 1270. RESTRICTION ON EMERGENCY AUTHORITY RE-**
13 **LATING TO ARMS SALES UNDER THE ARMS**
14 **EXPORT CONTROL ACT.**

15 Section 36 of the Arms Export Control Act (22
16 U.S.C. 2776) is amended by adding at the end the fol-
17 lowing:

18 “(j) RESTRICTION ON EMERGENCY AUTHORITY RE-
19 LATING TO ARMS SALES UNDER THIS ACT.—A deter-
20 mination of the President that an emergency exists which
21 requires a proposed transfer of defense articles or defense
22 services to be in the national security interest of the
23 United States, thus waiving the congressional review re-
24 quirements pursuant to section 3(d)(2) or subsection
25 (b)(1), (c)(2), or (d)(2) of this section—

1 “(1) shall apply only if—

2 “(A) the President—

3 “(i) consults with the Committee on
4 Foreign Affairs of the House of Represent-
5 atives and the Committee on Foreign Rela-
6 tions of the Senate regarding the deter-
7 mination that an emergency exists not
8 later than three days after the date on
9 which the President issues the determina-
10 tion; and

11 “(ii) includes in the certification to be
12 submitted to Congress with respect to the
13 emergency—

14 “(I) a determination and jus-
15 tification for each individual letter of
16 offer, license, or approval for the de-
17 fense articles or defense services; and

18 “(II) a specific and detailed de-
19 scription of how such waiver of the
20 congressional review requirements di-
21 rectly responds to or addresses the
22 circumstances of the emergency;

23 “(B) the delivery of the defense articles or
24 defense services will take place not later than

1 90 days after the date on which the President
2 issues the determination; and

3 “(C) the President submits the Committee
4 on Foreign Affairs of the House of Representa-
5 tives and the Committee on Foreign Relations
6 of the Senate a report on the defense articles
7 or defense services that were delivered, includ-
8 ing the type of defense articles or defense serv-
9 ices, not later than 30 days after the date of
10 delivery; and

11 “(2) shall not apply in the case of a license or
12 other authorization that includes manufacturing or
13 co-production of the articles or services outside the
14 United States if such manufacturing or co-produc-
15 tion has not been previously licensed or authorized.”.

16 **SEC. 1270A. REPORT ON ANNUAL DEFENSE SPENDING BY**
17 **ALLY AND PARTNER COUNTRIES.**

18 (a) IN GENERAL.—Not later than 6 months after the
19 date of enactment of this Act, the Secretary of Defense
20 shall submit to the congressional defense committees, the
21 Committee on Foreign Affairs of the House of Representa-
22 tives, and the Committee on Foreign Relations of the Sen-
23 ate a report that includes a description of—

24 (1) the annual defense spending of each mutual
25 defense treaty ally and major non-NATO ally, in-

1 including the nominal budget figure and the share of
2 such spending as a percentage of the ally's gross do-
3 mestic product, for the fiscal year immediately pre-
4 ceding the fiscal year in which the report is sub-
5 mitted;

6 (2) the activities of each such ally in contrib-
7 uting to military or stability operations in which the
8 Armed Forces participate;

9 (3) any limitations that each such ally places on
10 the use of the Armed Forces of such ally for such
11 military or stability operations; and

12 (4) any actions undertaken by the United
13 States or other countries to minimize or modify such
14 limitations.

15 (b) FORM.—The report required by subsection (a)
16 shall be submitted in unclassified form but may contain
17 a classified annex.

18 (c) DEFINITIONS.—In this section:

19 (1) MUTUAL DEFENSE TREATY ALLY.—The
20 term “mutual defense treaty ally” means a country
21 that is a party to a treaty of mutual defense with
22 the United States.

23 (2) MAJOR NON-NATO ALLY.—The term “major
24 non-NATO ally” means a country so designated pur-

1 suant to section 2350a or section 517 of the Foreign
2 Assistance Act of 1961.

3 **SEC. 1270B. SENSE OF CONGRESS ON THE UNITED STATES-**
4 **ISRAEL RELATIONSHIP.**

5 It is the sense of Congress that—

6 (1) since 1948, Israel has been one of the
7 United States’ strongest friends and allies;

8 (2) Israel is a stable, democratic country in a
9 region often marred by turmoil;

10 (3) it is essential to the strategic interest of the
11 United States to continue to offer full security as-
12 sistance and related support to Israel; and

13 (4) such assistance and support is especially
14 vital as Israel confronts a number of potential chal-
15 lenges at the present time, including continuing
16 threats from Iran.

17 **SEC. 1270C. SENSE OF CONGRESS ON STABILITY OF THE**
18 **CAUCASUS REGION AND THE CONTINUATION**
19 **OF THE NAGORNO KARABAKH CEASE-FIRE.**

20 It is the sense of Congress that United States inter-
21 ests in the stability of the Caucasus region and the con-
22 tinuation of the Nagorno Karabakh cease-fire will be ad-
23 vanced by an agreement among regional stakeholders on—

24 (1) the non-deployment of snipers, heavy arms,
25 and new weaponry along the line-of-contact;

1 (2) the deployment of gun-fire locator systems
2 on the line-of-contact; and

3 (3) an increase in the number of Organization
4 for Security and Co-operation in Europe observers
5 along the line-of-contact.

6 **SEC. 1270D. WESTERN HEMISPHERE RESOURCE ASSESS-**
7 **MENT.**

8 (a) IN GENERAL.—Not later than 180 days after the
9 date of the enactment of this Act, the President, acting
10 through the Secretary of Defense, the Secretary of State,
11 and the Administrator of United States Agency for Inter-
12 national Aid, shall submit to the appropriate congressional
13 committees an accounting of and an assessment of the suf-
14 ficiency of resources available to the United States South-
15 ern Command (SOUTHCOM), United States Northern
16 Command (NORTHCOM), Department of State, and
17 United States Agency for International Aid (USAID), to
18 carry out their respective missions in the Western hemi-
19 sphere.

20 (b) MATTERS TO BE INCLUDED.—The assessment
21 described in subsection (a) shall include each of the fol-
22 lowing:

23 (1) An accounting and description of the funds
24 available to SOUTHCOM, NORTHCOM, the De-
25 partment of State, and USAID.

1 (2) A list of bilateral and multilateral military
2 training and exercises with allies and partner coun-
3 tries in the Western Hemisphere.

4 (3) A description of the security force activities
5 of the United States in the Western Hemisphere.

6 (4) A description of the activities of the Depart-
7 ments of State and Defense in addressing security
8 challenges in the Western Hemisphere.

9 (5) Cyber domain activities of the United States
10 and those actions in concert with allied and partner
11 countries in the Western Hemisphere.

12 (6) A description of the funding for all inter-
13 national military education and training programs.

14 (7) An overview of all foreign military sales and
15 foreign military financing programs with partner
16 countries in the Western Hemisphere.

17 (8) A list of investments, programs, or partner-
18 ships in the Western Hemisphere by China, Iran,
19 Russia, or other adversarial groups or countries that
20 threaten the national security of the United States.

21 (9) Recommendations for actions the Depart-
22 ment of Defense, the Department of State, and
23 USAID could take to advance United States na-
24 tional security interests in the Western Hemisphere.

25 (c) FORM; ENTITY.—

1 (1) FORM.—The accounting and assessment re-
 2 quired by subsection (a) shall be submitted in un-
 3 classified form but may include a classified annex.

4 (2) ENTITY.—The Secretary of Defense shall
 5 provide for the assessment required by subsection
 6 (a) to be performed by an independent, non-govern-
 7 mental institute described in section 501(c)(3) of the
 8 Internal Revenue Code of 1986, and exempt from
 9 tax under section 501(a) of such Code, that has rec-
 10 ognized credentials and expertise in national security
 11 and military affairs.

12 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
 13 DEFINED.—The term “appropriate congressional commit-
 14 tees” means—

15 (1) the Committee on Armed Services, the
 16 Committee on Appropriations, and the Committee on
 17 Foreign Affairs of the House of Representatives;
 18 and

19 (2) the Committee on Armed Services, the
 20 Committee on Appropriations, and the Committee on
 21 Foreign Relations of the Senate.

22 **SEC. 1270E. STRATEGY TO IMPROVE THE EFFORTS OF THE**
 23 **NIGERIAN MILITARY TO PREVENT, MITIGATE,**
 24 **AND RESPOND TO CIVILIAN HARM.**

25 (a) STRATEGY.—

1 (1) REPORT.—Not later than 180 days after
2 the date of the enactment of this Act, the President
3 shall transmit to the appropriate congressional com-
4 mittees a report that contains a plan for assisting
5 the Nigerian military to improve its efforts to pre-
6 vent, mitigate, and respond to civilian harm arising
7 from its military presence and operations.

8 (2) UPDATES.— Not later than one year after
9 the transmission of the report required under para-
10 graph (1) and annually thereafter, the President
11 shall provide to the appropriate congressional com-
12 mittees an update on progress made with respect to
13 the plan contained in such report.

14 (b) MATTERS TO BE INCLUDED.—The report re-
15 quired by subsection (a)(1) shall include the following:

16 (1) Any steps being taken by the United States
17 Government to ensure that the Nigerian Air Force
18 is able to prevent and minimize civilian harm in the
19 operation of 12 A-29 Super Tucano aircraft and as-
20 sociated weapons acquired from the United States,
21 including training planned or provided on air-to-
22 ground integration measures specifically intended to
23 minimize civilian harm.

1 (2) Whether the training described in para-
2 graph (1) is provided by United States Government
3 or contract personnel.

4 (3) An assessment of the effectiveness of such
5 training or other assistance in preventing civilian
6 casualties from ground and air operations.

7 (4) An assessment of efforts by the Government
8 of Nigeria to improve civilian protection, account-
9 ability for human rights violations, and transparency
10 in the defense institutions and security sector force,
11 including the status of any national protection of ci-
12 vilians policies, and a description of the key United
13 States diplomatic and military efforts available to
14 promote progress relating to such matters.

15 (5) Any other matters the President considers
16 appropriate.

17 (c) FORM.—The report required under subsection
18 (a)(1) shall be submitted in unclassified form, but may
19 include a classified annex.

20 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
21 DEFINED.—In this section, the term “appropriate con-
22 gressional committees” means—

23 (1) the Committee on Armed Services and the
24 Committee on Foreign Relations, the Committee on
25 Appropriations of the Senate; and

1 (2) the Committee on Armed Services, the
2 Committee on Foreign Affairs, and the Committee
3 on Appropriations of the House of Representatives.

4 **SEC. 1270F. LIMITATION ON USE OF FUNDS FROM THE SPE-**
5 **CIAL DEFENSE ACQUISITION FUND.**

6 Section 114(c) of title 10, United States Code, is
7 amended by adding at the end the following new para-
8 graph:

9 “(4) Notwithstanding paragraph (3), none of
10 the funds made available from the Special Defense
11 Acquisition Fund for any fiscal year may be made
12 available to provide any assistance to Saudi Arabia
13 or the United Arab Emirates if such assistance
14 could be used by either country to conduct or con-
15 tinue hostilities in Yemen.”.

16 **SEC. 1270G. PROHIBITION ON THE USE OF EMERGENCY AU-**
17 **THORITIES FOR THE SALE OR TRANSFER OF**
18 **DEFENSE ARTICLES AND SERVICES TO SAUDI**
19 **ARABIA AND THE UNITED ARAB EMIRATES.**

20 None of the funds authorized to be appropriated or
21 otherwise made available by this or any other Act may
22 be made available to process a commercial sale or foreign
23 military sale, or to transfer, deliver, or facilitate the trans-
24 fer or delivery, of any defense article or service to Saudi
25 Arabia or the United Arab Emirates pursuant to any cer-

1 tification of emergency circumstances submitted in accord-
2 ance with section 36(b) of the Arms Export Control Act
3 (22 U.S.C. 2776(b)) with respect to such countries, in-
4 cluding any such certification submitted to Congress be-
5 fore the date of the enactment of this section.

6 **SEC. 1270H. PROHIBITION ON SUPPORT FOR MILITARY**
7 **PARTICIPATION AGAINST THE HOUTHIS.**

8 (a) PROHIBITION RELATING TO SUPPORT.—None of
9 the funds authorized to be appropriated or otherwise made
10 available by this Act may be made available to provide the
11 following forms of United States support to Saudi-led coa-
12 lition’s operations against the Houthis in Yemen:

13 (1) Sharing intelligence for the purpose of ena-
14 bling coalition strikes.

15 (2) Providing logistical support for coalition
16 strikes, including by providing maintenance or trans-
17 ferring spare parts to coalition members flying war-
18 planes engaged in anti-Houthi bombings.

19 (b) PROHIBITION RELATING TO MILITARY PARTICI-
20 PATION.—None of the funds authorized to be appropriated
21 or otherwise made available by this Act may be made
22 available for any civilian or military personnel of the De-
23 partment of Defense to command, coordinate, participate
24 in the movement of, or accompany the regular or irregular
25 military forces of the Saudi and United Arab Emirates-

1 led coalition forces in hostilities against the Houthis in
 2 Yemen or in situations in which there exists an imminent
 3 threat that such coalition forces become engaged in such
 4 hostilities, unless and until the President has obtained
 5 specific statutory authorization, in accordance with section
 6 8(a) of the War Powers Resolution (50 U.S.C. 1547(a)).

7 (c) RULE OF CONSTRUCTION.—The prohibitions
 8 under this section may not be construed to apply with re-
 9 spect to United States Armed Forces engaged in oper-
 10 ations directed at al Qaeda or associated forces.

11 **SEC. 1270I. REPEAL OF PROHIBITION ON TRANSFER OF AR-**
 12 **TICLES ON THE UNITED STATES MUNITIONS**
 13 **LIST TO CYPRUS.**

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

16 (1) the direct sale or transfer of arms by the
 17 United States to Cyprus would advance United
 18 States security interests in Europe by helping to re-
 19 duce the dependence of the Government of Cyprus
 20 on other countries for defense-related materiel, in-
 21 cluding countries that pose challenges to United
 22 States interests around the world; and

23 (2) it is in the interest of the United States—

1 (A) to continue to support United Nations-
2 facilitated efforts toward a comprehensive solu-
3 tion to the division of Cyprus; and

4 (B) for the Republic of Cyprus to join
5 NATO's Partnership for Peace program.

6 (b) MODIFICATION OF PROHIBITION.—Section
7 620C(e) of the Foreign Assistance Act of 1961 (22 U.S.C.
8 2373(e)) is amended by adding at the end of the following
9 new paragraph:

10 “(3) The requirement under paragraph (1)
11 shall not apply to any sale or other provision of any
12 defense article or defense service to Cyprus if the
13 end-user of such defense or defense service is Cy-
14 prus.”.

15 (c) EXCLUSION OF THE GOVERNMENT OF THE RE-
16 PUBLIC OF CYPRUS FROM CERTAIN RELATED REGULA-
17 TIONS.—Beginning on the date of the enactment of this
18 Act, the Secretary of State shall not apply a policy of de-
19 nial for exports, re-exports, or transfers of defense articles
20 and defense services destined for or originating in the Re-
21 public of Cyprus if—

22 (1) the request is made by or on behalf of Cy-
23 prus; and

24 (2) the end-user of such defense articles or de-
25 fense services is Cyprus.

1 (d) EXCEPTION.—This exclusion shall not apply to
2 any denial based upon credible human rights concerns.

3 (e) LIMITATIONS ON THE TRANSFER OF ARTICLES
4 ON THE UNITED STATES MUNITIONS LIST TO THE RE-
5 PUBLIC OF CYPRUS.—

6 (1) IN GENERAL.—The policy of denial for ex-
7 ports, re-exports, or transfers of defense articles on
8 the United States Munitions List to the Republic of
9 Cyprus shall remain in place unless the President
10 determines and certifies to the appropriate congres-
11 sional committees not less than annually that—

12 (A) the Government of the Republic of Cy-
13 prus is continuing to cooperate with the United
14 States Government in efforts to implement re-
15 forms on anti-money laundering regulations and
16 financial regulatory oversight; and

17 (B) the Government of the Republic of Cy-
18 prus has made and is continuing to take the
19 steps necessary to deny Russian military vessels
20 access to ports for refueling and servicing.

21 (2) WAIVER.—The President may waive the
22 limitations contained in this subsection for one fiscal
23 year if the President determines that it is essential
24 to the national security interests of the United
25 States to do so.

1 (3) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES DEFINED.—In this section, the term “appro-
3 priate congressional committees” means—

4 (A) the Committee on Foreign Relations
5 and the Committee on Armed Services of the
6 Senate; and

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

10 **SEC. 1270J. PROHIBITION ON USE OF FUNDS FOR**
11 **SHORTER- OR INTERMEDIATE-RANGE**
12 **GROUND LAUNCHED BALLISTIC OR CRUISE**
13 **MISSILE SYSTEMS.**

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

16 (1) Secretary of State Mike Pompeo’s February
17 1, 2019, announcement of the decision of the United
18 States to withdraw from the INF Treaty, without
19 proper consultation with Congress, is a serious
20 breach of Congress’s proper constitutional role as a
21 co-equal branch of government;

22 (2) United States withdrawal from the INF
23 Treaty will free Russia to deploy greater quantities
24 of the SSC–8 missile to the detriment of United

1 States national security and that of our allies in Eu-
2 rope and the Indo-Pacific region;

3 (3) the North Atlantic Treaty Organization
4 (NATO) alliance makes critical contributions to
5 United States national security, and the failure to
6 weigh the concerns of NATO allies risks weakening
7 the joint resolve necessary to counter Russia's ag-
8 gressive behavior;

9 (4) as opposed to withdrawing from the INF
10 Treaty, the United States should continue to ad-
11 vance other diplomatic, economic, and military meas-
12 ures outlined in the "Trump Administration INF
13 Treaty Integrated Strategy" to resolve the concerns
14 related to Russia's violation of the INF Treaty and
15 to reach agreement on measures to ensure the INF
16 Treaty's future viability; and

17 (5) further, in lieu of withdrawing from the
18 INF Treaty, the United States should look at op-
19 tions to expand arms control treaties to include
20 China in an effort to limit its short- and inter-
21 mediate-range missiles.

22 (b) PROHIBITION.—None of the funds authorized to
23 be appropriated by this Act or otherwise made available
24 for the Department of Defense for fiscal year 2020 may
25 be made available for the research, development, testing,

1 evaluation, procurement, or deployment of a United States
2 shorter- or intermediate-range ground launched ballistic
3 or cruise missile system with a range between 500 and
4 5,500 kilometers until the following has been submitted
5 to the appropriate committees of Congress:

6 (1) A report from the Secretary of Defense,
7 jointly with the Secretary of State and the Director
8 of National Intelligence, that includes—

9 (A) a detailed diplomatic proposal for ne-
10 gotiating an agreement to obtain the strategic
11 stability benefits of the INF Treaty;

12 (B) an assessment of the implications, in
13 terms of the military threat to the United
14 States and its allies in Europe and the Indo-Pa-
15 cific region, of Russian deployment of inter-
16 mediate-range cruise and ballistic missiles with-
17 out restriction;

18 (C) identification of what types of tech-
19 nologies and programs the United States would
20 need to pursue to offset the additional Russian
21 capabilities, and at what cost;

22 (D) identification of what mission require-
23 ments will be met by INF Treaty-type systems;
24 and

1 (E) details regarding ramifications of a
2 collapse of the INF Treaty on the ability to
3 generate consensus among States Parties to the
4 NPT Treaty ahead of the 2020 NPT Review
5 Conference, and assesses the degree to which
6 Russia will use the United States unilateral
7 withdrawal to sow discord within the NATO al-
8 liance.

9 (2) A copy or copies of at least one Memo-
10 randum of Understanding from a NATO or Indo-
11 Pacific ally that commits it to host deployment of
12 any such ballistic or cruise missile system on its own
13 territory, and in the case of deployment on the Eu-
14 ropean continent, has the concurrence of the North
15 Atlantic Council.

16 (3) An unedited copy of an analysis of alter-
17 natives conducted by the Chairman of the Joint
18 Chiefs of Staff and the Director of Cost Assessment
19 and Program Evaluation that considers other bal-
20 listic or cruise missile systems, to include sea- and
21 air-launched missiles, that could be deployed to meet
22 current capability gaps due to INF Treaty restric-
23 tions, and further to include cost, schedule, and
24 operational considerations.

1 (c) FORM.—The documents required by paragraphs
2 (1), (2), and (3) of subsection (b) shall be submitted in
3 unclassified form, but may contain a classified annex.

4 (d) RULE OF CONSTRUCTION.—Nothing in this sec-
5 tion may be construed to authorize the use of funds de-
6 scribed in subsection (b) for the research, development,
7 testing, evaluation, procurement, or deployment of INF
8 Treaty-type systems in the United States or its territories.

9 (e) DEFINITIONS.—In this section:

10 (1) APPROPRIATE CONGRESSIONAL COMMIT-
11 TEES.—The term “appropriate committees of Con-
12 gress” means—

13 (A) the congressional defense committees;
14 and

15 (B) the Committee on Foreign Relations of
16 the Senate and the Committee on Foreign Af-
17 fairs of the House of Representatives.

18 (2) INF TREATY.—The term “INF Treaty”
19 means the Treaty between the United States of
20 America and the Union of Soviet Socialist Republics
21 on the Elimination of Their Intermediate-Range and
22 Shorter-Range Missiles, together with the Memo-
23 randum of Understanding and Two Protocols, signed
24 at Washington December 8, 1987, and entered into
25 force June 1, 1988.

1 (3) NPT TREATY.—The term “NPT Treaty”
2 means the Treaty on the Non-Proliferation of Nu-
3 clear Weapons, signed at Washington July 1, 1968.

4 **SEC. 1270K. REPORT ON IMPLICATIONS OF CHINESE MILI-**
5 **TARY PRESENCE IN DJIBOUTI.**

6 (a) IN GENERAL.—Not later than 180 days after the
7 date of the enactment of this Act, the Secretary of Defense
8 shall submit to the appropriate congressional committees
9 a report that contains a comprehensive strategy to address
10 security concerns posed by the Chinese People’s Libera-
11 tion Army Support Base in Djibouti to United States mili-
12 tary installations and logistics chains in sub-Saharan Afri-
13 ca and the Middle East.

14 (b) MATTERS TO BE INCLUDED.—The report re-
15 quired by subsection (a) shall include the following:

16 (1) An assessment of the potential military, in-
17 telligence, and logistical threats facing key regional
18 United States military infrastructure, supply chains,
19 and staging grounds due to the proximity of major
20 Chinese military assets in Djibouti.

21 (2) An assessment of the efforts taken by Camp
22 Lemonnier to improve aviation safety in the after-
23 math of the recent Chinese military targeting of
24 American flight crews with military-grade lasers.

1 (3) An assessment of Djibouti’s Chinese-held
2 public debt and the strategic vulnerabilities such
3 may present if China moves to claim the Port of
4 Djibouti or other key logistical assets in repayment.

5 (4) A description of the specific operational
6 challenges facing United States military and supply
7 chains in the Horn of Africa and the Middle East
8 in the event that access to the strategically signifi-
9 cant Port of Djibouti becomes limited or lost in its
10 entirety, as well as a comprehensive contingency
11 strategy to maintain full operational capacity in
12 AFRICOM and CENTCOM through other ports and
13 transport hubs.

14 (5) An identification of measures to mitigate
15 risk of escalation between United States and Chinese
16 military assets in Djibouti.

17 (6) Any other matters the Secretary of Defense
18 considers appropriate.

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

22 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
23 DEFINED.—In this section, the term “appropriate con-
24 gressional committees” means—

1 (1) the Committee on Armed Services, the
2 Committee on Foreign Relations, the Committee on
3 Appropriations, and the Select Committee on Intel-
4 ligence of the Senate; and

5 (2) the Committee on Armed Services, the
6 Committee on Foreign Affairs, the Committee on
7 Appropriations, and the Permanent Select Com-
8 mittee on Intelligence of the House of Representa-
9 tives.

10 **SEC. 1270L. REPORT ON EFFORTS TO COMBAT BOKO**
11 **HARAM IN NIGERIA AND THE LAKE CHAD**
12 **BASIN.**

13 (a) SENSE OF CONGRESS.—Congress—

14 (1) strongly condemns the ongoing violence and
15 the systematic gross human rights violations against
16 the people of Nigeria and the Lake Chad Basin car-
17 ried out by Boko Haram;

18 (2) expresses its support for the people of Nige-
19 ria and the Lake Chad Basin who wish to live in a
20 peaceful, economically prosperous, and democratic
21 region; and

22 (3) calls on the President to support Nigerian,
23 Lake Chad Basin, and international community ef-
24 forts to ensure accountability for crimes against hu-
25 manity committed by Boko Haram against the peo-

1 ple of Nigeria and the Lake Chad Basin, particu-
2 larly the young girls kidnapped from Chibok and
3 other internally displaced persons affected by the ac-
4 tions of Boko Haram.

5 (b) REPORT.—

6 (1) IN GENERAL.—Not later than 90 days after
7 the date of the enactment of this Act, the Secretary
8 of Defense, the Secretary of State, and the Attorney
9 General shall jointly submit to Congress a report on
10 efforts to combat Boko Haram in Nigeria and the
11 Lake Chad Basin.

12 (2) ELEMENTS.—The report required under
13 paragraph (1) shall include the following elements:

14 (A) A description of initiatives undertaken
15 by the Department of Defense to assist the
16 Government of Nigeria and countries in the
17 Lake Chad Basin to develop capacities to de-
18 ploy special forces to combat Boko Haram.

19 (B) A description of United States activi-
20 ties to enhance the capacity of Nigeria and
21 countries in the Lake Chad Basin to investigate
22 and prosecute human rights violations per-
23 petrated against the people of Nigeria and the
24 Lake Chad Basin by Boko Haram, al-Qaeda af-
25 filiates, and other terrorist organizations, in

1 order to promote respect for rule of law in Ni-
2 geria and the Lake Chad Basin.

3 **SEC. 1270M. REPORT ON SAUDI LED COALITION STRIKES IN**
4 **YEMEN.**

5 (a) IN GENERAL.—Not later than 90 days after the
6 date of the enactment of this Act, and annually thereafter
7 for two years, the Secretary of Defense, in consultation
8 with the Secretary of State, shall submit to the appro-
9 priate congressional committees a report detailing the
10 number of civilian casualties caused by the Saudi led coal-
11 ition in Yemen, including an assessment of the coalition
12 members’ willingness and ability to prevent civilian casual-
13 ties.

14 (b) MATTERS TO BE INCLUDED.—Each such report
15 shall also contain information relating to whether—

16 (1) coalition members followed the norms and
17 practices the United States military employs to avoid
18 civilian casualties and ensure proportionality; and

19 (2) strikes executed by coalition members are in
20 compliance with the United States’ interpretation of
21 the laws governing armed conflict and proportion-
22 ality.

23 (c) APPROPRIATE CONGRESSIONAL COMMITTEE DE-
24 FINED.—In this section, the term “appropriate congres-
25 sional committees” means—

- 1 (1) the congressional defense committees; and
- 2 (2) the Committee on Foreign Relations and
- 3 the Select Committee on Intelligence of the Senate;
- 4 and
- 5 (3) the Committee on Foreign Affairs and the
- 6 Permanent Select Committee on Intelligence of the
- 7 House of Representatives.

8 **SEC. 1270N. PROHIBITION ON IN-FLIGHT REFUELING TO**

9 **NON-UNITED STATES AIRCRAFT THAT EN-**

10 **GAGE IN HOSTILITIES IN THE ONGOING CIVIL**

11 **WAR IN YEMEN.**

12 For the two-year period beginning on the date of the

13 enactment of this Act, the Department of Defense may

14 not provide in-flight refueling pursuant to section 2342

15 of title 10, United States Code, or any other applicable

16 statutory authority to non-United States aircraft that en-

17 gage in hostilities in the ongoing civil war in Yemen unless

18 and until a declaration of war or a specific statutory au-

19 thorization for such use of United States Armed Forces

20 has been enacted.

21 **SEC. 1270O. UNITED STATES STRATEGY FOR LIBYA.**

22 (a) REPORT REQUIRED.—Not later than 120 days

23 after the date of enactment of this Act, the President shall

24 submit to the appropriate congressional committees a re-

25 port that contains a strategy for Libya.

1 (b) ELEMENTS.—The report required by subsection
2 (a) shall include the following elements:

3 (1) An explanation of the strategy for Libya,
4 including a description of the ends, ways, and means
5 inherent to the strategy.

6 (2) An explanation of the legal authorities sup-
7 porting the strategy.

8 (3) A detailed description of U.S. counterter-
9 rorism and security partnerships with Libyan actors.

10 (4) A detailed description of Libyan security ac-
11 tors and an assessment of how those actors advance
12 or undermine stability in Libya and or U.S. strategic
13 interests in Libya.

14 (5) A detailed description of how Libyan secu-
15 rity actors support or obstruct civilian authorities
16 and U.N. led efforts towards a political settlement of
17 the conflict.

18 (6) A detailed description of the military activi-
19 ties of external actors in Libya, including Russia,
20 Egypt, France, Qatar, the Kingdom of Saudi Ara-
21 bia, Turkey, and the United Arab Emirates, includ-
22 ing assessments of whether those activities:

23 (A) have undermined progress towards sta-
24 bilization, including the United Nations-led ne-
25 gotiations;

1 (B) involve United States-origin equipment
2 and violate contractual conditions of acceptable
3 use of such equipment; or

4 (C) violate or seek to violate the United
5 Nations arms embargo on Libya imposed pur-
6 suant to United Nations Security Council Reso-
7 lution 1970 (2011).

8 (7) A plan to integrate the United States diplo-
9 matic, development, military, and intelligence re-
10 sources necessary to implement the strategy.

11 (8) A detailed description of the roles of the
12 United States Armed Forces in supporting the strat-
13 egy.

14 (9) Any other matters as the President con-
15 siders appropriate.

16 (c) FORM.—The report required by subsection (a)
17 shall be submitted in unclassified form, but may include
18 a classified annex.

19 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
20 DEFINED.—In this section, the term “appropriate con-
21 gressional committees” means—

22 (1) the Committee on Armed Services, the
23 Committee on Foreign Relations, the Committee on
24 Appropriations, and the Select Committee on Intel-
25 ligence of the Senate; and

1 (2) the Committee on Armed Services, the
2 Committee on Foreign Affairs, the Committee on
3 Appropriations, and the Permanent Select Com-
4 mittee on Intelligence of the House of Representa-
5 tives.

6 **SEC. 1270P. SENSE OF CONGRESS RELATING TO MONGOLIA.**

7 It is the sense of Congress that—

8 (1) the United States and Mongolia have a
9 shared interest in supporting and preserving Mongo-
10 lia’s democracy, including Mongolia’s ability to pur-
11 sue an independent foreign policy, defend against
12 threats to its sovereignty, and maintain territorial
13 integrity;

14 (2) Mongolia has consistently contributed forces
15 to support United States combat operations in Iraq
16 and Afghanistan and has a strong record of troop
17 contributions to international peacekeeping missions;

18 (3) as one of NATO’s nine “partners across the
19 globe”, Mongolia shares the United States’ vision of
20 a rules-based order in the strategically important
21 Indo-Pacific region;

22 (4) the United States should continue to take
23 steps to remain Mongolia’s preferred security part-
24 ner;

1 (5) defense cooperation, a strong military-to-
2 military relationship, and increased interoperability
3 between the United States and the armed forces of
4 Mongolia are in the interest of the United States;
5 and

6 (6) annual multilateral military exercises in
7 Mongolia support peacekeeping and humanitarian
8 assistance and disaster response capacity of United
9 States partners and allies, and further United States
10 regional objectives.

11 **SEC. 1270Q. REPORT ON RELATIONSHIP BETWEEN LEBA-**
12 **NESE ARMED FORCES AND HIZBALLAH.**

13 (a) IN GENERAL.—Not later than 90 days after the
14 date of the enactment of this Act, the President shall sub-
15 mit a report to Congress—

16 (1) identifying all military officers, com-
17 manders, advisors, officials, or other personnel with
18 significant influence over the policies or activities of
19 the Lebanese Armed Forces who are members of,
20 paid by, or significantly influenced by Hizballah; and

21 (2) describing military activities conducted by
22 the Lebanese Armed Forces to disarm Hizballah
23 pursuant to United Nations Security Council Resolu-
24 tion (UNSCR) 1701 (2006).

1 (b) FORM.—The report required by subsection (a)
2 shall be submitted in an unclassified form but may have
3 a classified annex.

4 **SEC. 1270R. IMPOSITION OF SANCTIONS RELATING TO CEN-**
5 **TRAL AMERICA.**

6 (a) IN GENERAL.—No later than 180 days after the
7 date of the enactment of this Act, the President shall im-
8 pose the sanctions described in subsection (b) on—

9 (1) each of the individuals listed in the report
10 provided by to Congress by the Department of State
11 on April 3, 2019, pursuant to section 1287 of the
12 John S. McCain National Defense Authorization Act
13 for Fiscal Year 2019 (Public Law 115–232); and

14 (2) each of the individuals listed in the report
15 provided to Congress by the Department of State on
16 May 15, 2019, pursuant to section 7019(d) of the
17 Department of State, Foreign Operations, and Re-
18 lated Programs Appropriations Act, 2019 (division
19 F of Public Law 116–6).

20 (b) SANCTIONS DESCRIBED.—The sanctions de-
21 scribed in this subsection are the sanctions described in
22 section 1263(b) of the Global Magnitsky Human Rights
23 Accountability Act (subtitle F of title XII of Public Law
24 114–328; 22 U.S.C. 2656 note).

1 (c) WAIVER.—The President may waive the imposi-
2 tion of sanctions under this section if the President deter-
3 mines that such waiver would be in the national security
4 interests of the United States.

5 **SEC. 1270S. PROHIBITION RELATING TO JOINT TASK FORCE**
6 **WITH GUATEMALA.**

7 (a) IN GENERAL.—None of the funds authorized to
8 be appropriated or otherwise made available by this Act
9 may be made available to transfer or purchase vehicles for
10 any joint task force including the Ministry of Defense or
11 the Ministry of the Interior of Guatemala unless the Sec-
12 retary of Defense certifies to the appropriate congressional
13 committees that such ministries have made a credible com-
14 mitment to use such equipment only for the uses for which
15 they were intended.

16 (b) APPROPRIATE CONGRESSIONAL COMMITTEES
17 DEFINED.—In this section, the term “appropriate con-
18 gressional committees” means—

19 (1) the Committee on Armed Services, the
20 Committee on Appropriations, and the Committee on
21 Foreign Affairs of the House of Representatives;
22 and

23 (2) the Committee on Armed Services, the
24 Committee on Appropriations, and the Committee on
25 Foreign Relations of the Senate.

1 **SEC. 1270T. PROHIBITION ON USE OF FUNDS TO ESTABLISH**
2 **ANY MILITARY INSTALLATION OR BASE FOR**
3 **THE PURPOSE OF PROVIDING FOR THE PER-**
4 **MANENT STATIONING OF UNITED STATES**
5 **ARMED FORCES IN SOMALIA.**

6 None of the funds authorized to be appropriated by
7 this Act or otherwise made available to the Department
8 of Defense for fiscal year 2020 may be obligated or ex-
9 pended to establish any military installation or base for
10 the purpose of providing for the permanent stationing of
11 United States Armed Forces in Somalia.

12 **SEC. 1270U. REPORT ON HOSTILITIES INVOLVING UNITED**
13 **STATES ARMED FORCES.**

14 (a) IN GENERAL.—The President shall report to the
15 congressional defense committees, the Committee on For-
16 eign Relations of the Senate, and the Committee on For-
17 eign Affairs of the House of Representatives within 48
18 hours any incident in which United States Armed Forces
19 are involved in an attack or hostilities, including in an of-
20 fensive or defensive capacity, unless the President—

21 (1) reports the incident within 48 hours pursu-
22 ant to section 4 of the War Powers Resolution (50
23 U.S.C. 1543); or

24 (2) has determined prior to the incident and re-
25 ported pursuant to section 1264 of the National De-
26 fense Authorization Act for Fiscal Year 2018 (50

1 U.S.C. 1549) that the United States Armed Forces
2 involved in the incident would be operating under
3 specific statutory authorization, within the meaning
4 of section 5(b) of the War Powers Resolution (50
5 U.S.C. 1544(b)).

6 (b) MATTERS TO BE INCLUDED.—The report re-
7 quired by subsection (a) shall include, for each such inci-
8 dent—

9 (1) the statutory and operational authorities
10 under which the United States Armed Forces were
11 operating, including any relevant executive orders
12 and an identification of the operational activities au-
13 thorized under such executive orders;

14 (2) the date, location, duration, and other par-
15 ties involved;

16 (3) a description of the United States Armed
17 Forces involved and the mission of such Armed
18 Forces;

19 (4) the numbers of any combatant casualties
20 and civilian casualties; and

21 (5) any other information the President deter-
22 mines appropriate.

23 (c) FORM.—The report required by subsection (a)
24 shall be submitted in unclassified form, but may include
25 a classified annex.

1 **SEC. 1270V. REPORTS AND BRIEFINGS ON USE OF MILI-**
2 **TARY FORCE AND SUPPORT OF PARTNER**
3 **FORCES.**

4 (a) IN GENERAL.—Not later than 180 days after the
5 date of the enactment of this Act, and every 180 days
6 thereafter, the President shall submit to the congressional
7 defense committees, the Committee on Foreign Relations
8 of the Senate, and the Committee on Foreign Affairs of
9 the House of Representatives a report on specific actions
10 taken pursuant to the Authorization for Use of Military
11 Force (Public Law 107–40; 50 U.S.C. 1541 et seq.) and
12 support for partner forces against those nations or organi-
13 zations described in such law, during the preceding 180-
14 day period.

15 (b) MATTERS TO BE INCLUDED.—The report re-
16 quired by subsection (a) shall include, with respect to the
17 time period for which the report was submitted, the fol-
18 lowing:

19 (1) A list of each nation or organization with
20 respect to which force has been used pursuant to the
21 Authorization for Use of Military Force, including
22 the legal and factual basis for the determination
23 that authority under such law applies with respect to
24 each such nation or organization.

1 (2) An intelligence assessment of the risk to the
2 United States posed by each such nation or organi-
3 zation.

4 (3) A list of the countries in which operations
5 were conducted pursuant such law.

6 (4) A list of all lethal actions in which United
7 States Armed Forces participated, including—

8 (A) a delineation of whether any country in
9 which such action occurred was or was not des-
10 ignated as an area of active hostilities;

11 (B) the number of lawfully targetable indi-
12 viduals injured or killed and the number of
13 high-value targets injured or killed for each
14 such specific instance of lethal action; and

15 (C) a description of the circumstances sur-
16 rounding each instance of a strike taken in So-
17 malia, Yemen, and any other country not des-
18 ignated an area of active hostilities that did not
19 target a high value target.

20 (5) A list of each partner force supported and
21 each country in which United States Armed Forces
22 have commanded, coordinated, participated in the
23 movement of, accompanied, or otherwise supported
24 foreign forces, irregular forces, groups, or individ-
25 uals on operations in which such forces, groups or

1 individuals have engaged in hostilities, either offen-
2 sively or defensively, including—

3 (A) a delineation of instances in which
4 such United States Armed Forces were or were
5 not operating under the Authorization for Use
6 of Military Force;

7 (B) the purpose for which the United
8 States Armed Forces were deployed to the
9 country in which the use of force occurred, in-
10 cluding the program or funding authority under
11 which such Armed Forces were operating;

12 (C) a determination of whether the foreign
13 forces, irregular forces, groups, or individuals
14 against which such hostilities occurred are cov-
15 ered by the Authorization for Use of Military
16 Force;

17 (D) a description of the United States
18 Armed Forces involvement in such hostilities,
19 including whether the Armed Forces—

20 (i) directed the operation that led to
21 hostilities, and, if so, the objective of such
22 operation;

23 (ii) accompanied the partner force at
24 any point during the mission or operation
25 in which the hostilities occurred;

1 (iii) engaged directly in combat; or

2 (iv) provided intelligence, reconnais-
3 sance, or surveillance, medivac, refueling,
4 airlift, or any other type of enabling sup-
5 port to the partner forces during hos-
6 tilities.

7 (6) A description of the actual and proposed
8 contributions, including financing, equipment, train-
9 ing, troops, and logistical support, provided by each
10 foreign country that participates in any international
11 coalition with the United States to combat a nation
12 or organization described in the Authorization for
13 Use of Military Force.

14 (c) FORM.—The information required under para-
15 graphs (1) and (2) of subsection (b) shall be submitted
16 in unclassified form.

17 (d) OTHER REPORTS.—If United States Armed
18 Forces engage in hostilities, offensively or defensively,
19 against any nation, organization, or person pursuant to
20 statutory or constitutional authorities other than Author-
21 ization for Use of Military Force, the President shall com-
22 ply with the reporting requirements under—

23 (1) this section to the same extent and in the
24 same manner as if such actions had been taken
25 under Authorization for Use of Military Force;

1 (2) the War Powers Resolution (50 U.S.C.
2 1541 et seq.); and

3 (3) any other applicable provision of law.

4 (e) BRIEFINGS.—At least once during each 180-day
5 period described in subsection (a), the President shall pro-
6 vide to the congressional defense committees, the Com-
7 mittee on Foreign Relations of the Senate, and the Com-
8 mittee on Foreign Affairs of the House of Representatives
9 a briefing on the matters covered by the report required
10 under this section for such period.

11 **SEC. 1270W. REPEAL OF AUTHORIZATION FOR THE USE OF**
12 **MILITARY FORCE.**

13 The Authorization for Use of Military Force Against
14 Iraq Resolution of 2002 (Public Law 107–243; 50 U.S.C.
15 1541 note) is repealed.

16 **Subtitle H—Baltic Reassurance Act**

17 **SEC. 1271. FINDINGS.**

18 Congress finds the following:

19 (1) Russia seeks to diminish the North Atlantic
20 Treaty Organization (NATO) and recreate its sphere
21 of influence in Europe using coercion, intimidation,
22 and outright aggression.

23 (2) Deterring Russia from such aggression is
24 vital for transatlantic security.

1 (3) The illegal occupation of Crimea by Russia
2 and its continued engagement of destabilizing and
3 subversive activities against independent and free
4 states is of increasing concern.

5 (4) Russia also continues to disregard treaties,
6 international laws and rights to freedom of naviga-
7 tion, territorial integrity, and sovereign international
8 borders.

9 (5) Russia’s continued occupation of Georgian
10 and Ukrainian territories and the sustained military
11 buildup in Russia’s Western Military District and
12 Kaliningrad has threatened continental peace and
13 stability.

14 (6) The Baltic countries of Estonia, Latvia, and
15 Lithuania are particularly vulnerable to an increas-
16 ingly aggressive and subversive Russia.

17 (7) In a declaration to celebrate 100 years of
18 independence of Estonia, Latvia, and Lithuania
19 issued on April 3, 2018, the Trump Administration
20 reaffirmed United States commitments to these Bal-
21 tic countries to “improve military readiness and ca-
22 pabilities through sustained security assistance” and
23 “explore new ideas and opportunities, including air
24 defense, bilaterally and in NATO, to enhance deter-
25 rence across the region”.

1 (8) These highly valued NATO allies of the
2 United States have repeatedly demonstrated their
3 commitment to advancing mutual interests as well
4 as those of the NATO alliance.

5 (9) The Baltic countries also continue to par-
6 ticipate in United States-led exercises to further pro-
7 mote coordination, cooperation, and interoperability
8 among allies and partner countries, and continue to
9 demonstrate their reliability and commitment to pro-
10 vide for their own defense.

11 (10) Lithuania, Latvia, and Estonia each hosts
12 a respected NATO Center of Excellence that pro-
13 vides expertise to educate and promote NATO allies
14 and partners in areas of vital interest to the alliance.

15 (11) United States support and commitment to
16 allies across Europe has been a lynchpin for peace
17 and security on the continent for over 70 years.

18 **SEC. 1272. SENSE OF CONGRESS.**

19 It is the sense of Congress as follows:

20 (1) The United States is committed to the secu-
21 rity of the Baltic countries and should strengthen
22 cooperation and support capacity-building initiatives
23 aimed at improving the defense and security of such
24 countries.

1 (2) The United States should lead a multilat-
2 eral effort to develop a strategy to deepen joint ca-
3 pabilities with Lithuania, Latvia, Estonia, NATO al-
4 lies, and other regional partners, to deter against ag-
5 gression from Russia in the Baltic region, specifi-
6 cally in areas that would strengthen interoperability,
7 joint capabilities, and military readiness necessary
8 for Baltic countries to strengthen their national re-
9 silience.

10 (3) The United States should explore the feasi-
11 bility of providing additional air and missile defense
12 systems in the Baltic region, including through
13 leveraging cost-sharing mechanisms and multilateral
14 deployment with NATO allies to reduce financial
15 burdens on host countries.

16 **SEC. 1273. DEFENSE ASSESSMENT.**

17 (a) IN GENERAL.—Not later than 1 year after the
18 date of the enactment of this Act, the Secretary of Defense
19 and the Secretary of State shall jointly conduct a com-
20 prehensive, multilateral assessment of the military re-
21 quirements of such countries to deter and resist aggres-
22 sion by Russia that—

23 (1) provides an assessment of past and current
24 initiatives to improve the efficiency, effectiveness,

1 readiness and interoperability of Lithuania, Latvia,
2 and Estonia's national defense capabilities; and

3 (2) assesses the manner in which to meet those
4 objectives, including future resource requirements
5 and recommendations, by undertaking activities in
6 the following areas:

7 (A) Activities to increase the rotational
8 and forward presence, improve the capabilities,
9 and enhance the posture and response readiness
10 of the United States or forces of NATO in the
11 Baltic region.

12 (B) Activities to improve air defense sys-
13 tems, including modern air-surveillance capabili-
14 ties.

15 (C) Activities to improve counter-un-
16 manned aerial system capabilities.

17 (D) Activities to improve command and
18 control capabilities through increasing commu-
19 nications, technology, and intelligence capacity
20 and coordination, including secure and hard-
21 ened communications.

22 (E) Activities to improve intelligence, sur-
23 veillance, and reconnaissance capabilities.

24 (F) Activities to enhance maritime domain
25 awareness.

1 (G) Activities to improve military and de-
2 fense infrastructure, logistics, and access, par-
3 ticularly transport of military supplies and
4 equipment.

5 (H) Investments to ammunition stocks and
6 storage.

7 (I) Activities and training to enhance cyber
8 security and electronic warfare capabilities.

9 (J) Bilateral and multilateral training and
10 exercises.

11 (K) New and existing cost-sharing mecha-
12 nisms with United States and NATO allies to
13 reduce financial burden.

14 (b) REPORT.—Not later than 1 year after the date
15 of the enactment of this Act, the Secretary of Defense and
16 the Secretary of State jointly shall submit to the appro-
17 priate congressional committees a report, which shall be
18 submitted in unclassified form but may include a classified
19 annex, that includes each of the following:

20 (1) A report on the findings of the assessment
21 conducted pursuant to subsection (a).

22 (2) A list of any recommendations resulting
23 from such assessment.

24 (3) An assessment of the resource requirements
25 to achieve the objectives described in subsection

1 (a)(1) with respect to the national defense capability
2 of Baltic countries, including potential investments
3 by host countries.

4 (4) A plan for the United States to use appro-
5 priate security cooperation authorities or other au-
6 thorities to—

7 (A) facilitate relevant recommendations in-
8 cluded in the list described in paragraph (2);

9 (B) expand joint training between the
10 Armed Forces and the military of Lithuania,
11 Latvia, or Estonia, including with the participa-
12 tion of other NATO allies; and

13 (C) support United States foreign military
14 sales and other equipment transfers to Baltic
15 countries especially for the activities described
16 in subparagraphs (A) through (I) of subsection
17 (a)(2).

18 **SEC. 1274. APPROPRIATE CONGRESSIONAL COMMITTEES**

19 **DEFINED.**

20 In this subtitle, the term “appropriate congressional
21 committees” means—

22 (1) the Committee on Armed Services, the
23 Committee on Foreign Affairs, the Permanent Select
24 Committee on Intelligence, and the Committee on
25 Appropriations of the House of Representatives; and

1 (2) the Committee on Armed Services, the
2 Committee on Foreign Relations, the Select Com-
3 mittee on Intelligence, and the Committee on Appro-
4 priations of the Senate.

5 **Subtitle I—Return Expenses Paid**
6 **and Yielded Act**

7 **SEC. 1281. SHORT TITLE.**

8 This subtitle may be cited as the “Return Expenses
9 Paid and Yielded Act” or “REPAY Act”.

10 **SEC. 1282. MODIFICATION OF CERTIFICATION AND REPORT**
11 **REQUIREMENTS RELATING TO SALES OF**
12 **MAJOR DEFENSE EQUIPMENT WITH RESPECT**
13 **TO WHICH NONRECURRING COSTS OF RE-**
14 **SEARCH, DEVELOPMENT, AND PRODUCTION**
15 **ARE WAIVED OR REDUCED UNDER THE ARMS**
16 **EXPORT CONTROL ACT.**

17 (a) CERTIFICATION.—Section 36(b) of the Arms Ex-
18 port Control Act (22 U.S.C. 2776(b)) is amended by add-
19 ing at the end the following:

20 “(7)(A) In the case of any letter of offer to sell any
21 major defense equipment for \$14,000,000 or more, in ad-
22 dition to the other information required to be contained
23 in a certification submitted to the Congress under this
24 subsection, or a similar certification prior to finalization
25 of a letter of offer to sell, each such certification shall in-

1 clude the amount of any charge or charges for the propor-
2 tionate amount of any nonrecurring costs of research, de-
3 velopment, and production of the major defense equipment
4 that was waived or reduced under section 21(e).

5 “(B) Each such certification shall also include infor-
6 mation on—

7 “(i) the type of waiver or reduction;

8 “(ii) the percentage of otherwise obligated non-
9 recurring costs with respect to which the waiver or
10 reduction comprises;

11 “(iii) a justification for issuance of the waiver
12 or reduction;

13 “(iv) in the case of a waiver or reduction made
14 under paragraph (2)(A) of section 21(e)—

15 “(I) the manner in which a sale would sig-
16 nificantly advance standardization with the for-
17 eign countries or international organization de-
18 scribed in such section; and

19 “(II) the extent to which the sale’s signifi-
20 cance should be considered relative to the exist-
21 ing capabilities of the foreign country or inter-
22 national organization and the manner in which
23 the major defense equipment would enhance the
24 capacity of the country or organization in joint
25 operations; and

1 “(v) in the case of a waiver or reduction made
2 under paragraph (2)(B) of section 21(e)—

3 “(I) the military needs and ability to pay
4 of the foreign country or international organiza-
5 tion;

6 “(II) the price and capability of other rel-
7 evant options that are or likely would be consid-
8 ered by the foreign country or international or-
9 ganization for purchase in lieu of the major de-
10 fense equipment described in the letter of offer;
11 and

12 “(III) the previous buying history and ex-
13 isting capabilities of the foreign country or
14 international organization.”.

15 (b) REPORT.—Section 36(a) of the Arms Export
16 Control Act (22 U.S.C. 2776(a)) is amended—

17 (1) in paragraph (11), by striking “and” at the
18 end;

19 (2) in paragraph (12), by striking the period at
20 the end and inserting “; and”; and

21 (3) by adding at the end the following:

22 “(13) with respect to requests to waive or re-
23 duce nonrecurring costs with respect to the sale of
24 major defense equipment for \$14,000,000 or more
25 under this Act, a report on—

1 “(A) the total number of such requests
2 that have been approved or denied during the
3 quarter, including the total number of such re-
4 quests that are currently under review and
5 pending a decision; and

6 “(B) for each such request—

7 “(i) an identification of the foreign
8 country or international organization re-
9 questing the waiver or reduction; and

10 “(ii) the total amount of nonrecurring
11 costs to be waived or reduced;

12 “(iii) a description of the major de-
13 fense equipment to be purchased; and

14 “(iv) the justification for the waiver or
15 reduction; and

16 “(C) for each such request that is ap-
17 proved, the actual amount of nonrecurring costs
18 that are waived or reduced that are attributable
19 to quantities of major defense equipment sold
20 under such request.”.

21 (c) REPEAL OF WAIVER AUTHORITY IN CASE OF
22 SALES OF MAJOR DEFENSE EQUIPMENT ALSO BEING
23 PROCURED FOR USE BY UNITED STATES ARMED
24 FORCES.—Section 21(e)(2) of the Arms Export Control
25 Act (22 U.S.C. 2761(e)(2)) is amended—

1 (1) in subparagraph (B)—

2 (A) in the matter preceding clause (i)—

3 (i) by striking “The President” and
4 inserting “Except as provided subpara-
5 graphs (D) and (E), the President”; and

6 (ii) by striking “that—” and all that
7 follows through “(i) imposition” and in-
8 serting “that imposition”;

9 (B) by striking “sale; or” and inserting
10 “sale.”; and

11 (C) by striking clause (ii); and

12 (2) by inserting at the end the following new
13 subparagraphs:

14 “(D) The President may not waive the charge
15 or charges for a proportionate amount of any non-
16 recurring costs that would otherwise be considered
17 appropriate under paragraph (1)(B) for a particular
18 sale to a country or international organization for a
19 two-year period that begins on any of the following
20 dates:

21 “(i) The date of approval of a waiver
22 under paragraph (1)(B) of a charge or charges
23 that are valued at \$16,000,000 or more under
24 this Act with respect to a sale to the country
25 or organization.

1 “(ii) The date that is the last day of any
2 five-year period in which the country or organi-
3 zation receives 15 or more waivers of a charge
4 or charges under paragraph (1)(B) with respect
5 to sales to the country or organization.

6 “(iii) The date that is the last day of any
7 five-year period in which the country or organi-
8 zation receives waivers of a charge or charges
9 under paragraph (1)(B) that are valued at
10 \$425,000,000 or more under this Act with re-
11 spect to sales to the country or organization.

12 “(E)(i) In the case of any proposed waiver of
13 the charge or charges which would otherwise be con-
14 sidered appropriate under paragraph (1)(B) for a
15 particular sale to a country or international organi-
16 zation of major defense equipment for \$10,000,000
17 or more under this Act, the President shall submit
18 to the Speaker of the House of Representatives, the
19 Committee on Foreign Affairs of the House of Rep-
20 resentatives, and to the chairman of the Committee
21 on Foreign Relations of the Senate a notification
22 with respect to such proposed waiver.

23 “(ii) The President may not waive such charge
24 or charges if Congress, not later than 60 calendar

1 days after receiving such notification, enacts a joint
2 resolution prohibiting the proposed waiver.”.

3 (d) MAXIMUM AGGREGATE AMOUNT OF CHARGES
4 FOR ADMINISTRATIVE SERVICES.—Section 21(e) of the
5 Arms Export Control Act (22 U.S.C. 2761(e)) is amend-
6 ed—

7 (1) in paragraph (1), by inserting “subject to
8 paragraph (4),” before “administrative services”;
9 and

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

12 “(4)(A) For each fiscal year beginning on or
13 after the date of the enactment of the Return Ex-
14 penses Paid and Yielded Act, the President shall—

15 “(i) determine a maximum aggregate
16 amount of charges for administrative services
17 that would be required by paragraph (1)(A)
18 based on the ability of the Department of De-
19 fense to issue and administer letters of offer for
20 sale of defense articles or the sale of defense
21 services pursuant to this section or pursuant to
22 section 22 of this Act; and

23 “(ii) submit to Congress a report that con-
24 tains the determination and specifies the max-

1 imum aggregate amount of charges for adminis-
2 trative services.

3 “(B)(i) Except as provided in clause (ii),
4 charges for administrative services that are required
5 by paragraph (1)(A) may not exceed the maximum
6 aggregate amount of charges for administrative serv-
7 ices determined under subparagraph (A) for the fis-
8 cal year involved.

9 “(ii) The President may waive the requirement
10 of clause (i) on a case-by-case basis if the amount
11 of charges for administrative services that are re-
12 quired by paragraph (1)(A) with respect to a sale of
13 defense articles or a sale of defense services would
14 exceed the maximum aggregate amount of charges
15 for administrative services determined under sub-
16 paragraph (A) for the fiscal year.”.

17 (e) MODIFICATION OF ADMINISTRATIVE EX-
18 PENSES.—

19 (1) IN GENERAL.—Section 43(b) of the Arms
20 Export Control Act (22 U.S.C. 2792(b) is amend-
21 ed—

22 (A) in paragraph (1), by adding “and” at
23 the end;

24 (B) in paragraph (2), by striking “; and”
25 and inserting a period; and

1 (C) by striking paragraph (3).

2 (2) CONFORMING AMENDMENT.—Section
3 21(e)(1)(A) of the Arms Export Control Act (22
4 U.S.C. 2761(e)(1)(A)) is amended by striking “and
5 section 43(c)”.

6 (f) BIENNIAL REVIEW AND MODIFICATION OF USER
7 CHARGES.—

8 (1) IN GENERAL.—Notwithstanding any other
9 provision of law, the Secretary of Defense, acting
10 through the Director of the Defense Security Co-
11 operation Agency, shall, not less than once every two
12 years—

13 (A) carry out a review of user charges
14 under the foreign military sales program and,
15 based on the results of the review, modify the
16 user charges as appropriate; and

17 (B) submit to the appropriate congres-
18 sional committees a report that contains the re-
19 sults of the review carried out under subpara-
20 graph (A) and a description of any user charges
21 that, based on the results of the review, were
22 modified under subparagraph (A).

23 (2) APPROPRIATE CONGRESSIONAL COMMIT-
24 TEES DEFINED.—In this subsection, the term “ap-
25 propriate congressional committees” means—

1 (A) the Committee on Armed Services and
2 the Committee on Foreign Affairs of the House
3 of Representatives; and

4 (B) the Committee on Armed Services and
5 the Committee on Foreign Relations of the Sen-
6 ate.

7 **SEC. 1283. REVIEW AND REPORT ON USE AND MANAGE-**
8 **MENT OF ADMINISTRATIVE SURCHARGES**
9 **UNDER THE FOREIGN MILITARY SALES PRO-**
10 **GRAM.**

11 (a) REVIEW.—

12 (1) IN GENERAL.—The Secretary of Defense,
13 acting through the Director of the Defense Security
14 Cooperation Agency, shall review options for expand-
15 ing the use of administrative surcharges under the
16 foreign military sales program, including practices
17 for managing administrative surcharges and con-
18 tract administrative services surcharges.

19 (2) MATTERS TO BE INCLUDED.—The review
20 conducted under paragraph (1) shall include the fol-
21 lowing:

22 (A) A determination of which specific ex-
23 penses are incurred by the United States Gov-
24 ernment in operation of the foreign military

1 sales program that the administrative surcharge
2 does not currently pay for.

3 (B) The estimated annual cost of each of
4 such specific expenses.

5 (C) An assessment of the costs and bene-
6 fits of funding such specific expenses through
7 the administrative surcharge, including any
8 data to support such an assessment.

9 (D) An assessment of how the Department
10 of Defense could calculate an upper bound of a
11 target range for the administrative surcharge
12 account and the contract administration serv-
13 ices surcharge account, including an assessment
14 of the costs and benefits of setting such a
15 bound.

16 (E) An assessment of how the Department
17 of Defense calculates the lower bound, or safety
18 level, for the administrative surcharge account
19 and the contract administration services sur-
20 charge account, including what specific factors
21 inform the calculation and whether such a
22 method for calculating the safety level is still
23 valid or should be revisited.

24 (F) An assessment of the process used by
25 the Department of Defense to review and set

1 rates for the administrative surcharge and the
2 contract administration services surcharge, in-
3 cluding the extent to which outside parties are
4 consulted and any proposals of the Department
5 of Defense may have for better ensuring that
6 the fee rates are set appropriately.

7 (G) Such other matters as the Secretary of
8 Defense determines to be appropriate.

9 (b) REPORT.—Not later than 120 days after the date
10 of the enactment of this Act, the Secretary of Defense,
11 acting through the Director of the Defense Security Co-
12 operation Agency, shall submit to the congressional de-
13 fense committees a report on—

14 (1) the findings of the review conducted under
15 paragraph (1); and

16 (2) any legislative changes needed to allow the
17 surcharge under the foreign military sales program
18 to pay for any expenses currently not covered by ad-
19 ministrative surcharge under the foreign military
20 sales program.

21 **SEC. 1284. PERFORMANCE MEASURES TO MONITOR FOR-**
22 **IGN MILITARY SALES PROGRAM.**

23 (a) IN GENERAL.—The Secretary of Defense, acting
24 through the Director of the Defense Security Cooperation
25 Agency and in consultation with the heads of other rel-

1 evant components of the Department of Defense, shall en-
2 hance the ability of the Department of Defense to monitor
3 the performance of the foreign military sales program by
4 taking the following actions:

5 (1) Develop performance measures to monitor
6 the timeliness of deliveries of defense articles and
7 defense services to purchasers in accordance with
8 the delivery schedule for each sale under the foreign
9 military sales program.

10 (2) Identify key choke points, processes, and
11 tasks that contribute most significantly to delays,
12 shortcomings, and issues in the foreign military sales
13 program.

14 (3) Review existing performance measures for
15 the foreign military sales program to determine
16 whether such measures need to be updated, replaced,
17 or supplemented to ensure that all key aspects of the
18 foreign military sales program's efficiency and serv-
19 ice of United States national interests are able to be
20 monitored and informed by reliable data.

21 (b) REPORT ON PERFORMANCE MEASURES.—

22 (1) IN GENERAL.—Not later than 180 days
23 after the date of the enactment of this Act, the Sec-
24 retary of Defense, acting through the Director of the
25 Defense Security Cooperation Agency, shall submit

1 to the appropriate congressional committees a report
2 that lists the performance measures developed and
3 identified under subsection (a).

4 (2) MATTERS TO BE INCLUDED.—The report
5 required by paragraph (1) shall—

6 (A) define the performance measures, in-
7 cluding targets set for the performance meas-
8 ures;

9 (B) identify the data systems used to mon-
10 itor the performance measures;

11 (C) identify any concerns related to the re-
12 liability of the data used to monitor the per-
13 formance measures; and

14 (D) report the results for the performance
15 measures for the most recent fiscal year.

16 (3) PLAN.—If the performance measures devel-
17 oped and identified under subsection (a) cannot be
18 included in the report required by paragraph (1) for
19 the most recent fiscal year based on reliable and ac-
20 cessible data, the report shall include a plan for en-
21 suring that such data will be monitored within a de-
22 fined period of time.

23 (4) UPDATE.—

24 (A) IN GENERAL.—For each fiscal year
25 after the fiscal year in which the report re-

1 quired by subsection (b) is submitted to the ap-
2 propriate congressional committees, the Sec-
3 retary of Defense shall submit to such commit-
4 tees an update of the report required by para-
5 graph (1).

6 (B) MATTERS TO BE INCLUDED.—Each
7 update of the report required by paragraph (1)
8 shall also include the following:

9 (i) For any performance measures
10 that indicate a decreased level of perform-
11 ance from the prior year—

12 (I) a description of the factors
13 that led to such decreased level of per-
14 formance; and

15 (II) plans to improve such level
16 of performance.

17 (ii) For any performance measures
18 that remain unable to be monitored due to
19 lack of reliable and accessible data, an up-
20 date on plans to improve the monitoring of
21 data.

22 (c) BRIEFING.—Not later than 180 days after the
23 date on which the Secretary of Defense, acting through
24 the Director of the Defense Security Cooperation Agency,
25 submits to the appropriate congressional committees the

1 report required by subsection (b), the Comptroller General
2 of the United States shall provide a briefing to such com-
3 mittees on the report, including an evaluation of the per-
4 formance measures developed and identified under sub-
5 section (a).

6 **SEC. 1285. REPORT AND BRIEFING ON ADMINISTRATIVE**
7 **BUDGETING OF FOREIGN MILITARY SALES**
8 **PROGRAM.**

9 (a) IN GENERAL.—Not later than one year after the
10 date of the enactment of this Act, the Comptroller General
11 of the United States shall provide a briefing to the con-
12 gressional defense committees and submit to the appro-
13 priate congressional committees a report on the method-
14 ology used by the Department of Defense to determine fu-
15 ture-year needs for administrative surcharges under the
16 foreign military sales program.

17 (b) MATTERS TO BE INCLUDED.—The briefing and
18 report required by subsection (a) shall include the fol-
19 lowing:

20 (1) A description of the methodology the De-
21 partment of Defense used to develop the overall ad-
22 ministrative budget of the foreign military sales pro-
23 gram and the administrative budgets for each other
24 relevant component of the Department of Defense

1 that receives funds from the foreign military sales
2 program.

3 (2) An assessment of the extent to which the
4 methodology described in paragraph (1) reflects rel-
5 evant best practices.

6 (3) Any other related matters the Comptroller
7 General determines to be appropriate.

8 **SEC. 1286. TRAINING PROGRAM FOR RELEVANT OFFICIALS**
9 **AND STAFF OF THE DEFENSE SECURITY CO-**
10 **OPERATION AGENCY.**

11 (a) IN GENERAL.—The Secretary of Defense, acting
12 through the Director of the Defense Security Cooperation
13 Agency, shall establish and implement a program to pro-
14 vide training to relevant officials and staff of the Defense
15 Security Cooperation Agency for purposes of carrying out
16 this Act and the amendments made by this Act.

17 (b) REPORT.—Not later than one year after the date
18 of the enactment of this Act, the Secretary of Defense,
19 acting through the Director of the Defense Security Co-
20 operation Agency, shall submit to the appropriate congres-
21 sional committees a report on the implementation of the
22 program required by subsection (a).

23 **SEC. 1287. DEFINITIONS.**

24 In this subtitle:

1 (1) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES.—Except as otherwise provided, the term “ap-
3 propriate congressional committees” means—

4 (A) the congressional defense committees;
5 and

6 (B) the Committee on Foreign Relations of
7 the Senate and the Committee on Foreign Af-
8 fairs of the House of Representatives.

9 (2) FOREIGN MILITARY SALES PROGRAM.—The
10 term “foreign military sales program” means the
11 program authorized under chapter 2 of the Arms
12 Export Control Act (22 U.S.C. 2761 et seq.).

13 **Subtitle J—Matters Relating to**
14 **Burma**

15 **SEC. 1291. LIMITATION ON SECURITY ASSISTANCE AND SE-**
16 **CURITY COOPERATION.**

17 (a) IN GENERAL.—Except as provided in subsection
18 (b), for the period beginning on the date of the enactment
19 of this subtitle and ending on the date described in sub-
20 section (c), the United States may not provide any security
21 assistance or engage in any security cooperation with any
22 of the military or security forces of Burma.

23 (b) EXCEPTIONS; WAIVER.—

24 (1) EXCEPTIONS.—

1 (A) CERTAIN EXISTING AUTHORITIES.—

2 Notwithstanding subsection (a), the Secretary
3 of Defense shall retain the authority granted by
4 section 1253 of the Carl Levin and Howard P.
5 “Buck” McKeon National Defense Authoriza-
6 tion Act for Fiscal Year 2015 (22 U.S.C. 2151
7 note). The limitation in subsection (a) of this
8 section may not be construed to limit the au-
9 thority to provide the Government of Burma
10 with assistance necessary to make available the
11 activities described in subsection (a) of such
12 section 1253.

13 (B) HOSPITALITY.—Notwithstanding sub-

14 section (a), the Secretary of State and the
15 United States Agency for International Devel-
16 opment may provide assistance authorized
17 under part I of the Foreign Assistance Act of
18 1961 (22 U.S.C. 2151 et seq.) to provide hospi-
19 tality during research, dialogues, meetings, or
20 other activities by the parties attending the
21 Union Peace Conference 21st Century
22 Panglong or related processes seeking inclusive,
23 sustainable reconciliation.

24 (2) WAIVER.—The Secretary of State, with re-

25 spect to security assistance, and the Secretary of

1 State in consultation with the Secretary of Defense,
2 with respect to security cooperation programs and
3 activities of the Department of Defense, may waive
4 on a case-by-case basis the limitation under sub-
5 section (a) if the Secretary submits to the appro-
6 priate congressional committees, not later than 30
7 days before such waiver enters into effect—

8 (A) a list of the activities and participants
9 to which such waiver would apply;

10 (B) a certification, including a justifica-
11 tion, that the waiver is in the national security
12 interest of the United States; and

13 (C) a certification that none of the partici-
14 pants included in the list described in subpara-
15 graph (A) have committed any of the acts de-
16 scribed in subparagraph (A) or (B) of section
17 1282(b)(1) or committed any other gross viola-
18 tion of human rights, as such term is defined
19 for purposes of section 362 of title 10, United
20 States Code.

21 (c) CERTIFICATION OF SIGNIFICANT PROGRESS.—
22 The date described in this subsection is the earlier of the
23 date that is 8 years after the date of the enactment of
24 this subtitle or the date on which the Secretary of State

1 certifies to the appropriate congressional committees the
2 following:

3 (1) The military and security forces of
4 Burma—

5 (A) have demonstrated significant progress
6 in abiding by international human rights stand-
7 ards and are undertaking meaningful security
8 sector reform, including reforms that enhance
9 transparency and accountability, to prevent fu-
10 ture abuses;

11 (B) adhere to international humanitarian
12 law;

13 (C) pledge to stop future human rights
14 abuses;

15 (D) support efforts to carry out com-
16 prehensive independent investigations of alleged
17 abuses;

18 (E) are taking steps to hold accountable
19 any members of such forces determined to be
20 responsible for human rights abuses; and

21 (F) cease their attacks against ethnic mi-
22 nority groups and participate in the conclusion
23 of a nationwide cease-fire agreement, political
24 accommodation, and constitutional change, in-

1 cluding the provision of citizenship to the
2 Rohingya.

3 (2) The Government of Burma, including the
4 military and security forces—

5 (A) allows full humanitarian access to
6 communities in areas affected by conflict, in-
7 cluding Rohingya communities in Rakhine
8 State;

9 (B) cooperates with the United Nations
10 High Commissioner for Refugees and organiza-
11 tions affiliated with the United Nations to en-
12 sure the protection of displaced persons and the
13 safe, voluntary, sustainable, and dignified re-
14 turn of refugees and internally displaced per-
15 sons;

16 (C) defines a transparent plan that in-
17 cludes—

18 (i) a timeline for professionalizing the
19 military and security forces; and

20 (ii) a process by which the military
21 withdraws from ownership or control of
22 private-sector business enterprises and
23 ceases involvement in the illegal trade in
24 natural resources and narcotics; and

1 (D) establishes civilian control over the fi-
2 nances and assets of its military and security
3 forces, including that military expenditures are
4 subject to civilian oversight.

5 (d) REPORT.—

6 (1) IN GENERAL.—Not later than 180 days
7 after the date of the enactment of this subtitle, and
8 annually thereafter, the Secretary of Defense and
9 the Secretary of State shall submit to the appro-
10 priate congressional committees a report on the
11 strategy and plans for military-to-military engage-
12 ment between the United States Armed Forces and
13 the military and security forces of Burma.

14 (2) ELEMENTS REQUIRED.—The report re-
15 quired under paragraph (1) shall include the fol-
16 lowing:

17 (A) A description and assessment of the
18 Government of Burma's strategy for security
19 sector reform, including any plans to withdraw
20 the military from owning or controlling private-
21 sector business entities and end involvement in
22 the illegal trade in jade and other natural re-
23 sources, reforms to end corruption and illicit
24 drug trafficking, and constitutional reforms to
25 ensure civilian control.

1 (B) A list of ongoing military activities
2 conducted by the United States Government
3 with the Government of Burma, and a descrip-
4 tion of the United States strategy for future
5 military-to-military engagements between the
6 United States and Burma's military and secu-
7 rity forces.

8 (C) An assessment of the progress of the
9 military and security forces of Burma towards
10 developing a framework to implement human
11 right reforms, including—

12 (i) cooperation with civilian authori-
13 ties and independent international inves-
14 tigations to investigate and prosecute cases
15 of human rights abuses;

16 (ii) steps taken to demonstrate respect
17 for and implementation of the laws of war;
18 and

19 (iii) a description of the elements of
20 the military-to-military engagement be-
21 tween the United States and Burma that
22 promote such implementation.

23 (D) An assessment of progress on the
24 peaceful settlement of armed conflicts between
25 the Government of Burma and ethnic minority

1 groups, including actions taken by the military
2 of Burma to adhere to cease-fire agreements,
3 allow for safe, voluntary, sustainable, and dig-
4 nified returns of displaced persons to their
5 homes, and withdraw forces from conflict zones.

6 (E) An assessment of the manner and ex-
7 tent to which the Burmese military recruits and
8 uses children as soldiers.

9 (F) An assessment of the Burmese's mili-
10 tary's use of violence against women, sexual vio-
11 lence, or other gender-based violence as a tool
12 of terror, war, or ethnic cleansing.

13 (e) FORM.—

14 (1) IN GENERAL.—The certification described
15 in subsection (c) and the report required by sub-
16 section (d) shall be submitted in unclassified form
17 but may include a classified annex.

18 (2) CERTIFICATION.—The certification de-
19 scribed in subsection (c) shall be accompanied by a
20 written justification in unclassified form, that may
21 contain a classified annex, describing the Burmese
22 military's efforts to implement reforms, end impu-
23 nity for human rights abuses, and increase trans-
24 parency and accountability.

1 **SEC. 1292. IMPOSITION OF EXISTING AND ADDITIONAL**
2 **SANCTIONS FOR THE VIOLATION OF HUMAN**
3 **RIGHTS AND THE COMMISSION OF HUMAN**
4 **RIGHTS ABUSES IN BURMA.**

5 (a) SANCTIONS PURSUANT TO EXISTING AUTHORI-
6 TIES.—The President shall impose sanctions—

7 (1) against officials in Burma, including Com-
8 mander in Chief of the Armed Forces of Myanmar
9 Min Aung Hlaing, under the Global Magnitsky
10 Human Rights Accountability Act (22 U.S.C. 2656
11 note); and

12 (2) against military-owned enterprises, includ-
13 ing the Myanmar Economic Corporation and Union
14 of Myanmar Economic Holding, under the Burmese
15 Freedom and Democracy Act (50 U.S.C. 1701 note),
16 the Tom Lantos Block Burmese JADE (Junta's
17 Anti-Democratic Efforts) Act of 2008 (50 U.S.C.
18 1701 note), and other relevant statutory authorities.

19 (b) ADDITIONAL SANCTIONS.—For the 8-year period
20 beginning on the date that is 270 days after the date of
21 the enactment of this subtitle, the President shall impose
22 the sanctions described in subsection (c) with respect to
23 each foreign person that the President determines, based
24 on credible evidence—

25 (1) is a current or former senior official of the
26 military or security forces of Burma who—

1 (A) knowingly perpetrated, ordered, or oth-
2 erwise directed serious human rights abuses in
3 Burma; or

4 (B) has taken significant steps to impede
5 investigations or prosecutions of alleged serious
6 human rights abuses, including against the
7 Rohingya community in Rakhine State;

8 (2) is an entity owned or controlled by any per-
9 son described in paragraph (1);

10 (3) is an entity, such as the Myanmar Eco-
11 nomic Cooperation or the Myanmar Economic Hold-
12 ing Corporation, that is owned or controlled, directly
13 or indirectly, by the military or security forces of
14 Burma, including through collective or cooperative
15 structures, from which one or more persons de-
16 scribed in paragraph (1) derive significant revenue
17 or financial benefit; or

18 (4) has knowingly—

19 (A) provided significant financial, material,
20 or technological support—

21 (i) to a foreign person described in
22 paragraph (1) in furtherance of any of the
23 acts described in subparagraph (A) or (B)
24 of such paragraph; or

1 (ii) to any entity owned or controlled
2 by such person or an immediate family
3 member of such person; or

4 (B) received significant financial, material,
5 or technological support from a foreign person
6 described in paragraph (1) or an entity owned
7 or controlled by such person or an immediate
8 family member of such person.

9 (c) SANCTIONS DESCRIBED; EXCEPTIONS.—

10 (1) SANCTIONS.—The sanctions described in
11 this subsection are the following:

12 (A) ASSET BLOCKING.—Notwithstanding
13 the requirements of section 202 of the Inter-
14 national Emergency Economic Powers Act (50
15 U.S.C. 1701), the exercise of all powers granted
16 to the President by such Act to the extent nec-
17 essary to block and prohibit all transactions in
18 all property and interests in property of a for-
19 eign person the President determines meets one
20 or more of the criteria described in subsection
21 (b) if such property and interests in property
22 are in the United States, come within the
23 United States, or are or come within the pos-
24 session or control of a United States person.

1 (B) INELIGIBILITY FOR ADMISSION.—In
2 the case of a foreign person who is an indi-
3 vidual, such person shall be—

4 (i) inadmissible to the United States;

5 (ii) ineligible to receive a visa or other
6 documentation to enter the United States;
7 and

8 (iii) otherwise ineligible to be admitted
9 or paroled into the United States or to re-
10 ceive any other benefit under the Immigra-
11 tion and Nationality Act (8 U.S.C. 1101 et
12 seq.).

13 (C) CURRENT VISAS REVOKED.—

14 (i) The issuing consular officer or the
15 Secretary of State, (or a designee of the
16 Secretary of State) shall, in accordance
17 with section 221(i) of the Immigration and
18 Nationality Act (8 U.S.C. 1201(i)), revoke
19 any visa or other entry documentation
20 issued to a foreign person who is an indi-
21 vidual regardless of when the visa or other
22 entry documentation is issued.

23 (ii) A revocation under clause (i) shall
24 take effect immediately and automatically
25 cancel any other valid visa or entry docu-

1 mentation that is in the person's posses-
2 sion.

3 (D) APPLICABILITY TO FOREIGN ENTITIES
4 AND FOREIGN GOVERNMENTS.—Subparagraphs
5 (B) and (C) of this section shall also apply with
6 respect to aliens who are officials of, agents or
7 instrumentalities of, working or acting on be-
8 half of, or otherwise associated with, a foreign
9 entity or foreign government that is a foreign
10 person subject to the imposition of sanctions
11 under subsection (b), if such aliens are deter-
12 mined by the Secretary of State to have know-
13 ingly authorized, conspired to commit, been re-
14 sponsible for, engaged in, or otherwise assisted
15 or facilitated the actions described in such sub-
16 section.

17 (2) EXCEPTION TO COMPLY WITH UNITED NA-
18 TIONS HEADQUARTERS AGREEMENT.—Sanctions
19 under this section shall not apply with respect to an
20 alien if admitting or paroling the alien into the
21 United States is necessary to permit the United
22 States to comply with the Agreement regarding the
23 Headquarters of the United Nations, signed at Lake
24 Success June 26, 1947, and entered into force No-
25 vember 21, 1947, between the United Nations and

1 the United States, or other applicable international
2 obligations.

3 (d) PENALTIES.—Any person that violates, attempts
4 to violate, conspires to violate, or causes a violation of this
5 section or any regulation, license, or order issued to carry
6 out subsection (c) shall be subject to the penalties set forth
7 in subsections (b) and (c) of section 206 of the Inter-
8 national Emergency Economic Powers Act (50 U.S.C.
9 1705) to the same extent as a person that commits an
10 unlawful act described in subsection (a) of that section.

11 (e) IMPLEMENTATION.—The President may exercise
12 all authorities provided under sections 203 and 205 of the
13 International Emergency Economic Powers Act (50
14 U.S.C. 1702 and 1704) to carry out this section and shall
15 issue such regulations, licenses, and orders as are nec-
16 essary to carry out this section.

17 (f) WAIVER.—The President may annually waive the
18 application of sanctions imposed on a foreign person pur-
19 suant to subsection (b) if the President—

20 (1) determines that a waiver with respect to
21 such foreign person is in the national interest of the
22 United States; and

23 (2) not later than the date on which such waiv-
24 er will take effect, submits to the following commit-
25 tees notice of and justification for such waiver:

1 (A) The Committee on Foreign Affairs, the
2 Committee on Appropriations, and the Com-
3 mittee on Financial Services of the House of
4 Representatives.

5 (B) The Committee on Foreign Relations,
6 the Committee on Appropriations, and the
7 Committee on Banking, Housing, and Urban
8 Affairs of the Senate.

9 (g) EXCEPTION RELATING TO THE IMPORTATION OF
10 GOODS.—

11 (1) IN GENERAL.—The authorities and require-
12 ments to impose sanctions authorized under this
13 subtitle shall not include the authority or require-
14 ment to impose sanctions on the importation of
15 goods.

16 (2) GOOD DEFINED.—In this subsection, the
17 term “good” means any article, natural or man-
18 made substance, material, supply or manufactured
19 product, including inspection and test equipment,
20 and excluding technical data.

21 (h) DEFINITIONS.—In this section—

22 (1) ADMITTED; ALIEN.—The terms “admitted”
23 and “alien” have the meanings given those terms in
24 section 101 of the Immigration and Nationality Act
25 (8 U.S.C. 1001).

1 (2) FOREIGN PERSON.—The term “foreign per-
2 son” means a person that is not a United States
3 person.

4 (3) KNOWINGLY.—The term “knowingly”
5 means, with respect to conduct, a circumstance, or
6 a result, means that a person has actual knowledge,
7 or should have known, of the conduct, the cir-
8 cumstance, or the result.

9 (4) UNITED STATES PERSON.—The term
10 “United States person” means—

11 (A) a United States citizen, an alien law-
12 fully admitted for permanent residence to the
13 United States, or any other individual subject
14 to the jurisdiction of the United States; or

15 (B) an entity organized under the laws of
16 the United States or of any jurisdiction within
17 the United States, including a foreign branch of
18 such entity.

19 **SEC. 1293. GUIDANCE RELATING TO THE MINING SECTOR**
20 **OF BURMA.**

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

22 (1) In 2015, the nongovernmental organization
23 Global Witness estimated that the value of total pro-
24 duction of jade in Burma in 2014 was
25 \$31,000,000,000, almost 48 percent of the official

1 gross domestic product of Burma. As much as 80
2 percent of that jade sold is smuggled out of Burma.

3 (2) Burma's military and associated entities, in-
4 cluding companies owned or controlled by Myanmar
5 Economic Corporation and Myanmar Economic
6 Holding Limited, their affiliated companies, and
7 companies owned or controlled by current and
8 former senior military officers or their family mem-
9 bers, are linked to the mining sector, including the
10 gemstone industry, and benefit financially from
11 widespread illegal smuggling of jade and rubies from
12 Burma.

13 (3) Illegal trafficking in precious and
14 semiprecious stones from Burma, including the trade
15 in high-value jade and rubies, deprives the people of
16 Burma and the civilian government of critical rev-
17 enue and instead benefits military-linked entities,
18 non-state armed groups, and transnational organized
19 criminal networks.

20 (4) In 2016, the Government of Burma began
21 to take steps to reform aspects of the mining sector,
22 but the Gemstone Law adopted in January 2019
23 does not adequately address corruption and tax
24 avoidance, conflicts of interest, or the factors fueling

1 conflict in Kachin State and other gemstone mining
2 areas.

3 (5) The lifting in October 2016 of United
4 States sanctions on the importation of jade and
5 jadeite and rubies from Burma allowed such
6 gemstones to legally enter the United States market,
7 but some retailers have refrained from sourcing
8 gemstones of Burmese origin due to governance and
9 reputational concerns.

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

12 (1) notwithstanding Burma’s “Trafficking in
13 Persons” ranking, the President should continue to
14 provide assistance to Burma, pursuant to the waiver
15 authority under section 110(d)(4) of the Trafficking
16 Victims Protection Act of 2000 (22 U.S.C.
17 7107(d)(4)), in order to re-engage with the Govern-
18 ment of Burma with respect to the mining sector
19 and should make available technical, capacity-build-
20 ing and other assistance through the Department of
21 State or the United States Agency for International
22 Development to support the Government of Burma
23 in efforts to reform the gemstone industry; and

24 (2) companies that seek to import to the United
25 States gemstones or minerals that may be of Bur-

1 mese origin or articles of jewelry containing such
2 gemstones should—

3 (A) obtain such materials exclusively from
4 entities that satisfy the transparency criteria
5 described in subsection (d)(2) or from third
6 parties that can demonstrate that they sourced
7 the materials from entities that meet such cri-
8 teria; and

9 (B) undertake robust due diligence proce-
10 dures in line with the “Due Diligence Guidance
11 for Responsible Business Conduct” and “Due
12 Diligence Guidance for Responsible Supply
13 Chains of Minerals from Conflict-Affected and
14 High-Risk Areas” promulgated by the Organi-
15 zation for Economic Cooperation and Develop-
16 ment.

17 (c) LIST OF PARTICIPATING WHITE-LIST ENTI-
18 TIES.—Not later than 120 days after the date of the en-
19 actment of this subtitle, and annually thereafter until the
20 date described in subsection (e), the Secretary of State
21 shall submit to the appropriate congressional committees,
22 and publish on a publicly available website, a list of each
23 entity described in subsection (d)(1) that—

24 (1) participates in Burma’s mining sector;

1 (2) publicly discloses beneficial ownership, as
2 such term is defined for purposes of the Myanmar
3 Extractive Industry Transparency Initiative
4 (“Myanmar EITI”);

5 (3) is not owned or controlled, either directly or
6 indirectly, by the Burmese military or security
7 forces, any current or former senior Burmese mili-
8 tary officer, or any person sanctioned by the United
9 States pursuant to any relevant sanctions authority;
10 and

11 (4) is making significant progress toward meet-
12 ing the criteria described in subsection (d)(2).

13 (d) ENTITIES AND CRITERIA DESCRIBED.—

14 (1) ENTITIES DESCRIBED.—The entities de-
15 scribed in this subsection are the following:

16 (A) Entities that produce or process pre-
17 cious and semiprecious gemstones.

18 (B) Entities that sell or export precious
19 and semiprecious gemstones from Burma or ar-
20 ticles of jewelry containing such gemstones.

21 (2) CRITERIA DESCRIBED.—The criteria de-
22 scribed in this subsection are the following:

23 (A) The entity publicly discloses any politi-
24 cally exposed persons, officers, directors or ben-

1 official owners, as defined under the Myanmar
2 EITI.

3 (B) The entity publicly discloses valid au-
4 thorization, license, or permit to produce, proc-
5 ess, sell, or export minerals or gemstones, as
6 applicable.

7 (C) The entity publicly discloses payments
8 to the Government of Burma, including tax and
9 non-tax, license, or royalty payments, and other
10 payments or contract terms as may be required
11 under Myanmar EITI standards.

12 (D) The entity undertakes due diligence, in
13 line with the OECD Due Diligence Guidance
14 for Responsible Supply Chains of Minerals from
15 Conflict-Affected and High-Risk Areas, includ-
16 ing public reporting.

17 (e) PERIODIC UPDATING.—The Secretary shall peri-
18 odically update the publicly available version of the list de-
19 scribed in subsection (c) as appropriate.

20 (f) GUIDANCE AND WHITE-LIST ENTITIES.—The
21 Secretary shall issue guidance for entities in the United
22 States private sector with respect to the best practices for
23 supply-chain due diligence that are applicable to importa-
24 tion of gemstones or minerals that may be of Burmese
25 origin or articles of jewelry containing such gemstones, in-

1 cluding with respect to transactions with entities approved
2 for inclusion in the list published pursuant subsection (c),
3 in order to mitigate potential risks and legal liabilities as-
4 sociated with the importation of such items.

5 (g) TERMINATION.—The date described in this sec-
6 tion is the date on which the President certifies to the
7 appropriate congressional committees that the Govern-
8 ment of Burma has taken substantial measures to reform
9 the mining sector in Burma, including the following:

10 (1) Require the mandatory disclosure of pay-
11 ments, permit and license allocations, project reve-
12 nues, contracts, and beneficial ownership, including
13 the identification any politically exposed persons who
14 are beneficial owners, consistent with the approach
15 agreed under the Myanmar EITI and with due re-
16 gard for civil society participation.

17 (2) Separate the commercial, regulatory, and
18 revenue collection responsibilities within the
19 Myanmar Gems Enterprise and other key state-
20 owned enterprises to remove existing conflicts of in-
21 terest.

22 (3) Monitor and undertake enforcement actions,
23 as warranted, to ensure that entities—

24 (A) adhere to environmental and social im-
25 pact assessment and management standards in

1 accordance with international responsible min-
2 ing practices, the country's environmental con-
3 servation law, and other applicable laws and
4 regulations; and

5 (B) uphold occupational health and safety
6 standards and codes of conduct that are aligned
7 with the core labor standards of the Inter-
8 national Labour Organisation and with domes-
9 tic law.

10 (4) Address the transparent and fair distribu-
11 tion of benefits from natural resources, including
12 through local benefit-sharing.

13 (5) Reform the process for valuation of
14 gemstones at the mine-site, including developing an
15 independent valuation system to prevent undervalu-
16 ation and tax evasion.

17 (6) Require companies bidding for jade and
18 ruby mining, finishing, or export permits to be inde-
19 pendently audited upon the request of the Govern-
20 ment of Burma and making the results of all such
21 audits public.

22 (7) Establish credible and transparent proce-
23 dures for permit allocations that are independent
24 from external influence, including scrutiny of appli-
25 cants that prevents unscrupulous entities from gain-

1 ing access to concessions or the right to trade in
2 minerals or gemstones.

3 (8) Establish effective oversight of state-owned
4 enterprises operating in such sector, including
5 through parliamentary oversight or requirements for
6 independent financial auditing.

7 **SEC. 1294. REPORT AND DETERMINATION ON ACCOUNT-**
8 **ABILITY FOR WAR CRIMES, CRIMES AGAINST**
9 **HUMANITY, AND GENOCIDE IN BURMA.**

10 (a) IN GENERAL.—Not later than 90 days after the
11 date of the enactment of this subtitle, the Secretary of
12 State shall submit to the appropriate congressional com-
13 mittees a report that—

14 (1) summarizes credible reports of serious
15 human rights violations, including war crimes, com-
16 mitted against the Rohingya or other ethnic minori-
17 ties in Burma between 2012 and the date of the
18 submission of the report;

19 (2) describes any potential transitional justice
20 mechanisms in Burma;

21 (3) provides an analysis of whether the serious
22 human rights violations summarized pursuant to
23 paragraph (1) amount to war crimes, crimes against
24 humanity, or genocide; and

1 (4) includes a determination of the Secretary
2 whether—

3 (A) the events that took place in the state
4 of Rakhine in Burma, starting on August 25,
5 2017, constitute war crimes, crimes against hu-
6 manity, or genocide; or

7 (B) the situation faced by the Rohingya in
8 Rakhine State, between 2012 and the date of
9 the submission of the report, amounts to or has
10 amounted to the crime of apartheid.

11 (b) ELEMENTS.—The report required by subsection
12 (a) shall also include each of the following:

13 (1) A description of—

14 (A) each incident for which there is cred-
15 ible evidence that the incident may constitute
16 war crimes, crimes against humanity, or geno-
17 cide committed by the Burmese military or se-
18 curity forces against the Rohingya and other
19 ethnic minorities, including the identities of any
20 other actors involved in such incident;

21 (B) the role of the civilian government in
22 the commission of any such incidents;

23 (C) each incident for which there is cred-
24 ible evidence that the incident may constitute
25 war crime, crimes against humanity, or geno-

1 cide committed by violent extremist groups in
2 Burma;

3 (D) each attack on health workers, health
4 facilities, health transport, or patients and, to
5 the extent possible, the identities of any individ-
6 uals who engaged in or organized such incidents
7 in Burma; and

8 (E) to the extent possible, a description of
9 the conventional and unconventional weapons
10 used for any such crimes and the sources of
11 such weapons.

12 (2) A description and assessment, in consulta-
13 tion with the Administrator of the United States
14 Agency for International Development, the Attorney
15 General, and other heads of any other appropriate
16 Federal departments or agencies, of the effectiveness
17 of any programs that the United States has already
18 undertaken to ensure accountability for war crimes,
19 crimes against humanity, and genocide perpetrated
20 against the Rohingya by the military and security
21 forces of Burma, the Rakhine State government,
22 pro-government militias, and all other armed groups
23 operating fighting in Rakhine, including programs
24 to—

1 (A) train civilian investigators within and
2 outside of Burma and Bangladesh on how to
3 document, investigate, develop findings of, iden-
4 tify, and locate alleged perpetrators of war
5 crimes, crimes against humanity, or genocide in
6 Burma;

7 (B) promote and prepare for a transitional
8 justice process or processes for the perpetrators
9 of war crimes, crimes against humanity, and
10 genocide occurring in the State of Rakhine in
11 2017; and

12 (C) document, collect, preserve, and pro-
13 tect evidence of war crimes, crimes against hu-
14 manity, and genocide in Burma, including by
15 providing support for Burmese, Bangladeshi,
16 foreign, and international nongovernmental or-
17 ganizations, the United Nations Human Rights
18 Council's investigative team, and other entities
19 engaged in such investigative activities.

20 (3) A detailed study of the feasibility and desir-
21 ability of potential transitional justice mechanisms
22 for Burma, such as an international tribunal, a hy-
23 brid tribunal, or other international options, that in-
24 cludes—

1 (A) a discussion of the use of universal ju-
2 risdiction or of legal cases brought against the
3 country of Burma by other sovereign countries
4 at the International Court of Justice to address
5 war crimes, crimes against humanity, and geno-
6 cide perpetrated in Burma;

7 (B) recommendations on which transitional
8 justice mechanisms the United States should
9 support, why such mechanisms should be sup-
10 ported, and what type of support should be of-
11 fered; and

12 (C) close consultation regarding transi-
13 tional justice mechanisms with Rohingya rep-
14 resentatives and those of other ethnic minorities
15 who have suffered grave human rights abuses.

16 (c) PROTECTION OF WITNESSES AND EVIDENCE.—
17 The Secretary of State shall ensure that the identification
18 of witnesses and physical evidence for purposes of the re-
19 port required by subsection (a) are not publicly disclosed
20 in a manner that might place such persons at risk of harm
21 or encourage the destruction of such evidence by the mili-
22 tary or Government of Burma.

23 (d) CRIME OF APARTHEID.—In this section, the term
24 “crime of apartheid” means inhumane acts that—

1 (1) are of a character similar to the acts re-
2 ferred to in subparagraphs (A) through (H) of sec-
3 tion 1285(2);

4 (2) are committed in the context of an institu-
5 tionalized regime of systematic oppression and domi-
6 nation by one racial group over any other racial
7 group; and

8 (3) are committed with the intention of main-
9 taining such regime.

10 (e) AUTHORIZATION TO PROVIDE TECHNICAL AS-
11 SISTANCE.—The Secretary of State is authorized to pro-
12 vide assistance to support appropriate civilian or inter-
13 national entities that are undertaking the efforts described
14 in subsection (f) with respect to war crimes, crimes
15 against humanity, and genocide perpetrated by the mili-
16 tary and security forces of Burma, the Rakhine State gov-
17 ernment, pro-government militias, or any other armed
18 groups fighting in Rakhine State.

19 (f) EFFORTS AGAINST HUMAN RIGHTS ABUSES.—
20 The efforts described in this subsection are the following:

21 (1) Identifying suspected perpetrators of war
22 crimes, crimes against humanity, and genocide.

23 (2) Collecting, documenting, and protecting evi-
24 dence of such crimes and preserve the chain of cus-
25 tody for such evidence.

1 (3) Conducting criminal investigations.

2 (4) Supporting investigations conducted by
3 other countries, as appropriate.

4 (g) AUTHORIZATION FOR TRANSITIONAL JUSTICE
5 MECHANISMS.—The Secretary of State, taking into ac-
6 count any relevant findings in the report required by sub-
7 section (a), is authorized to provide support for the cre-
8 ation and operation of transitional justice mechanisms, in-
9 cluding a potential hybrid tribunal, to prosecute individ-
10 uals suspected of committing war crimes, crimes against
11 humanity, or genocide in Burma.

12 **SEC. 1295. DEFINITIONS.**

13 In this subtitle:

14 (1) APPROPRIATE CONGRESSIONAL COMMIT-
15 TEES.—The term “appropriate congressional com-
16 mittees” means—

17 (A) the Committee on Foreign Affairs and
18 the Committee on Armed Services of the House
19 of Representatives; and

20 (B) the Committee on Foreign Relations
21 and the Committee on Armed Services of the
22 Senate.

23 (2) CRIMES AGAINST HUMANITY.—The term
24 “crimes against humanity” includes, when com-
25 mitted as part of a widespread or systematic attack

1 directed against any civilian population, with knowl-
2 edge of the attack—

3 (A) murder;

4 (B) deportation or forcible transfer of pop-
5 ulation;

6 (C) torture;

7 (D) extermination;

8 (E) enslavement;

9 (F) rape, sexual slavery, or any other form
10 of sexual violence of comparable severity;

11 (G) persecution against any identifiable
12 group or collectivity on political, racial, na-
13 tional, ethnic, cultural, religious, gender, or
14 other grounds that are universally recognized as
15 impermissible under international law; and

16 (H) enforced disappearance of persons.

17 (3) GENOCIDE.—The term “genocide” means
18 any offense described in section 1091(a) of title 18,
19 United States Code.

20 (4) TRANSITIONAL JUSTICE.—The term “tran-
21 sitional justice” means the range of judicial, non-
22 judicial, formal, informal, retributive, and restorative
23 measures employed by countries transitioning out of
24 armed conflict or repressive regimes to redress leg-

1 acies of atrocities and to promote long-term, sustain-
2 able peace.

3 (5) WAR CRIME.—The term “war crime” has
4 the meaning given the term in section 2441(c) of
5 title 18, United States Code.

6 **Subtitle K—Saudi Arabia Human**
7 **Rights and Accountability**

8 **SEC. 1296. REPORT ON INTELLIGENCE COMMUNITY AS-**
9 **SESSMENT RELATING TO THE KILLING OF**
10 **WASHINGTON POST COLUMNIST JAMAL**
11 **KHASHOGGI.**

12 (a) IN GENERAL.—Not later than 30 days after the
13 date of the enactment of this Act, the Director of National
14 Intelligence shall submit to the appropriate congressional
15 committees a report consisting of—

16 (1) a determination and presentation of evi-
17 dence with respect to the advance knowledge and
18 role of any current or former official of the Govern-
19 ment of Saudi Arabia or any current or former sen-
20 ior Saudi political figure over the directing, ordering,
21 or tampering of evidence in the killing of Wash-
22 ington Post columnist Jamal Khashoggi; and

23 (2) a list of foreign persons that the Director
24 of National Intelligence has high confidence—

1 (A) were responsible for, or complicit in,
2 ordering, controlling, or otherwise directing an
3 act or acts contributing to or causing the death
4 of Jamal Khashoggi;

5 (B) knowingly and materially assisted,
6 sponsored, or provided financial, material, or
7 technological support for, or goods or services
8 in support of, an activity described in subpara-
9 graph (A); or

10 (C) impeded the impartial investigation of
11 the killing of Jamal Khashoggi, including
12 through the tampering of evidence relating to
13 the investigation.

14 (b) FORM.—

15 (1) IN GENERAL.—The report required by sub-
16 section (a) shall be submitted in unclassified form,
17 but may include a classified annex.

18 (2) NAMES OF FOREIGN PERSONS LISTED.—

19 The name of each foreign person listed in the report
20 described in subsection (a)(2) shall be included in
21 the unclassified portion of the report unless the Di-
22 rector of National Intelligence determines that such
23 disclosure would undermine United States intel-
24 ligence sources and methods or threaten the national
25 security interests of the United States.

1 (c) DEFINED.—In this section:

2 (1) APPROPRIATE CONGRESSIONAL COMMIT-
3 TEES.—The term “appropriate congressional com-
4 mittees” means—

5 (A) the Committee on Foreign Affairs and
6 the Permanent Select Committee on Intelligence
7 of the House of Representatives; and

8 (B) the Committee on Foreign Relations
9 and the Select Committee on Intelligence of the
10 Senate.

11 (2) KNOWINGLY.—The term “knowingly”, with
12 respect to conduct, a circumstance, or a result,
13 means that a person has actual knowledge, or should
14 have known, of the conduct, the circumstance, or the
15 result.

16 **SEC. 1296A. SANCTIONS WITH RESPECT TO FOREIGN PER-**
17 **SONS THAT ENGAGE IN ACTIVITIES DE-**
18 **SCRIBED IN SECTION 1281(a)(2).**

19 (a) IMPOSITION OF SANCTIONS.—On and after the
20 date that is 120 days after the date of the enactment of
21 this Act, the sanctions described in subsection (b) shall
22 be imposed with respect to each foreign person listed in
23 the report described in section 1281(a)(2).

24 (b) SANCTIONS DESCRIBED.—

1 (1) IN GENERAL.—The sanctions described in
2 this subsection are the following:

3 (A) INELIGIBILITY FOR VISAS AND ADMIS-
4 SION TO THE UNITED STATES.—

5 (i) Inadmissibility to the United
6 States.

7 (ii) Ineligibility to receive a visa or
8 other documentation to enter the United
9 States.

10 (iii) Ineligibility to otherwise be ad-
11 mitted or paroled into the United States or
12 to receive any other benefit under the Im-
13 migration and Nationality Act (8 U.S.C.
14 1101 et seq.).

15 (B) CURRENT VISAS REVOKED.—

16 (i) Revocation of any visa or other
17 entry documentation regardless of when
18 the visa or other entry documentation is or
19 was issued.

20 (ii) A revocation under clause (i)
21 shall—

22 (I) take effect immediately; and

23 (II) automatically cancel any
24 other valid visa or entry documenta-

1 tion that is in the foreign person's
2 possession.

3 (2) EXCEPTION TO COMPLY WITH INTER-
4 NATIONAL OBLIGATIONS.—Sanctions under para-
5 graph (1) shall not apply with respect to a foreign
6 person if admitting or paroling the person into the
7 United States is necessary to permit the United
8 States to comply with the Agreement regarding the
9 Headquarters of the United Nations, signed at Lake
10 Success June 26, 1947, and entered into force No-
11 vember 21, 1947, between the United Nations and
12 the United States, or other applicable international
13 obligations.

14 (3) WAIVER IN THE INTEREST OF NATIONAL
15 SECURITY.—The President may waive the applica-
16 tion of this section with respect to a foreign person
17 who is A-1 visa eligible and who is present in or
18 seeking admission into the United States for pur-
19 poses of official business if the President determines
20 and transmits to the appropriate congressional com-
21 mittees written notice and justification not later
22 than 15 days before the granting of such waiver,
23 that such a waiver is in the national security inter-
24 ests of the United States.

25 (c) SUSPENSION OF SANCTIONS.—

1 (1) IN GENERAL.—The President may suspend
2 in whole or in part the imposition of sanctions other-
3 wise required under this section for periods not to
4 exceed 180 days if the President certifies to the ap-
5 propriate congressional committees that the fol-
6 lowing criteria have been met in Saudi Arabia:

7 (A) The Government of Saudi Arabia has
8 released any individual who is a journalist,
9 blogger, human rights defender, advocate for
10 religious liberty, or civil society activist detained
11 by the Government of Saudi Arabia.

12 (B) The Government of Saudi Arabia is
13 cooperating in outstanding criminal proceedings
14 in the United States in which a Saudi citizen or
15 national departed from the United States while
16 the citizen or national was awaiting trial or sen-
17 tencing for a criminal offense committed in the
18 United States.

19 (C) The Government of Saudi Arabia is re-
20 fraining from the obstruction of the free expres-
21 sion of opinion and restriction of individuals
22 from engaging in public criticism of the political
23 sphere.

24 (D) The Government of Saudi Arabia has
25 made verifiable commitments to cease the prac-

1 tice of harming citizens of Saudi Arabia con-
2 ducting peaceful dissent, whether or not those
3 citizens reside in Saudi Arabia, including en-
4 forced repatriation, disappearance, arrest, im-
5 prisonment, or harassment.

6 (E) The Government of Saudi Arabia has
7 taken verifiable steps to hold accountable Saudi
8 violators of human rights, whether or not those
9 violations took place in Saudi Arabia.

10 (F) The Government of Saudi Arabia has
11 taken verifiable steps to repeal any law or regu-
12 lation that requires Saudi women to obtain ap-
13 proval from a male guardian in order to leave
14 the country.

15 (G) The Government of Saudi Arabia—

16 (i) has made public the names of all
17 individuals under prosecution for the mur-
18 der of Jamal Khashoggi and associated
19 crimes and the details of the charges such
20 individuals face;

21 (ii) has made public the trial pro-
22 ceedings and all evidence against the ac-
23 cused;

24 (iii) has invited international, inde-
25 pendent experts to monitor the trials;

1 (iv) has made public details of efforts
2 to establish the location of Mr.
3 Khashoggi's remains and associated find-
4 ings and returned his body to his family;
5 and

6 (v) has made public the rationale for
7 why ten of the individuals initially detained
8 were later released without charge.

9 (H) The Government of Saudi Arabia has
10 disbanded any units of its intelligence or secu-
11 rity apparatus dedicated to the forced repatri-
12 ation of dissidents in other countries.

13 (I) The Government of Saudi Arabia is co-
14 operating with efforts to investigate the murder
15 of Jamal Khashoggi being conducted by law en-
16 forcement authorities in the United States and
17 Turkey, or by the United Nations.

18 (2) REPORT.—Accompanying the certification
19 described in paragraph (1), the President shall sub-
20 mit to the appropriate congressional committees a
21 report that contains a detailed description of Saudi
22 Arabia's adherence to the criteria described in the
23 certification.

24 (d) DEFINITIONS.—In this section:

1 (1) ADMITTED; ALIEN.—The terms “admitted”
2 and “alien” have the meanings given those terms in
3 section 101 of the Immigration and Nationality Act
4 (8 U.S.C. 1101).

5 (2) APPROPRIATE CONGRESSIONAL COMMIT-
6 TEES.—The term “appropriate congressional com-
7 mittees” means—

8 (A) the Committee on Foreign Affairs, the
9 Committee on the Judiciary, and the Perma-
10 nent Select Committee on Intelligence of the
11 House of Representatives; and

12 (B) the Committee on Foreign Relations,
13 the Committee on the Judiciary, and the Select
14 Committee on Intelligence of the Senate.

15 (3) FOREIGN PERSON.—The term “foreign per-
16 son” has the meaning given such term in section
17 595.304 of title 31, Code of Federal Regulations (as
18 in effect on the day before the date of the enactment
19 of this Act), except that such term does not include
20 an entity (as such term is described in such section).

21 (4) FOREIGN PERSON WHO IS A-1 VISA ELIGI-
22 BLE.—The term “foreign person who is A-1 visa eli-
23 gible” means an alien described in section
24 101(a)(15)(A)(i) of the Immigration and Nationality
25 Act (8 U.S.C. 1101(a)(15)(A)(i)).

1 (5) UNITED STATES PERSON.—The term
2 “United States person” means—

3 (A) a United States citizen or an alien law-
4 fully admitted for permanent residence to the
5 United States; or

6 (B) an entity organized under the laws of
7 the United States or any jurisdiction within the
8 United States, including a foreign branch of
9 such an entity.

10 **SEC. 1296B. REPORT ON SAUDI ARABIA’S HUMAN RIGHTS**
11 **RECORD.**

12 (a) IN GENERAL.—Not later than 30 days after the
13 date of the enactment of this Act, the Secretary of State,
14 in accordance with section 502B(c) of the Foreign Assist-
15 ance Act of 1961 (22 U.S.C. 2304(c)), shall submit to the
16 appropriate congressional committees a report in writing
17 that—

18 (1) includes the information required under
19 paragraph (1) of such section 502B(c) with respect
20 to Saudi Arabia;

21 (2) describes the extent to which officials of the
22 Government of Saudi Arabia, including members of
23 the military or security services, are responsible for
24 or complicit in gross violations of internationally rec-
25 ognized human rights, including violations of the

1 human rights of journalists, bloggers, human rights
2 defenders, and those who support women's rights or
3 religious freedom;

4 (3) describes violations of human rights in
5 Saudi Arabia by officials of the Government of
6 Saudi Arabia, including against journalists, bloggers,
7 human rights defenders, and civil society activists;

8 (4) describes United States actions to address
9 Saudi violations of human rights, including against
10 journalists, bloggers, human rights defenders, and
11 civil society activists, including demands for clem-
12 ency review of these cases;

13 (5) describes any intolerant content in edu-
14 cational materials published by Saudi Arabia's Min-
15 istry of Education that are used in schools both in-
16 side Saudi Arabia and at schools throughout the
17 world; and

18 (6) describes United States actions to encour-
19 age Saudi Arabia to retrieve and destroy materials
20 with intolerant material and revise teacher manuals
21 and retrain teachers to reflect changes in edu-
22 cational materials and promote tolerance.

23 (b) FORM.—The report required by subsection (a)
24 shall be submitted in unclassified form, but may include
25 a classified annex.

1 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
2 FINED.—In the section, the term “appropriate congres-
3 sional committees” means—

4 (1) the Committee on Foreign Affairs and the
5 Permanent Select Committee on Intelligence of the
6 House of Representatives; and

7 (2) the Committee on Foreign Relations and
8 the Select Committee on Intelligence of the Senate.

9 **Subtitle L—Stop Financing of Al-**
10 **Shabaab Act**

11 **SEC. 1297. SHORT TITLE.**

12 This subtitle may be cited as the “Stop Financing
13 of al-Shabaab Act”.

14 **SEC. 1297A. SENSE OF CONGRESS AND STATEMENT OF POL-**
15 **ICY.**

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

18 (1) the Horn of Africa region remains integral
19 to United States interests in Africa and the Indian
20 Ocean region; and

21 (2) United States assistance and diplomatic
22 support for the Government of Somalia and its Fed-
23 eral Member States must be predicated upon meas-
24 urable progress toward defined benchmarks with re-
25 spect to efforts to counter al-Shabaab, including the

1 enforcement of measures to combat illicit trafficking
2 that finances al-Shabaab.

3 (b) STATEMENT OF POLICY.—It is the policy of the
4 United States to—

5 (1) combat any means by which al-Shabaab ob-
6 tains funding through illicit trafficking;

7 (2) take into consideration compliance with and
8 enforcement of the international bans on illicit traf-
9 ficking which finances al-Shabaab when providing
10 United States assistance to any country;

11 (3) notify countries receiving United States se-
12 curity assistance which are identified by the Sec-
13 retary of State or Secretary of Defense as major
14 components of illicit trafficking routes that finance
15 al-Shabaab, that continued assistance may depend
16 on the full implementation of the obligations of such
17 country to enforce as fully as possibly all restrictions
18 against such trafficking; and

19 (4) ensure that continued United States secu-
20 rity assistance to Kenya, including assistance coordi-
21 nated through the Kenya-United States Liaison Of-
22 fice, and assistance to multilateral institutions such
23 as the African Union Mission in Somalia (AMISOM)
24 to combat al-Shabaab recruitment, attacks, and
25 other operations inside Kenya also includes assist-

1 ance to enable the Kenya Defense Forces to end fa-
2 cilitation of trafficking that funds al-Shabaab en-
3 countered by the Kenya Defense Forces.

4 **SEC. 1297B. REPORT.**

5 (a) REPORT.—Subject to subsection (b), not later
6 than 90 days after the date of the enactment of this Act,
7 the Secretary of State, in coordination with the Secretary
8 of Defense, shall submit to the relevant Congressional
9 committees a report including the contents described in
10 subsection (b).

11 (b) CONTENTS.—Each report described in subsection
12 (a) shall include the following:

13 (1) Information on efforts made by troop con-
14 tributors to AMISOM to enforce any international
15 bans on trafficked goods.

16 (2) A recommendation, including a justification
17 for such recommendation, with respect to making
18 certain future United States security or other assist-
19 ance to any country conditional on enforcement of
20 such international bans on illicit trafficking that fi-
21 nances al-Shabaab.

22 (3) The steps the Secretary of State and the
23 Secretary of Defense have taken to encourage end-
24 ing the facilitation of trafficking that finances al-

1 Shabaab by recipients of United States security as-
2 sistance.

3 (4) A description of the engagement of employ-
4 ees and contractors of the Department of State with
5 national and regional Somali authorities, including
6 authorities in Jubaland, to encourage such Somali
7 authorities to implement their counter-trafficking
8 obligations.

9 (5) A description of efforts taken by the govern-
10 ments of countries with nationals who purchase sig-
11 nificant amounts of trafficked goods that finance al-
12 Shabaab and a description of the steps the Secretary
13 of State has taken to encourage such compliance.

14 (6) An assessment of prospective efforts to re-
15 duce the production and illicit trade of trafficked
16 goods in Somalia, including the identification of al-
17 ternative livelihoods, and means of securing income.
18 The assessment may include recommendations from
19 the Administrator of the United States Agency for
20 International Development.

21 (c) CLASSIFIED INFORMATION.—Each report re-
22 quired under subsection (a) shall be submitted in unclassi-
23 fied form but may contain a classified annex.

24 (d) DEFINITION.—In this section, the term “relevant
25 Congressional committees” means—

1 (1) the Committee on Foreign Affairs and the
2 Committee on Armed Services of the House of Rep-
3 resentatives; and

4 (2) the Committee on Foreign Relations and
5 the Committee on Armed Services of the Senate.

6 **TITLE XIII—COOPERATIVE**
7 **THREAT REDUCTION**

8 **SEC. 1301. FUNDING ALLOCATIONS.**

9 Of the \$338,700,000 authorized to be appropriated
10 to the Department of Defense for fiscal year 2020 in sec-
11 tion 301 and made available by the funding table in divi-
12 sion D for the Department of Defense Cooperative Threat
13 Reduction Program established under section 1321 of the
14 Department of Defense Cooperative Threat Reduction Act
15 (50 U.S.C. 3711), the following amounts may be obligated
16 for the purposes specified:

17 (1) For strategic offensive arms elimination,
18 \$492,000.

19 (2) For chemical weapons destruction,
20 \$12,856,000.

21 (3) For global nuclear security, \$33,919,000.

22 (4) For cooperative biological engagement,
23 \$183,642,000.

24 (5) For proliferation prevention, \$79,869,000.

1 (6) For activities designated as Other Assess-
2 ments/Administrative Costs, \$27,922,000.

3 **SEC. 1302. SPECIFICATION OF COOPERATIVE THREAT RE-**
4 **DUCTION FUNDS.**

5 Funds appropriated pursuant to the authorization of
6 appropriations in section 301 and made available by the
7 funding table in division D for the Department of Defense
8 Cooperative Threat Reduction Program shall be available
9 for obligation for fiscal years 2020, 2021, and 2022.

10 **SEC. 1303. FUNDING FOR COOPERATIVE BIOLOGICAL EN-**
11 **GAGEMENT PROGRAM.**

12 (a) INCREASE.—Notwithstanding the amount set
13 forth in section 1301(4) for cooperative biological engage-
14 ment and the amounts authorized to be appropriated in
15 section 301 for operation and maintenance for the Depart-
16 ment of Defense Cooperative Threat Reduction Program,
17 as specified in the corresponding funding table in section
18 4301, the amount for cooperative biological engagement
19 is hereby increased by \$20,000,000.

20 (b) OFFSET.—Notwithstanding the amounts set forth
21 in the funding tables in division D, the amount authorized
22 to be appropriated in section 201 for research, develop-
23 ment, test, and evaluation, Defense-wide, as specified in
24 the corresponding funding table in section 4201, for Ad-

1 vanced Innovative Technologies, line 096, is hereby re-
2 duced by \$20,000,000.

3 **SEC. 1304. COOPERATIVE THREAT REDUCTION PROGRAM**
4 **ENHANCEMENT.**

5 Not later than 180 days after the date of the enact-
6 ment of this Act, the Secretary of Defense, in coordination
7 with the Secretary of State, shall submit to the congres-
8 sional defense committees and the Committee on Foreign
9 Affairs of the House of Representatives and the Com-
10 mittee on Foreign Relations of the Senate a report regard-
11 ing the Cooperative Threat Reduction Program (estab-
12 lished pursuant to the Department of Defense Cooperate
13 Threat Reduction Act (enacted as subtitle B of title XIII
14 of the Carl Levin and Howard P. “Buck” McKeon Na-
15 tional Defense Authorization Act for Fiscal Year 2015 (50
16 U.S.C. 3701 et seq.)), including recommendations to im-
17 prove the implementation of such Program.

18 **TITLE XIV—OTHER**
19 **AUTHORIZATIONS**
20 **Subtitle A—Military Programs**

21 **SEC. 1401. WORKING CAPITAL FUNDS.**

22 Funds are hereby authorized to be appropriated for
23 fiscal year 2020 for the use of the Armed Forces and other
24 activities and agencies of the Department of Defense for

1 providing capital for working capital and revolving funds,
2 as specified in the funding table in section 4501.

3 **SEC. 1402. CHEMICAL AGENTS AND MUNITIONS DESTRUC-**
4 **TION, DEFENSE.**

5 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
6 are hereby authorized to be appropriated for the Depart-
7 ment of Defense for fiscal year 2020 for expenses, not oth-
8 erwise provided for, for Chemical Agents and Munitions
9 Destruction, Defense, as specified in the funding table in
10 section 4501.

11 (b) USE.—Amounts authorized to be appropriated
12 under subsection (a) are authorized for—

13 (1) the destruction of lethal chemical agents
14 and munitions in accordance with section 1412 of
15 the Department of Defense Authorization Act, 1986
16 (50 U.S.C. 1521); and

17 (2) the destruction of chemical warfare materiel
18 of the United States that is not covered by section
19 1412 of such Act.

20 **SEC. 1403. DRUG INTERDICTION AND COUNTER-DRUG AC-**
21 **TIVITIES, DEFENSE-WIDE.**

22 Funds are hereby authorized to be appropriated for
23 the Department of Defense for fiscal year 2020 for ex-
24 penses, not otherwise provided for, for Drug Interdiction

1 and Counter-Drug Activities, Defense-wide, as specified in
2 the funding table in section 4501.

3 **SEC. 1404. DEFENSE INSPECTOR GENERAL.**

4 Funds are hereby authorized to be appropriated for
5 the Department of Defense for fiscal year 2020 for ex-
6 penses, not otherwise provided for, for the Office of the
7 Inspector General of the Department of Defense, as speci-
8 fied in the funding table in section 4501.

9 **SEC. 1405. DEFENSE HEALTH PROGRAM.**

10 Funds are hereby authorized to be appropriated for
11 fiscal year 2020 for the Defense Health Program for use
12 of the Armed Forces and other activities and agencies of
13 the Department of Defense for providing for the health
14 of eligible beneficiaries, as specified in the funding table
15 in section 4501.

16 **SEC. 1406. NATIONAL DEFENSE SEALIFT FUND.**

17 Funds are hereby authorized to be appropriated for
18 fiscal year 2020 for the National Defense Sealift Fund,
19 as specified in the funding tables 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 DEM-
ONSTRATION 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, \$127,500,000 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

1 Ambulatory Care Center, and supporting facilities des-
2 ignated as a combined Federal medical facility under an
3 operational agreement covered by section 706 of the Dun-
4 can Hunter National Defense Authorization Act for Fiscal
5 Year 2009 (Public Law 110–417; 122 Stat. 4500).

6 **SEC. 1412. AUTHORIZATION OF APPROPRIATIONS FOR**
7 **ARMED FORCES RETIREMENT HOME.**

8 There is hereby authorized to be appropriated for fis-
9 cal year 2020 from the Armed Forces Retirement Home
10 Trust Fund the sum of \$64,300,000 for the operation of
11 the Armed Forces Retirement Home.

12 **TITLE XV—AUTHORIZATION OF**
13 **ADDITIONAL APPROPRIA-**
14 **TIONS FOR OVERSEAS CON-**
15 **TINGENCY OPERATIONS**

16 **Subtitle A—Authorization of**
17 **Appropriations**

18 **SEC. 1501. PURPOSE.**

19 The purpose of this title is to authorize appropria-
20 tions for the Department of Defense for fiscal year 2020
21 to provide additional funds for overseas contingency oper-
22 ations being carried out by the Armed Forces.

23 **SEC. 1502. PROCUREMENT.**

24 Funds are hereby authorized to be appropriated for
25 fiscal year 2020 for procurement accounts for the Army,

1 the Navy and the Marine Corps, the Air Force, and De-
2 fense-wide activities, as specified in the funding table in
3 section 4102.

4 **SEC. 1503. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
5 **TION.**

6 Funds are hereby authorized to be appropriated for
7 fiscal year 2020 for the use of the Department of Defense
8 for research, development, test, and evaluation, as speci-
9 fied in the funding table in section 4202.

10 **SEC. 1504. OPERATION AND MAINTENANCE.**

11 Funds are hereby authorized to be appropriated for
12 fiscal year 2020 for the use of the Armed Forces and other
13 activities and agencies of the Department of Defense for
14 expenses, not otherwise provided for, for operation and
15 maintenance, as specified in the funding table in section
16 4302.

17 **SEC. 1505. MILITARY PERSONNEL.**

18 Funds are hereby authorized to be appropriated for
19 fiscal year 2020 for the use of the Armed Forces and other
20 activities and agencies of the Department of Defense for
21 expenses, not otherwise provided for, military personnel
22 accounts, as specified in the funding table in section 4402.

23 **SEC. 1506. WORKING CAPITAL FUNDS.**

24 Funds are hereby authorized to be appropriated for
25 fiscal year 2020 for the use of the Armed Forces and other

1 activities and agencies of the Department of Defense for
2 providing capital for working capital and revolving funds,
3 as specified in the funding table in section 4502.

4 **SEC. 1507. DRUG INTERDICTION AND COUNTER-DRUG AC-**
5 **TIVITIES, DEFENSE-WIDE.**

6 Funds are hereby authorized to be appropriated for
7 the Department of Defense for fiscal year 2020 for ex-
8 penses, not otherwise provided for, for Drug Interdiction
9 and Counter-Drug Activities, Defense-wide, as specified in
10 the funding table in section 4502.

11 **SEC. 1508. DEFENSE INSPECTOR GENERAL.**

12 Funds are hereby authorized to be appropriated for
13 the Department of Defense for fiscal year 2020 for ex-
14 penses, not otherwise provided for, for the Office of the
15 Inspector General of the Department of Defense, as speci-
16 fied in the funding table in section 4502.

17 **SEC. 1509. DEFENSE HEALTH PROGRAM.**

18 Funds are hereby authorized to be appropriated for
19 the Department of Defense for fiscal year 2020 for ex-
20 penses, not otherwise provided for, for the Defense Health
21 Program, as specified in the funding table in section 4502.

1 **Subtitle B—Financial Matters**

2 **SEC. 1511. TREATMENT AS ADDITIONAL AUTHORIZATIONS.**

3 The amounts authorized to be appropriated by this
4 title are in addition to amounts otherwise authorized to
5 be appropriated by this Act.

6 **SEC. 1512. SPECIAL TRANSFER AUTHORITY.**

7 (a) **AUTHORITY TO TRANSFER AUTHORIZATIONS.—**

8 (1) **AUTHORITY.**—Upon determination by the
9 Secretary of Defense that such action is necessary in
10 the national interest, the Secretary may transfer
11 amounts of authorizations made available to the De-
12 partment of Defense in this title for fiscal year 2019
13 between any such authorizations for that fiscal year
14 (or any subdivisions thereof). Amounts of authoriza-
15 tions so transferred shall be merged with and be
16 available for the same purposes as the authorization
17 to which transferred.

18 (2) **LIMITATION.**—The total amount of author-
19 izations that the Secretary may transfer under the
20 authority of this subsection may not exceed
21 \$500,000,000.

22 (b) **TERMS AND CONDITIONS.—**

23 (1) **IN GENERAL.**—Transfers under this section
24 shall be subject to the same terms and conditions as
25 transfers under section 1001.

1 (2) ADDITIONAL LIMITATION ON TRANSFERS
2 FOR DRUG INTERDICTION AND COUNTER DRUG AC-
3 TIVITIES.—The authority provided by subsection (a)
4 may not be used to transfer any amount to Drug
5 Interdiction and Counter Drug Activities, Defense-
6 wide.

7 (c) ADDITIONAL AUTHORITY.—The transfer author-
8 ity provided by this section is in addition to the transfer
9 authority provided under section 1001.

10 **Subtitle C—Other Matters**

11 **SEC. 1521. AFGHANISTAN SECURITY FORCES FUND.**

12 (a) CONTINUATION OF PRIOR AUTHORITIES AND NO-
13 TICE AND REPORTING REQUIREMENTS.—Funds available
14 to the Department of Defense for the Afghanistan Secu-
15 rity Forces Fund for fiscal year 2020 shall be subject to
16 the conditions contained in—

17 (1) subsections (b) through (f) of section 1513
18 of the National Defense Authorization Act for Fiscal
19 Year 2008 (Public Law 110–181; 122 Stat. 428);
20 and

21 (2) section 1521(d)(1) of the National Defense
22 Authorization Act for Fiscal Year 2017 (Public Law
23 114–328; 130 Stat. 2577).

24 (b) EQUIPMENT DISPOSITION.—

1 (1) ACCEPTANCE OF CERTAIN EQUIPMENT.—
2 Subject to paragraph (2), the Secretary of Defense
3 may accept equipment that is procured using
4 amounts authorized to be appropriated for the Af-
5 ghanistan Security Forces Fund by this Act and is
6 intended for transfer to the security forces of the
7 Ministry of Defense and the Ministry of the Interior
8 of the Government of Afghanistan, but is not accept-
9 ed by such security forces.

10 (2) CONDITIONS ON ACCEPTANCE OF EQUIP-
11 MENT.—Before accepting any equipment under the
12 authority provided by paragraph (1), the Com-
13 mander of United States forces in Afghanistan shall
14 make a determination that such equipment was pro-
15 cured for the purpose of meeting requirements of the
16 security forces of the Ministry of Defense and the
17 Ministry of the Interior of the Government of Af-
18 ghanistan, as agreed to by both the Government of
19 Afghanistan and the Government of the United
20 States, but is no longer required by such security
21 forces or was damaged before transfer to such secu-
22 rity forces.

23 (3) ELEMENTS OF DETERMINATION.—In mak-
24 ing a determination under paragraph (2) regarding
25 equipment, the Commander of United States forces

1 in Afghanistan shall consider alternatives to the ac-
2 ceptance of such equipment by the Secretary. An ex-
3 planation of each determination, including the basis
4 for the determination and the alternatives consid-
5 ered, shall be included in the relevant quarterly re-
6 port required under paragraph (5).

7 (4) TREATMENT AS DEPARTMENT OF DEFENSE
8 STOCKS.—Equipment accepted under the authority
9 provided by paragraph (1) may be treated as stocks
10 of the Department of Defense upon notification to
11 the congressional defense committees of such treat-
12 ment.

13 (5) QUARTERLY REPORTS ON EQUIPMENT DIS-
14 POSITION.—

15 (A) IN GENERAL.—Not later than 90 days
16 after the date of the enactment of this Act and
17 every 90-day period thereafter during which the
18 authority provided by paragraph (1) is exer-
19 cised, the Secretary shall submit to the congres-
20 sional defense committees a report describing
21 the equipment accepted during the period cov-
22 ered by such report under the following:

23 (i) This subsection.

24 (ii) Section 1521(b) of the National
25 Defense Authorization Act for Fiscal Year

1 2017 (Public Law 114–328; 130 Stat.
2 2575).

3 (iii) Section 1531(b) of the National
4 Defense Authorization Act for Fiscal Year
5 2016 (Public Law 114–92; 129 Stat.
6 1088).

7 (iv) Section 1532(b) of the Carl Levin
8 and Howard P. “Buck” McKeon National
9 Defense Authorization Act for Fiscal Year
10 2015 (Public Law 113–291; 128 Stat.
11 3613).

12 (v) Section 1531(d) of the National
13 Defense Authorization Act for Fiscal Year
14 2014 (Public Law 113–66; 127 Stat. 938;
15 10 U.S.C. 2302 note).

16 (B) ELEMENTS.—Each report under sub-
17 paragraph (A) shall include a list of all equip-
18 ment that was accepted during the period cov-
19 ered by such report and treated as stocks of the
20 Department of Defense and copies of the deter-
21 minations made under paragraph (2), as re-
22 quired by paragraph (3).

23 (c) SECURITY OF AFGHAN WOMEN.—

24 (1) IN GENERAL.—Of the funds available to the
25 Department of Defense for the Afghan Security

1 Forces Fund for fiscal year 2020, it is the goal that
2 \$45,500,000, but in no event less than \$10,000,000,
3 shall be used for—

4 (A) the recruitment, integration, retention,
5 training, and treatment of women in the Af-
6 ghan National Defense and Security Forces;
7 and

8 (B) the recruitment, training, and con-
9 tracting of female security personnel for future
10 elections.

11 (2) TYPES OF PROGRAMS AND ACTIVITIES.—

12 Such programs and activities may include—

13 (A) efforts to recruit and retain women
14 into the Afghan National Defense and Security
15 Forces, including the special operations forces;

16 (B) programs and activities of the Direc-
17 torate of Human Rights and Gender Integra-
18 tion of the Ministry of Defense of Afghanistan
19 and the Office of Human Rights, Gender and
20 Child Rights of the Ministry of Interior of Af-
21 ghanistan;

22 (C) development and dissemination of gen-
23 der and human rights educational and training
24 materials and programs within the Ministry of

1 Defense and the Ministry of Interior of Afghan-
2 istan;

3 (D) efforts to address harassment and vio-
4 lence against women within the Afghan Na-
5 tional Defense and Security Forces;

6 (E) improvements to infrastructure that
7 address the requirements of women serving in
8 the Afghan National Defense and Security
9 Forces, including appropriate equipment for fe-
10 male security and police forces, and transpor-
11 tation for policewomen to their station;

12 (F) support for Afghanistan National Po-
13 lice Family Response Units;

14 (G) security provisions for high-profile fe-
15 male police and military officers; and

16 (H) programs to promote conflict preven-
17 tion, management, and resolution through the
18 meaningful participation of Afghan women in
19 the Afghan National Defense and Security
20 Forces by exposing Afghan women and girls to
21 the activities of and careers available with such
22 forces, encouraging their interest in such ca-
23 reers, or developing their interest and skills nec-
24 essary for service in such forces; and

1 (I) enhancements to the recruitment pro-
2 grams of the Afghan National Defense and Se-
3 curity Forces through an aggressive program of
4 advertising and market research targeted at
5 prospective female recruits for such forces and
6 at those who may influence prospective female
7 recruits.

8 (d) ASSESSMENT OF AFGHANISTAN PROGRESS ON
9 OBJECTIVES.—

10 (1) ASSESSMENT REQUIRED.—Not later than
11 June 1, 2020, the Secretary of Defense shall, in con-
12 sultation with the Secretary of State, submit to the
13 Committee on Armed Services and the Committee on
14 Foreign Affairs of the House of Representatives and
15 the Committee on Armed Services and the Com-
16 mittee on Foreign Relations of the Senate an assess-
17 ment describing—

18 (A) the progress of the Government of the
19 Islamic Republic of Afghanistan toward meeting
20 shared security objectives; and

21 (B) the efforts of the Government of the
22 Islamic Republic of Afghanistan to manage, em-
23 ploy, and sustain the equipment and inventory
24 provided under subsection (a).

1 (2) MATTERS TO BE INCLUDED.—In conducting
2 the assessment required by paragraph (1), the Sec-
3 retary of Defense shall include each of the following:

4 (A) A consideration of the extent to which
5 the Government of Afghanistan has a strategy
6 for, and has taken steps toward, increased ac-
7 countability and the reduction of corruption
8 within the Ministry of Defense and the Ministry
9 of Interior of Afghanistan.

10 (B) A consideration of the extent to which
11 the capability and capacity of the Afghan Na-
12 tional Defense and Security Forces have im-
13 proved as a result of Afghanistan Security
14 Forces Fund investment, including through
15 training, and an articulation of the metrics used
16 to assess such improvements.

17 (C) A consideration of the extent to which
18 the Afghan National Defense and Security
19 Forces have been able to increase pressure on
20 the Taliban, al-Qaeda, the Haqqani network,
21 the Islamic State of Iraq and Syria-Khorasan,
22 and other terrorist organizations, including by
23 re-taking territory, defending territory, and dis-
24 rupting attacks.

1 (D) A consideration of the distribution
2 practices of the Afghan National Defense and
3 Security Forces and whether the Government of
4 Afghanistan is ensuring that supplies, equip-
5 ment, and weaponry supplied by the United
6 States are appropriately distributed to, and em-
7 ployed by, security forces charged with fighting
8 the Taliban and other terrorist organizations.

9 (E) A consideration of the extent to which
10 the Government of Afghanistan has designated
11 the appropriate staff, prioritized the develop-
12 ment of relevant processes, and provided or re-
13 quested the allocation of resources necessary to
14 support a peace and reconciliation process in
15 Afghanistan.

16 (F) A description of the ability of the Min-
17 istry of Defense and the Ministry of Interior of
18 Afghanistan to manage and account for pre-
19 viously divested equipment, including a descrip-
20 tion of any vulnerabilities or weaknesses of the
21 internal controls of such Ministry of Defense
22 and Ministry of Interior and any plan in place
23 to address shortfalls.

24 (G) A description of the monitoring and
25 evaluation systems in place to ensure assistance

1 provided under subsection (a) is used only for
2 the intended purposes.

3 (H) A description of any significant irreg-
4 ularities in the divestment of equipment to the
5 Afghan National Defense and Security Forces
6 during the period beginning on May 1, 2019,
7 and ending on May 1, 2020, including any
8 major losses of such equipment or any inability
9 on the part of the Afghan National Defense and
10 Security Forces to account for equipment so
11 procured.

12 (I) A description of the sustainment and
13 maintenance costs required during the period
14 beginning on May 1, 2019, and ending on May
15 1, 2020, for major weapons platforms pre-
16 viously divested, and a plan for how the Afghan
17 National Defense and Security Forces intends
18 to maintain such platforms in the future.

19 (J) A consideration of the extent to which
20 the Government of Afghanistan is adhering to
21 conditions for receiving assistance established in
22 annual financial commitment letters or any
23 other bilateral agreements with the United
24 States.

1 (K) A consideration of the extent to which
2 the Government of Afghanistan has made
3 progress in achieving security sector bench-
4 marks as outlined by the United States-Afghan
5 Compact (commonly known as the “Kabul
6 Compact”).

7 (L) Such other factors as the Secretaries
8 consider appropriate.

9 (3) FORM.—The assessment required by para-
10 graph (1) shall be submitted in unclassified form,
11 but may include a classified annex.

12 (4) WITHHOLDING OF ASSISTANCE FOR INSUF-
13 FICIENT PROGRESS.—

14 (A) IN GENERAL.—If the Secretary of De-
15 fense determines, in coordination with the Sec-
16 retary of State and pursuant to the assessment
17 under paragraph (1), that the Government of
18 Afghanistan has made insufficient progress in
19 the areas described in paragraph (2), the Sec-
20 retary of Defense shall—

21 (i) withhold \$480,000,000, to be de-
22 rived from amounts made available for as-
23 sistance for the Afghan National Defense
24 and Security Forces, from expenditure or
25 obligation until the date on which the Sec-

1 retary certifies to Congress that the Gov-
2 ernment of Afghanistan has made suffi-
3 cient progress; and

4 (ii) notify Congress not later than 30
5 days before withholding such funds.

6 (B) WAIVER.—If the Secretary of Defense
7 determines that withholding such assistance
8 would impede the national security objectives of
9 the United States by prohibiting, restricting,
10 delaying, or otherwise limiting the provision of
11 assistance, the Secretary may waive the with-
12 holding requirement under subparagraph (A) if
13 the Secretary, in coordination with the Sec-
14 retary of State, certifies such determination to
15 Congress not later than 30 days before the ef-
16 fective date of the waiver.

17 (e) ADDITIONAL REPORTING REQUIREMENTS.—The
18 Secretary of Defense shall include in the materials sub-
19 mitted in support of the budget for fiscal year 2021 that
20 is submitted by the President under section 1105(a) of
21 title 31, United States Code, each of the following:

22 (1) The amount of funding provided in fiscal
23 year 2019 through the Afghanistan Security Forces
24 Fund to the Government of Afghanistan in the form
25 of direct government-to-government assistance or on-

1 budget assistance for the purposes of supporting any
2 entity of such government, including the Afghan Na-
3 tional Defense and Security Forces, the Afghan Min-
4 istry of Interior, or the Afghan Ministry of Defense.

5 (2) The amount of funding provided and antici-
6 pated to be provided, as of the date of the submis-
7 sion of the materials, in fiscal year 2020 through
8 such Fund in such form.

9 (3) To the extent the amount described in para-
10 graph (2) exceeds the amount described in para-
11 graph (1), an explanation as to the reason why the
12 such amount is greater and the specific entities and
13 purposes that were supported by such increase.

14 **TITLE XVI—STRATEGIC PRO-**
15 **GRAMS, CYBER, AND INTEL-**
16 **LIGENCE MATTERS**
17 **Subtitle A—Space Activities**

18 **SEC. 1601. NATIONAL SECURITY SPACE LAUNCH PROGRAM.**

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

21 (1) ensuring opportunities for future competi-
22 tion in the National Security Space Launch program
23 of the Air Force will decrease the overall cost of the
24 program and increase the likelihood of success with
25 respect to the Department of Defense stopping the

1 use of Russian-made RD–180 rocket engines, as re-
2 quired by section 1608 of the Carl Levin and How-
3 ard P. “Buck” McKeon National Defense Authoriza-
4 tion Act for Fiscal Year 2015 (Public Law 113–291;
5 10 U.S.C. 2271 note); and

6 (2) while Congress supports robust competition
7 within the National Security Space Launch program,
8 Congress recognizes the importance of providing a
9 regular launch manifest and incentives for a robust
10 industrial base to support national security require-
11 ments.

12 (b) PHASE TWO ACQUISITION STRATEGY.—In car-
13 rying out the phase two acquisition strategy, the Secretary
14 of the Air Force—

15 (1) shall ensure, except as provided by sub-
16 section (c), that launch services are procured only
17 from National Security Space Launch providers that
18 are offerors using launch vehicles or families of
19 launch vehicles that meet all of the requirements of
20 the Air Force for the delivery of all required pay-
21 loads to all reference orbits; and

22 (2) may not substantially change the acquisition
23 schedule or mission performance requirements.

24 (c) COMPETITIVE PROCEDURES.—If the Secretary of
25 the Air Force awards phase two contracts for more than

1 a total of 29 launches, the Secretary shall ensure that each
2 such contract for any launch after the 29th launch is
3 awarded using competitive procedures among all National
4 Security Space Launch providers.

5 (d) FUNDING FOR CERTIFICATION AND INFRASTRUC-
6 TURE.—

7 (1) AUTHORITY.—Pursuant to section 2371b of
8 title 10, United States Code, the Secretary of the
9 Air Force shall enter into an agreement described in
10 paragraph (2) with either National Security Space
11 Launch providers that have not entered into a phase
12 two contract for launch services occurring before fis-
13 cal year 2022 or National Security Space Launch
14 providers that have entered into a phase two con-
15 tract but have not entered into a launch services
16 agreement for such phase, or both.

17 (2) AGREEMENTS.—An agreement described in
18 this paragraph is an agreement that provides a Na-
19 tional Security Space Launch provider with not
20 more than \$500,000,000 for the provider to meet
21 the certification and infrastructure requirements
22 that are—

23 (A) unique to national security space mis-
24 sions; and

1 (B) necessary for a phase two contract, in-
2 cluding such contracts described in subsection
3 (c).

4 (e) DOWN SELECT NOTIFICATION.—The Under Sec-
5 retary of Defense for Acquisition and Sustainment, in co-
6 ordination with the Secretary of the Air Force, shall sub-
7 mit to the appropriate congressional committees written
8 notification of the two National Security Space Launch
9 providers selected during fiscal year 2020 by the Secretary
10 of the Air Force to be awarded phase two contracts not
11 later than 10 days before the Secretary publicly announces
12 such selection. The notification shall include, at a min-
13 imum—

- 14 (1) an identification of the selected providers;
15 (2) the evaluation criteria used in the selection;
16 (3) the total costs to the Air Force for such
17 contracts; and
18 (4) a risk assessment of the selected providers
19 in meeting national security requirements.

20 (f) REPORT.—Not later than 45 days after the date
21 on which the Secretary of the Air Force awards phase two
22 contracts during fiscal year 2020, the Secretary shall sub-
23 mit to the appropriate congressional committees a report
24 on—

1 (1) the total defense investments made with re-
2 spect to launch service agreements and engine devel-
3 opment for each National Security Space Launch
4 provider so awarded such phase two contracts; and

5 (2) how such investments in launch service pro-
6 viders were accounted for in the evaluation of the of-
7 fers for such phase two contracts.

8 (g) DEFINITIONS.—In this section:

9 (1) The term “appropriate congressional com-
10 mittees” means—

11 (A) the congressional defense committees;
12 and

13 (B) the Permanent Select Committee on
14 Intelligence of the House of Representatives
15 and the Select Committee on Intelligence of the
16 Senate.

17 (2) The term “phase two acquisition strategy”
18 means the process by which the Secretary of the Air
19 Force enters into phase two contracts and carries
20 out launches under the National Security Space
21 Launch program during fiscal years 2020 through
22 2024.

23 (3) The term “phase two contract” means a
24 contract for launch services under the National Se-
25 curity Space Launch program during fiscal years

1 2020 through 2024, as described in solicitation
2 number FA8811–19–R–0002 of the Air Force.

3 **SEC. 1602. PREPARATION TO IMPLEMENT PLAN FOR USE**
4 **OF ALLIED LAUNCH VEHICLES.**

5 (a) PREPARATION.—The Secretary of Defense, in co-
6 ordination with the Director of National Intelligence, shall
7 take actions necessary to prepare to implement the plan
8 developed pursuant to section 1603 of the National De-
9 fense Authorization Act for Fiscal Year 2017 (Public Law
10 114–328; 130 Stat. 2584) regarding using allied launch
11 vehicles to meet the requirements for achieving the policy
12 relating to assured access to space set forth in section
13 2273 of title 10, United States Code.

14 (b) ACTIONS REQUIRED.—In carrying out subsection
15 (a), the Secretary shall—

16 (1) identify the satellites of the United States
17 that would be appropriate to be launched on an al-
18 lied launch vehicle;

19 (2) assess the relevant provisions of Federal
20 law, regulations, and policies governing the launch of
21 national security satellites and determine whether
22 any legislative, regulatory, or policy actions (includ-
23 ing with respect to waivers) would be necessary to
24 allow for the launch of a national security satellite
25 on an allied launch vehicle; and

1 (3) address any certification requirements nec-
2 essary for such use of allied launch vehicles and the
3 estimated cost, schedule, and actions necessary to
4 certify allied launch vehicles for such use.

5 (c) SUBMISSION TO CONGRESS.—Not later than 90
6 days after the date of the enactment of this Act, the Sec-
7 retary of Defense shall submit to the appropriate congres-
8 sional committees a report on preparing to implement the
9 plan described in subsection (a), including information re-
10 garding each action required by paragraphs (1), (2), and
11 (3) of subsection (b).

12 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
13 DEFINED.—In this section, the term “appropriate con-
14 gressional committees” means—

15 (1) the congressional defense committees; and
16 (2) the Permanent Select Committee on Intel-
17 ligence of the House of Representatives and the Se-
18 lect Committee on Intelligence of the Senate.

19 **SEC. 1603. ANNUAL DETERMINATION ON PLAN ON FULL IN-**
20 **TEGRATION AND EXPLOITATION OF OVER-**
21 **HEAD PERSISTENT INFRARED CAPABILITY.**

22 Section 1618(c) of the National Defense Authoriza-
23 tion Act for Fiscal Year 2016 (Public Law 114–92; 10
24 U.S.C. 2431 note) is amended by striking “for a fiscal

1 year” and inserting “for each fiscal year preceding fiscal
2 year 2029”.

3 **SEC. 1604. SPACE-BASED ENVIRONMENTAL MONITORING**
4 **MISSION REQUIREMENTS.**

5 (a) NRO.—

6 (1) PROCUREMENT.—The Director of the Na-
7 tional Reconnaissance Office shall procure a modern-
8 ized pathfinder program free-flyer satellite that—

9 (A) addresses space-based environmental
10 monitoring mission requirements;

11 (B) reduces the risk that the Department
12 of Defense experiences a gap in meeting such
13 requirements during the period beginning Janu-
14 ary 1, 2023, and ending December 31, 2025;
15 and

16 (C) is launched not later than January 1,
17 2023.

18 (2) PLAN.—Not later than 60 days after the
19 date of the enactment of this Act, the Director, in
20 coordination with the Secretary of the Air Force,
21 shall submit to the appropriate congressional com-
22 mittees a plan for the Director to procure and
23 launch the satellite under paragraph (1), including
24 with respect to—

1 (A) the requirements for such satellite, in-
2 cluding operational requirements;

3 (B) timelines for such procurement and
4 launch;

5 (C) costs for such procurement and launch;
6 and

7 (D) the launch plan.

8 (3) PROCEDURES.—The Director shall ensure
9 that the satellite under paragraph (1) is procured
10 using full and open competition through the use of
11 competitive procedures.

12 (b) AIR FORCE.—The Secretary of the Air Force
13 shall ensure that the electro-optical/infrared weather sys-
14 tem satellite—

15 (1) meets space-based environmental moni-
16 toring mission requirements;

17 (2) is procured using full and open competition
18 through the use of competitive procedures; and

19 (3) is launched not later than September 30,
20 2025.

21 (c) DEFINITIONS.—In this section:

22 (1) The term “appropriate congressional com-
23 mittees” means—

24 (A) the congressional defense committees;
25 and

1 (B) the Permanent Select Committee on
2 Intelligence of the House of Representatives
3 and the Select Committee on Intelligence of the
4 Senate.

5 (2) The term “space-based environmental moni-
6 toring mission requirements” means the national se-
7 curity requirements for cloud characterization and
8 theater weather imagery.

9 **SEC. 1605. PROTOTYPE PROGRAM FOR MULTI-GLOBAL**
10 **NAVIGATION SATELLITE SYSTEM RECEIVER**
11 **DEVELOPMENT.**

12 (a) PROTOTYPE MULTI-GNSS PROGRAM.—The Sec-
13 retary of Defense shall establish under the Space Develop-
14 ment Agency a program to prototype an M-code based,
15 multi-global navigation satellite system receiver that is ca-
16 pable of receiving covered signals to increase the resilience
17 and capability of military position, navigation, and timing
18 equipment against threats to the Global Positioning Sys-
19 tem and to deter the likelihood of attack on the worldwide
20 Global Positioning System by reducing the benefits of such
21 an attack.

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

24 (1) with respect to each covered signal that
25 could be received by the prototype receiver under

1 such program, conduct an assessment of the relative
2 benefits and risks of using that signal, including
3 with respect to any existing or needed monitoring in-
4 frastructure that would alert users of the Depart-
5 ment of Defense of potentially corrupted signal in-
6 formation, and the cyber risks and challenges of in-
7 corporating such signals into a properly designed re-
8 ceiver;

9 (2) ensure that monitoring systems are able to
10 include any monitoring network of the United States
11 or allies of the United States;

12 (3) conduct an assessment of the benefits and
13 risks, including with respect to the compatibility of
14 non-United States global navigation satellite system
15 signals with existing position, navigation, and timing
16 equipment of the United States, and the extent to
17 which the capability to receive such signals would
18 impact current receiver or antenna design; and

19 (4) conduct an assessment of the desirability of
20 establishing such program in a manner that—

21 (A) is a cooperative effort, coordinated
22 with the Secretary of State, between the United
23 States and the allies of the United States that
24 may also have interest in funding a multi-global

1 navigation satellite system and M-code pro-
2 gram; and

3 (B) the Secretary of Defense, in coordina-
4 tion with the Secretary of State, ensures that
5 the United States has access to sufficient in-
6 sight into trusted signals of allied systems to
7 assure potential reliance by the United States
8 on such signals.

9 (c) BRIEFING.—Not later than 90 days after the date
10 of the enactment of this Act, the Director of the Space
11 Development Agency, in coordination with the Air Force
12 GPS User Equipment Program office, shall provide to the
13 congressional defense committees a briefing on a plan to
14 carry out the program under subsection (a) that in-
15 cludes—

16 (1) the estimated cost, including total cost and
17 out-year funding requirements;

18 (2) the schedule for such program;

19 (3) a plan for how the results of the program
20 could be incorporated into future blocks of the Glob-
21 al Positioning System military user equipment pro-
22 gram; and

23 (4) the recommendations and analysis contained
24 in the study sponsored by the Department of De-
25 fense conducted by the MITRE Corporation on the

1 risks, benefits, and approaches to adding multi-glob-
2 al navigation satellite system capabilities to military
3 user equipment.

4 (d) REPORT.—Not later than 120 days after the date
5 of the enactment of this Act, the Secretary of Defense
6 shall submit to the congressional defense committees, the
7 Committee on Foreign Affairs of the House of Representa-
8 tives, and the Committee on Foreign Relations of the Sen-
9 ate a report containing—

10 (1) an explanation of how the Secretary intends
11 to comply with section 1609 of the John S. McCain
12 National Defense Authorization Act for Fiscal Year
13 2019 (Public Law 115–232; 132 Stat. 2110);

14 (2) an outline of any potential cooperative ef-
15 forts acting in accordance with the North Atlantic
16 Treaty Organization, the European Union, or Japan
17 that would support such compliance;

18 (3) an assessment of the potential to host, or
19 incorporate through software-defined payloads, Glob-
20 al Positioning System M-code functionality onto al-
21 lied global navigation satellite system systems; and

22 (4) an assessment of new or enhanced moni-
23 toring capabilities that would be needed to incor-
24 porate global navigation satellite system

1 functionality into weapon systems of the Depart-
2 ment.

3 (e) LIMITATION.—Of the funds authorized to be ap-
4 propriated by this Act or otherwise made available for fis-
5 cal year 2020 for increment 2 of the acquisition of military
6 Global Positioning System user equipment terminals, not
7 more than 75 percent may be obligated or expended until
8 the date on which the briefing has been provided under
9 subsection (c) and the report has been submitted under
10 subsection (d).

11 (f) DEFINITIONS.—In this section:

12 (1) The term “allied systems” means—

13 (A) the Galileo system of the European
14 Union;

15 (B) the QZSS system of Japan; and

16 (C) upon designation by the Secretary of
17 Defense, in consultation with the Director of
18 National Intelligence—

19 (i) the NAVIC system of India; and

20 (ii) any similarly associated wide area
21 augmentation systems.

22 (2) The term “covered signals”—

23 (A) means global navigation satellite sys-
24 tem signals from—

25 (i) allied systems; and

1 (ii) non-allied systems; and

2 (B) includes both trusted signals and open
3 signals.

4 (3) The term “M-code” means, with respect to
5 global navigation satellite system signals, military
6 code that provides enhanced positioning, navigation,
7 and timing capabilities and improved resistance to
8 existing and emerging threats, such as jamming.

9 (4) The term “non-allied systems” means—

10 (A) the Russian GLONASS system; and

11 (B) the Chinese Beidou system.

12 (5) The term “open signals” means global navi-
13 gation satellite system that do not include encryption
14 or other internal methods to authenticate signal in-
15 formation.

16 (6) The term “trusted signals” means global
17 navigation satellite system signals that incorporate
18 encryption or other internal methods to authenticate
19 signal information.

20 **SEC. 1606. COMMERCIAL SPACE SITUATIONAL AWARENESS**
21 **CAPABILITIES.**

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

23 (1) The Secretary of the Air Force is respon-
24 sible for developing the hardware and software sys-
25 tems to provide space situational awareness data to

1 the Commander of the United States Strategic Com-
2 mand to meet warfighter requirements.

3 (2) There have been significant delays and cost
4 increases in the program of record that underpin
5 space situational awareness.

6 (3) The Secretary terminated the Joint Space
7 Operations Center Mission Center and decided to
8 operationally accept the Joint Space Operations
9 Center Mission Center Increment 2 despite the fact
10 that only three of 12 planned capabilities in Joint
11 Space Operations Center Mission Center Increment
12 2 were accepted for use in operations.

13 (4) Multiple commercial vendors have the cur-
14 rent capability to detect, maintain custody of, and
15 provide analytical products that can address the
16 warfighter space situational awareness requirements
17 that were not filled in the Joint Space Operations
18 Center Mission Center and that have been impacted
19 by significant delays in the program of record.

20 (b) PROCUREMENT.—Not later than 90 days after
21 the date of the enactment of this Act, the Director of the
22 Space Development Agency shall procure commercial
23 space situational awareness services by awarding at least
24 two contracts for such services.

1 (c) LIMITATION.—Of the funds authorized to be ap-
2 propriated by this Act or otherwise made available for fis-
3 cal year 2020 for the enterprise space battle management
4 command and control, not more than 75 percent may be
5 obligated or expended until the date on which the Sec-
6 retary of Defense, without delegation, certifies to the con-
7 gressional committees that the Secretary has awarded the
8 contracts under subsection (b).

9 (d) REPORT.—Not later than January 31, 2020, the
10 Director of the Space Development Agency, in coordina-
11 tion with the Secretary of the Air Force, shall submit to
12 the congressional defense committees a report on using
13 commercial space situational awareness services to fill the
14 space situational awareness requirements that were not
15 filled in the Joint Space Operations Center Mission Cen-
16 ter. The report shall include the following:

17 (1) A description of current domestic commer-
18 cial capabilities to detect and track space objects in
19 low earth orbit below the 10 centimeter threshold of
20 legacy systems.

21 (2) A description of current domestic best-in-
22 breed commercial capabilities that can meet such re-
23 quirements.

24 (3) Estimates of the timelines, milestones, and
25 funding requirements to procure a near-term solu-

1 tion to meet such requirements until the develop-
2 ment programs of the Air Force are projected to be
3 operationally fielded.

4 (e) **COMMERCIAL SPACE SITUATIONAL AWARENESS**
5 **SERVICES DEFINED.**—In this section, the term “commer-
6 cial space situational awareness services” means commer-
7 cial space situational awareness processing software and
8 data to address warfighter requirements and fill gaps in
9 current space situational capabilities of the Air Force.

10 **SEC. 1607. INDEPENDENT STUDY ON PLAN FOR DETER-**
11 **RENCE IN SPACE.**

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

13 (1) Threats to space systems of the United
14 States have increased and continue to grow.

15 (2) While the United States must invest in ca-
16 pabilities to defend such systems in the event of an
17 attack in space, the United States must also identify
18 and implement policies that will reduce the likelihood
19 of such an attack.

20 (3) The United States is developing new capa-
21 bilities for enhancing resilience of such systems.

22 (4) However, the proper balance between active
23 defense, resilience, and the still lagging investment
24 area of reconstitution to enhance deterrence remains

1 unclear, as does the balance between classified and
2 unclassified activities needed to create deterrence.

3 (5) Independent analysis and assessment is nec-
4 essary to identify steps to increase deterrence in
5 space.

6 (b) INDEPENDENT STUDY.—

7 (1) IN GENERAL.—Not later than 30 days after
8 the date of the enactment of this Act, the Secretary
9 of Defense shall seek to enter into a contract with
10 a federally funded research and development center
11 or other independent entity to conduct a study on
12 deterrence in space.

13 (2) MATTERS INCLUDED.—The study under
14 paragraph (1) shall include, at a minimum, the fol-
15 lowing:

16 (A) An assessment of the existing range of
17 major studies and writings on space deterrence
18 and a comprehensive comparative analysis of
19 the conclusions of such studies and writings.

20 (B) An examination, using appropriate an-
21 alytical tools, of the approaches proposed by
22 such studies and writings with respect to cre-
23 ating conditions of deterrence suitable for use
24 in the space domain, including, at a minimum,
25 an assessment of all aspects of deterrence in

1 space, including varying classification, strate-
2 gies to deny benefit or impose cost, and space
3 mission assurance (including resilience, active
4 defense, and reconstitution).

5 (C) A determination, made either by ex-
6 tending such studies and writings or through
7 new analysis, of a holistic and comprehensive
8 theory of deterrence in space appropriate for
9 use in defense planning.

10 (D) An evaluation of existing policies, pro-
11 grams, and plans of the Department of Defense
12 to provide an assessment of the likely effective-
13 ness of those policies, programs, and plans to
14 achieve effective space deterrence.

15 (c) ASSESSMENT BY DEFENSE POLICY BOARD.—Not
16 later than 180 days after the date of the enactment of
17 this Act, the Defense Policy Board shall submit to the Sec-
18 retary of Defense an assessment of the study under sub-
19 section (b)(1), including, at a minimum—

20 (1) a determination of the soundness of the
21 study;

22 (2) a description of any disagreements the
23 Board has with the conclusions of such study, in-
24 cluding recommended changes or clarifications to

1 such conclusions the Board determines appropriate;
2 and

3 (3) changes to the policies, programs, and plans
4 of the Department of Defense that the Board rec-
5 ommends based on such study and the changes and
6 clarifications described in paragraph (2).

7 (d) REPORT.—Not later than 270 days after the date
8 of the enactment of this Act, the Secretary shall submit
9 to the congressional defense committees, the Committee
10 on Foreign Affairs of the House of Representatives, and
11 the Committee on Foreign Relations of the Senate a re-
12 port that contains the following:

13 (1) The study under subsection (b)(1), without
14 change.

15 (2) The assessment under subsection (c), with-
16 out change.

17 (3) Based on such study and assessment, a de-
18 scription of any changes to the policies, programs,
19 and plans of the Department of Defense that the
20 Secretary recommends to enhance deterrence in
21 space, including with respect to—

22 (A) considerations and decision on reduc-
23 ing the opportunities and incentives for adver-
24 saries to attack space systems of the United
25 States or allies of the United States;

1 (B) new architectures, including pro-
2 liferated systems, hosted payloads, non-tradi-
3 tional orbits, and reconstitution among others;

4 (C) appropriate uses of partnering with
5 both commercial entities and allies to improve
6 deterrence in space;

7 (D) necessary capabilities to enhance the
8 protection of space systems to achieve improved
9 deterrence;

10 (E) bilateral, multilateral, and unilateral
11 measures, including confidence-building meas-
12 ures, that could be taken to reduce the risk of
13 miscalculation that would lead to an attack in
14 space;

15 (F) policies and capability requirements
16 with regard to attribution of an attack in space;

17 (G) policies with regard to retaliatory
18 measures either in space or on the ground;

19 (H) authorities with regard to decisions
20 and actions to defend assets of the United
21 States in space; and

22 (I) changes to current war plans, routine
23 operations (including information sharing), and
24 demonstration and test procedures that could
25 enhance the capability of the United States to

1 signal the intentions and capabilities of the
2 United States in an effective manner.

3 (e) BRIEFING.—Not later than 270 days after the
4 date of the enactment of this Act, the Secretary shall pro-
5 vide to the congressional defense committees, the Com-
6 mittee on Foreign Affairs of the House of Representatives,
7 and the Committee on Foreign Relations of the Senate
8 a briefing on the study under subsection (b)(1) and the
9 assessment under subsection (c).

10 **SEC. 1608. RESILIENT ENTERPRISE GROUND ARCHITEC-**
11 **TURE.**

12 (a) SENSE OF CONGRESS.—It is the sense of Con-
13 gress that the Secretary of the Air Force, to advance the
14 security of the space assets of the Department of Defense,
15 should—

16 (1) expand on complimentary efforts within the
17 Air Force that promote the adoption of a resilient
18 enterprise ground architecture that is responsive to
19 new and changing threats and can rapidly integrate
20 new capabilities to make the warfighting force of the
21 United States more resilient in a contested
22 battlespace; and

23 (2) prioritize the swift transition of space
24 ground architecture to a common platform and le-
25 verage commercial capabilities in concurrence with

1 the 2015 intent memorandum of the Commander of
2 the Air Force Space Command.

3 (b) FUTURE ARCHITECTURE.—The Secretary of De-
4 fense shall, to the extent practicable—

5 (1) develop future satellite ground architectures
6 of the Department of Defense to be compatible with
7 complimentary commercial systems that can support
8 uplink and downlink capabilities with dual-band
9 spacecraft; and

10 (2) emphasize that future ground architecture
11 transition away from stove-piped systems to a serv-
12 ice-based platform that provides members of the
13 Armed Forces with flexible and adaptable capabili-
14 ties that—

15 (A) use, as applicable, commercially avail-
16 able capabilities and technologies for increased
17 resiliency and cost savings; and

18 (B) builds commercial opportunity and in-
19 tegration across the range of resilient space sys-
20 tems.

1 **SEC. 1609. DEMONSTRATION OF BACKUP AND COMPLEMEN-**
2 **TARY POSITIONING, NAVIGATION, AND TIM-**
3 **ING CAPABILITIES OF GLOBAL POSITIONING**
4 **SYSTEM.**

5 Effective on June 1, 2019, section 1606 of the Na-
6 tional Defense Authorization Act for Fiscal Year 2018
7 (Public Law 115–91; 131 Stat. 1725) is amended—

8 (1) in subsection (c)(2), by striking “the date
9 that is 18 months after the date of the enactment
10 of this Act” and inserting “December 31, 2020”;
11 and

12 (2) in subsection (d), by striking “18 months
13 after the date of the enactment of this Act” and in-
14 serting “December 31, 2020”.

15 **SEC. 1610. REPORT ON SPACE DEBRIS.**

16 (a) IN GENERAL.—Not later than 240 days after the
17 date of the enactment of this Act, the Secretary of Defense
18 shall submit to the appropriate congressional committees
19 a report on the risks posed by man-made space debris in
20 low-earth orbit, including—

21 (1) recommendations with respect to the reme-
22 diation of such risks; and

23 (2) outlines of plans to reduce the incident of
24 such space debris.

1 (b) APPROPRIATE CONGRESSIONAL COMMITTEES
2 DEFINED.—In this section, the term “appropriate con-
3 gressional committees” means—

4 (1) the Committee on Armed Services and the
5 Committee on Science, Space, and Technology of the
6 House of Representatives; and

7 (2) the Committee on Armed Services and Com-
8 mittee on Commerce, Science, and Transportation of
9 the Senate.

10 **SEC. 1610A. STUDY ON LEVERAGING DIVERSE COMMER-**
11 **CIAL SATELLITE REMOTE SENSING CAPABILI-**
12 **TIES.**

13 (a) STUDY.—The Secretary of Defense, in consulta-
14 tion with the Director of National Intelligence, shall con-
15 duct a study on the status of the transition from the Na-
16 tional Geospatial-Intelligence Agency to the National Re-
17 connaissance Office of the leadership role in acquiring
18 commercial satellite remote sensing data on behalf of the
19 Department of Defense and the intelligence community
20 (as defined in section 3 of the National Security Act of
21 1947 (50 U.S.C. 3003).

22 (b) ELEMENTS.—In conducting the study under sub-
23 section (a), the Secretary shall study—

1 (1) commercial geospatial intelligence require-
2 ments for the National Geospatial-Intelligence Agen-
3 cy and the combatant commands;

4 (2) plans of the National Reconnaissance Office
5 to meet the requirements specified in paragraph (1)
6 through the acquisition of both medium- and high-
7 resolution data from multiple commercial providers;
8 and

9 (3) plans of the National Reconnaissance Office
10 to further develop such programs with commercial
11 companies to continue to support, while also expand-
12 ing, adoption by the geospatial intelligence user com-
13 munity of the Department of Defense.

14 (c) SUBMISSION.—Not later than 90 days after the
15 date of the enactment of this Act, the Secretary shall sub-
16 mit to the congressional defense committees, the Perma-
17 nent Select Committee on Intelligence of the House of
18 Representatives, and the Select Committee on Intelligence
19 of the Senate a report on the study conducted under sub-
20 section (a).

1 **Subtitle B—Defense Intelligence**
2 **and Intelligence-Related Activities**

3 **SEC. 1611. MODIFICATIONS TO ISR INTEGRATION COUNCIL**
4 **AND ANNUAL BRIEFING REQUIREMENTS.**

5 (a) ISR INTEGRATION COUNCIL.—Subsection (a) of
6 section 426 of title 10, United States Code, is amended
7 to read as follows:

8 “(a) ISR INTEGRATION COUNCIL.—(1) The Under
9 Secretary of Defense for Intelligence shall establish an In-
10 telligence, Surveillance, and Reconnaissance Integration
11 Council—

12 “(A) to assist the Secretary of Defense in car-
13 rying out the responsibilities of the Secretary under
14 section 105(a) of the National Security Act of 1947
15 (50 U.S.C. 3038(a));

16 “(B) to assist the Under Secretary with respect
17 to matters relating to—

18 “(i) integration of intelligence and counter-
19 intelligence capabilities and activities under sec-
20 tion 137(b) of this title of the military depart-
21 ments, intelligence agencies of the Department
22 of Defense, and relevant combatant commands;
23 and

1 “(ii) coordination of related developmental
2 activities of such departments, agencies, and
3 combatant commands; and

4 “(C) to otherwise provide a means to facilitate
5 such integration and coordination.

6 “(2) The Council shall be composed of—

7 “(A) the Under Secretary, who shall chair the
8 Council;

9 “(B) the directors of the intelligence agencies of
10 the Department of Defense;

11 “(C) the senior intelligence officers of the
12 armed forces and the regional and functional com-
13 batant commands;

14 “(D) the Director for Intelligence of the Joint
15 Chiefs of Staff; and

16 “(E) the Director for Operations of the Joint
17 Chiefs of Staff.

18 “(3) The Under Secretary shall invite the participa-
19 tion of the Director of National Intelligence (or a rep-
20 resentative of the Director) in the proceedings of the
21 Council.

22 “(4) The Under Secretary may designate additional
23 participants to attend the proceedings of the Council, as
24 the Under Secretary determines appropriate.”.

1 (b) ANNUAL BRIEFINGS.—Such section is further
2 amended by striking subsections (b) and (c) and inserting
3 the following new subsection (b):

4 “(b) ANNUAL BRIEFINGS ON THE INTELLIGENCE
5 AND COUNTERINTELLIGENCE REQUIREMENTS OF THE
6 COMBATANT COMMANDS.—(1) The Chairman of the Joint
7 Chiefs of Staff shall provide to the congressional defense
8 committees and the congressional intelligence committees
9 a briefing on the following:

10 “(A) The intelligence and counterintelligence
11 requirements, by specific intelligence capability type,
12 of each of the relevant combatant commands.

13 “(B) For the year preceding the year in which
14 the briefing is provided, the fulfillment rate for each
15 of the relevant combatant commands of the validated
16 intelligence and counterintelligence requirements, by
17 specific intelligence capability type, of such combat-
18 ant command.

19 “(C) A risk analysis identifying the critical gaps
20 and shortfalls in efforts to address operational and
21 strategic requirements of the Department of Defense
22 that would result from the failure to fulfill the vali-
23 dated intelligence and counterintelligence require-
24 ments of the relevant combatant commands.

1 “(D) A mitigation plan to balance and offset
2 the gaps and shortfalls identified under subpara-
3 graph (C), including with respect to spaceborne, air-
4 borne, ground, maritime, and cyber intelligence, sur-
5 veillance, and reconnaissance capabilities.

6 “(E) For the year preceding the year in which
7 the briefing is provided—

8 “(i) the number of intelligence and coun-
9 terintelligence requests of each commander of a
10 relevant combatant command determined by the
11 Joint Chiefs of Staff to be a validated require-
12 ment, and the total of capacity of such requests
13 provided to each such commander;

14 “(ii) with respect to such validated require-
15 ments—

16 “(I) the quantity of intelligence and
17 counterintelligence capabilities or activities,
18 by specific intelligence capability type, that
19 the Joint Chiefs of Staff requested each
20 military department to provide; and

21 “(II) the total of capacity of such re-
22 quests so provided by each such military
23 department; and

24 “(iii) a qualitative assessment of the align-
25 ment of intelligence and counterintelligence ca-

1 pabilities and activities with the program of
2 analysis for each combat support agency and
3 intelligence center of a military service that is
4 part of—

5 “(I) the Defense Intelligence Enter-
6 prise; and

7 “(II) the intelligence community.

8 “(2) The Under Secretary of Defense for Intelligence
9 shall provide to the congressional defense committees and
10 the congressional intelligence committees a briefing on
11 short-, mid-, and long-term strategies to address the vali-
12 dated intelligence and counterintelligence requirements of
13 the relevant combatant commands, including with respect
14 to spaceborne, airborne, ground, maritime, and cyber in-
15 telligence, surveillance, and reconnaissance capabilities.

16 “(3) The briefings required by paragraphs (1) and
17 (2) shall be provided at the same time that the President’s
18 budget is submitted pursuant to section 1105(a) of title
19 31 for each of fiscal years 2021 through 2025.

20 “(4) In this subsection:

21 “(A) The term ‘congressional intelligence com-
22 mittees’ has the meaning given that term in section
23 3 of the National Security Act of 1947 (50 U.S.C.
24 3003).

1 “(B) The term ‘Defense Intelligence Enterprise’
2 means the organizations, infrastructure, and meas-
3 ures, including policies, processes, procedures, and
4 products, of the intelligence, counterintelligence, and
5 security components of each of the following:

6 “(i) The Department of Defense.

7 “(ii) The Joint Staff.

8 “(iii) The combatant commands.

9 “(iv) The military departments.

10 “(v) Other elements of the Department of
11 Defense that perform national intelligence, de-
12 fense intelligence, intelligence-related, counter-
13 intelligence, or security functions.

14 “(C) The term ‘fulfillment rate’ means the per-
15 centage of combatant command intelligence and
16 counterintelligence requirements satisfied by avail-
17 able, acquired, or realigned intelligence and counter-
18 intelligence capabilities or activities.

19 “(D) The term ‘intelligence community’ has the
20 meaning given that term in section 3 of the National
21 Security Act of 1947 (50 U.S.C. 3003).”.

1 **SEC. 1612. SURVEY AND REPORT ON ALIGNMENT OF INTEL-**
2 **LIGENCE COLLECTIONS CAPABILITIES AND**
3 **ACTIVITIES WITH DEPARTMENT OF DEFENSE**
4 **REQUIREMENTS.**

5 (a) SURVEY AND REVIEW.—

6 (1) IN GENERAL.—Not later than 120 days
7 after the date of the enactment of this Act, the
8 Under Secretary of Defense for Intelligence, in co-
9 ordination with the Chairman of the Joint Chiefs of
10 Staff and the Director of National Intelligence,
11 shall—

12 (A) review the organization, posture, cur-
13 rent and planned investments, and processes of
14 the intelligence collections capabilities and ac-
15 tivities, for the purpose of assessing the suffi-
16 ciency, integration, and interoperability of such
17 capabilities and activities to support the current
18 and future requirements of the Department of
19 Defense; and

20 (B) conduct a survey of each geographic
21 and functional combatant command, with re-
22 spect to intelligence collections capabilities and
23 activities, to assess—

24 (i) the current state of the support of
25 such capabilities and activities to military
26 operations;

1 (ii) whether the posture of such capa-
2 bilities and activities is sufficient to ad-
3 dress the requirements of the Department
4 of Defense;

5 (iii) the extent to which such capabili-
6 ties and activities address gaps and defi-
7 ciencies with respect to the operational re-
8 quirements of the Global Campaign Plans,
9 as identified in the most recent readiness
10 reviews conducted by the Joint Staff; and

11 (iv) whether current and planned in-
12 vestments in such capabilities and activi-
13 ties are sufficient to address near-, mid-,
14 and long-term spaceborne, airborne, terres-
15 trial, and human collection capability re-
16 quirements.

17 (2) ELEMENTS.—The survey and review under
18 paragraph (1) shall include the following:

19 (A) A comprehensive assessment of intel-
20 ligence collections capabilities and activities,
21 and whether such capabilities and activities—

22 (i) are appropriately postured and suf-
23 ficiently resourced to meet current and fu-
24 ture requirements of the Department of
25 Defense;

1 (ii) are appropriately balanced to ad-
2 dress operational and strategic defense in-
3 telligence requirements; and

4 (iii) are sufficiently integrated and
5 interoperable between activities of the Mili-
6 tary Intelligence Program and the National
7 Intelligence Program to respond to emerg-
8 ing requirements of the Department of De-
9 fense.

10 (B) With respect to each geographic and
11 functional combatant command—

12 (i) information on the gaps and defi-
13 ciencies, by specific intelligence capability
14 type, described in paragraph (1)(B)(iii);

15 (ii) a review of the alignment of such
16 gaps and deficiencies with the intelligence,
17 surveillance, and reconnaissance submis-
18 sions to the integrated priorities list for
19 the period beginning with the completion
20 of the most recent readiness reviews con-
21 ducted by the Joint Staff and ending on
22 the date of the commencement of the sur-
23 vey and review under subsection (a); and

24 (iii) detailed information on the allo-
25 cation and realignment of intelligence col-

1 lections capabilities and activities to ad-
2 dress—

3 (I) such gaps and deficiencies;
4 and
5 (II) such intelligence, surveil-
6 lance, and reconnaissance submis-
7 sions.

8 (b) REPORT.—

9 (1) SUBMISSION.—Not later than 270 days
10 after the date of the enactment of this Act, the
11 Under Secretary of Defense for Intelligence shall
12 submit to the appropriate congressional committees
13 a report on the findings of the Under Secretary with
14 respect to the survey and review under subsection
15 (a)(1).

16 (2) CONTENT.—The report under paragraph
17 (1) shall include—

18 (A) an evaluation of—

19 (i) the organization, posture, current
20 and planned investments, and processes of
21 the intelligence collections capabilities and
22 activities, including the extent to which
23 such capabilities and activities enable the
24 geographic and functional combatant com-
25 mands to meet the operational and stra-

1 tegic requirements of the Department of
2 Defense;

3 (ii) the use or planned use by each ge-
4 ographic and functional combatant com-
5 mand of intelligence collections capabilities
6 and activities available to such command
7 to address operational and strategic re-
8 quirements of the Department of Defense;

9 (iii) the gaps and deficiencies de-
10 scribed in subsection (a)(1)(B)(iii), if any,
11 that prohibit each geographic and func-
12 tional combatant command from the most
13 effective use of the intelligence collections
14 capabilities and activities to address pri-
15 ority requirements of the Department of
16 Defense;

17 (iv) the accepted risk by the Secretary
18 of Defense from the prioritization of cer-
19 tain Department of Defense requirements
20 with respect to the allocation of intelligence
21 collections capabilities and activities; and

22 (v) the alignment and responsiveness
23 of intelligence collections capabilities and
24 activities with respect to the planning re-
25 quirements for the Program of Analysis of

each combat support agency that is part
of—

(I) the Defense Intelligence Enterprise; and

(II) the intelligence community;
and

(B) recommendations, if any, to improve
the sufficiency, responsiveness, and interoperability of intelligence collections capabilities and activities to fulfill the operational and strategic requirements of the Department of Defense.

(3) FORM.—The report under paragraph (1) shall be submitted in unclassified form without any designation relating to dissemination control, but may contain a classified annex.

(c) DEFINITIONS.—In this section:

(1) The term “appropriate congressional committees” means—

(A) the congressional defense committees;
and

(B) the congressional intelligence committees.

(2) The term “combat support agency” has the meaning given that term in section 193(f) of title 10, United States Code.

1 (3) The term “Defense Intelligence Enterprise”
2 has the meaning given that term in section
3 1633(c)(2) of the National Defense Authorization
4 Act for Fiscal Year 2017 (Public Law 114–328; 130
5 Stat. 2600).

6 (4) The term “intelligence collections capabili-
7 ties and activities” means the totality of intelligence
8 collections systems and processes which enable the
9 tasking, processing, exploitation, and dissemination
10 capabilities, capacity, and activities of the Defense
11 Intelligence Enterprise.

12 (5) The term “intelligence community” has the
13 meaning given that term in section 3 of the National
14 Security Act of 1947 (50 U.S.C. 3003).

15 (6) The term “congressional intelligence com-
16 mittees” has the meaning given that term in section
17 3 of the National Security Act of 1947 (50 U.S.C.
18 3003).

19 **SEC. 1613. MODIFICATION OF ANNUAL AUTHORIZATION OF**
20 **APPROPRIATIONS FOR NATIONAL FLAGSHIP**
21 **LANGUAGE INITIATIVE.**

22 Section 811(a) of the David L. Boren National Secu-
23 rity Education Act of 1991 (50 U.S.C. 1911(a)) is amend-
24 ed—

1 (1) by striking “fiscal year 2003” and inserting
2 “fiscal year 2020”; and

3 (2) by striking “\$10,000,000” and inserting
4 “\$16,000,000”.

5 **SEC. 1614. INTELLIGENCE ASSESSMENT OF RELATIONSHIP**
6 **BETWEEN WOMEN AND VIOLENT EXTREMISM.**

7 (a) IN GENERAL.—Not later than 180 days after the
8 date of the enactment of this Act, and annually thereafter,
9 the Director of National Intelligence, in consultation with
10 the Secretary of Defense, the Secretary of State, and the
11 head of any element of the intelligence community the Di-
12 rector determines appropriate, shall submit to the appro-
13 priate congressional committees an intelligence assessment
14 on the relationship between women and violent extremism
15 and terrorism, including an assessment of—

16 (1) the historical trends and current state of
17 women’s varied roles in all aspects of violent extre-
18 mism and terrorism, including as recruiters, sympa-
19 thizers, perpetrators, and combatants, as well as
20 peace-builders and preventers;

21 (2) how women’s roles in all aspects of violent
22 extremism and terrorism are likely to change in the
23 near- and medium-term;

24 (3) the extent to which the unequal status of
25 women affects the ability of armed combatants and

1 terrorist groups to enlist or conscript women as com-
2 batants and perpetrators of violence;

3 (4) how terrorist groups violate the rights of
4 women and girls, including child, early, and forced
5 marriage, abduction, sexual violence, and human
6 trafficking, and the extent to which such violations
7 contribute to the spread of conflict and terrorist ac-
8 tivities; and

9 (5) opportunities to address the security risk
10 posed by female extremists and leverage the roles of
11 women in counterterrorism efforts.

12 (b) CLASSIFICATION.—The assessment required
13 under subsection (a) shall be submitted in unclassified
14 form, but may include a classified annex.

15 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
16 FINED.—In this section, the term “appropriate congres-
17 sional committees” means—

18 (1) the Select Committee on Intelligence, the
19 Committee on Foreign Relations, and the Committee
20 on Armed Services, of the Senate; and

21 (2) the Permanent Select Committee on Intel-
22 ligence, the Committee on Foreign Affairs, and the
23 Committee on Armed Services, of the House of Rep-
24 resentatives.

1 **SEC. 1615. FUNDING FOR DEFENSE COUNTERINTEL-**
2 **LIGENCE AND SECURITY AGENCY.**

3 (a) INCREASE.—Notwithstanding the amounts set
4 forth in the funding tables in division D, the amount au-
5 thorized to be appropriated in section 301 for Operation
6 and Maintenance as specified in the corresponding funding
7 table in section 4301, for Defense Security Service (line
8 320) is hereby increased by \$5,206,997, for purposes of
9 acquiring advanced cyber threat detection sensors, hunt
10 and response mechanisms, and commercial cyber threat
11 intelligence to ensure Defense Industrial Base networks
12 remain protected from nation state adversaries.

13 (b) OFFSET.—Notwithstanding the amounts set forth
14 in the funding tables in division D, the amount authorized
15 to be appropriated in section 101 for other procurement,
16 Air Force, as specified in the corresponding funding table
17 in section 4101, for Integrated personnel and pay system
18 is hereby reduced by \$5,206,997.

19 **SEC. 1616. REPORT ON POTENTIAL DEFENSE INTEL-**
20 **LIGENCE POLYGRAPH EXAMINATION MILI-**
21 **TARY TRANSITION PROGRAM.**

22 (a) REPORT.—Not later than one year after the date
23 of the enactment of this Act, the Comptroller General of
24 the United States shall submit to the appropriate congres-
25 sional committees a report assessing the feasibility of es-
26 tablishing a Defense Intelligence Polygraph Examination

1 Military Transition Program for members of the Armed
2 Forces transitioning to civilian employment.

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

5 (1) A review of the feasibility of establishing a
6 program in the Department of Defense under which
7 members of the Armed Forces with an active top se-
8 cret security clearance that provides for access to
9 sensitive compartmented information and a current
10 counterintelligence scope polygraph examination can
11 be provided an opportunity to obtain an expanded
12 scope polygraph (ESP) if the member receives a
13 written offer of employment, subject to suitability or
14 security vetting, with an element of the intelligence
15 community or a contractor of such an element.

16 (2) The cost to the Department of Defense for
17 implementing such program and whether such cost
18 could be shared by other departments or agencies of
19 the Federal Government or the private sector.

20 (3) The factors the Department needs to con-
21 sider in determining whether such program would be
22 viable.

23 (4) The obstacles that exist in implementing
24 such program.

1 (5) Whether such a program could increase
2 workforce diversity in the intelligence community.

3 (6) Whether such a program could increase or
4 decrease retention among members of the Armed
5 Forces serving in defense intelligence roles.

6 (7) Whether any changes are required to be
7 made to policies of the Department or to Federal
8 law to implement such a program.

9 (8) Identification of the current average length
10 of time in the intelligence community to investigate
11 and adjudicate an initial and a periodic update top
12 secret security clearance that provides for access to
13 sensitive compartmented information and conduct an
14 expanded scope polygraph.

15 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
16 FINED.—In this section, the term “appropriate congres-
17 sional committees” means—

18 (1) the congressional defense committees; and

19 (2) the Permanent Select Committee on Intel-
20 ligence of the House of Representatives and the Se-
21 lect Committee on Intelligence of the Senate.

Subtitle C—Cyberspace-Related Matters

SEC. 1621. NOTIFICATION REQUIREMENTS FOR SENSITIVE MILITARY CYBER OPERATIONS.

Section 395 of title 10, United States Code, is amended—

(1) in subsection (b)(3), by inserting “, signed by the Secretary,” after “written notification”; and

(2) in subsection (c)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking “and” after the semicolon at the end;

(ii) by redesignating subparagraph (B) as subparagraph (C); and

(iii) by inserting after subparagraph (A) the following new subparagraph:

“(B) is determined to—

“(i) have a medium or high collateral effects estimate;

“(ii) have a medium or high intelligence gain or loss;

“(iii) have a medium or high probability of political retaliation, as determined by the political military assessment contained within the associated concept of operations;

1 “(iv) have a medium or high probability of
2 detection when detection is not intended; or

3 “(v) result in medium or high collateral ef-
4 fects; and”; and

5 (B) in paragraph (2)(B), by striking “out-
6 side the Department of Defense Information
7 Networks to defeat an ongoing or imminent
8 threat”.

9 **SEC. 1622. QUARTERLY CYBER OPERATIONS BRIEFINGS.**

10 Subsection (b) of section 484 of title 10, United
11 States Code, is amended—

12 (1) by redesignating paragraph (4) as para-
13 graph (5); and

14 (2) by inserting after paragraph (3) the fol-
15 lowing new paragraph:

16 “(4) An overview of the readiness of the Cyber
17 Mission Force to perform assigned missions.”.

18 **SEC. 1623. CYBER POSTURE REVIEW.**

19 Section 1644 of the National Defense Authorization
20 Act for Fiscal Year 2018 (Public Law 115–91) is amend-
21 ed—

22 (1) in subsection (a), by inserting “, not later
23 than December 31, 2022, and quadrennially there-
24 after,” before “conduct”;

1 (2) in subsection (b), by striking “the review”
2 and inserting “each review”;

3 (3) in subsection (c)—

4 (A) in the matter preceding paragraph (1),
5 by striking “The review” and inserting “Each
6 review”;

7 (B) by redesignating paragraph (9) as
8 paragraph (10); and

9 (C) by inserting after paragraph (8) the
10 following new paragraph:

11 “(9) An assessment of the potential costs, bene-
12 fits, and value, if any, of establishing a cyber force
13 as a separate uniformed service.”;

14 (4) in subsection (d)—

15 (A) in paragraph (1), by striking “the
16 cyber” and inserting “each cyber”;

17 (B) in paragraph (2), by striking “The re-
18 port” and inserting “Each report”; and

19 (C) by striking paragraph (3); and

20 (5) in subsection (e), by striking “period begin-
21 ning on the date that is five years after the date of
22 the enactment of this Act and ending on the date
23 that is 10 years after such date of enactment” and
24 inserting “each eight-year period that begins from

1 the date of each review conducted under subsection
2 (a)''.

3 **SEC. 1624. TIER 1 EXERCISE OF SUPPORT TO CIVIL AU-**
4 **THORITIES FOR A CYBER INCIDENT.**

5 Section 1648 of the John S. McCain National De-
6 fense Authorization Act for Fiscal Year 2019 is amend-
7 ed—

8 (1) in subsection (a), by striking “The” and in-
9 serting “Not later than February 1, 2020, the”; and

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

12 “(c) LIMITATION.—Of the funds authorized to be ap-
13 propriated by this Act or otherwise made available for fis-
14 cal year 2020 for the Department of Defense for the
15 White House Communications Agency, not more than 90
16 percent of such funds may be obligated or expended until
17 the initiation of the tier 1 exercise required under sub-
18 section (a).”.

19 **SEC. 1625. EVALUATION OF CYBER VULNERABILITIES OF**
20 **MAJOR WEAPON SYSTEMS OF THE DEPART-**
21 **MENT OF DEFENSE.**

22 Section 1647 of the National Defense Authorization
23 Act for Fiscal Year 2016 is amended by adding at the
24 end the following new subsections:

1 “(f) WRITTEN NOTIFICATION.—If the Secretary de-
2 termines that the Department will not complete an evalua-
3 tion of the cyber vulnerabilities of each major weapon sys-
4 tem of the Department by the date specified in subsection
5 (a)(1), the Secretary shall provide to the congressional de-
6 fense committee written notification relating to each such
7 incomplete evaluation. Such a written notification shall in-
8 clude the following:

9 “(1) An identification of each major weapon
10 system requiring such an evaluation and the antici-
11 pated date of completion.

12 “(2) A justification for the inability to complete
13 such an evaluation by the date specified in sub-
14 section (a)(1).

15 “(g) REPORT.—The Secretary, acting through the
16 Assistant Secretary of Defense for Acquisition and
17 Sustainment, shall provide a report to the congressional
18 defense committees upon completion of the requirement
19 for an evaluation of the cyber vulnerabilities of each major
20 weapon system of the Department under this section.
21 Such report shall include the following:

22 “(1) An identification of cyber vulnerabilities of
23 each major weapon system requiring mitigation.

24 “(2) An identification of current and planned
25 efforts to address the cyber vulnerabilities of each

1 major weapon system requiring mitigation, including
2 efforts across the doctrine, organization, training,
3 materiel, leadership and education, personnel, and
4 facilities of the Department.

5 “(3) A description of joint and common cyber
6 vulnerability mitigation solutions and efforts, includ-
7 ing solutions and efforts across the doctrine, organi-
8 zation, training, materiel, leadership and education,
9 personnel, and facilities of the Department.

10 “(4) A description of lessons learned and best
11 practices regarding evaluations of the cyber
12 vulnerabilities and cyber vulnerability mitigation ef-
13 forts relating to major weapon systems.

14 “(5) A description of efforts to share lessons
15 learned and best practices regarding evaluations of
16 the cyber vulnerabilities and cyber vulnerability miti-
17 gation efforts of major weapon systems across the
18 Department.

19 “(6) An identification of measures taken to in-
20 stitutionalize evaluations of cyber vulnerabilities of
21 major weapon systems.

22 “(7) Information relating to guidance, proc-
23 esses, procedures, or other activities established to
24 mitigate or address the likelihood of cyber
25 vulnerabilities of major weapon systems by incorpo-

1 ration of lessons learned in the research, develop-
2 ment, test, evaluation, and acquisition cycle, includ-
3 ing promotion of cyber education of the acquisition
4 workforce.

5 “(8) Any other matters the Secretary deter-
6 mines relevant.”.

7 **SEC. 1626. EXTENSION OF THE CYBERSPACE SOLARIUM**
8 **COMMISSION.**

9 Paragraph (1) of section 1652(k) of the John S.
10 McCain National Defense Authorization Act for Fiscal
11 Year 2019 (Public Law 115–232) is amended by striking
12 “2019” and inserting “2020”.

13 **SEC. 1627. AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CYBER OPERATIONS-PECULIAR CAPABILITY DEVELOPMENT PROJECTS.**

17 (a) IN GENERAL.—The Secretary of Defense and
18 each Secretary concerned may obligate and expend not
19 more than \$3,000,000 of amounts authorized to be appro-
20 priated for operation and maintenance in each of fiscal
21 years 2020 through 2022 to carry out cyber operations-
22 peculiar capability development projects.

23 (b) CERTIFICATION.—For each development project
24 initiated under the authority provided for in subsection
25 (a), the Commander of U.S. Cyber Command shall certify

1 to the congressional defense committees that each project
2 is determined to be cyber operations-peculiar.

3 (c) NOTIFICATION.—Not later than 15 days after ex-
4 ercising the authority provided for in subsection (a), the
5 Secretary of Defense shall notify the congressional defense
6 committees of such exercise.

7 (d) REPORT.—Not later than December 31 of each
8 year through 2022, the Secretary of Defense shall submit
9 to the congressional defense committees a report on ex-
10 penditures made pursuant to the authority provided for
11 in subsection (a). Each such report shall include a full
12 description and evaluation of each of the cyber operations-
13 peculiar capability development projects that is the subject
14 of each such expenditure, definitions and standards for
15 cyber operations-peculiar requirements, transition plans,
16 and any other matters the Secretary determines relevant.

17 **SEC. 1628. NOTIFICATION OF DELEGATION OF AUTHORI-**
18 **TIES TO THE SECRETARY OF DEFENSE FOR**
19 **MILITARY OPERATIONS IN CYBERSPACE.**

20 (a) IN GENERAL.—The Secretary of Defense shall
21 provide written notification to the Committee on Armed
22 Services of the House of Representatives and the Com-
23 mittee on Armed Services of the Senate of authorities dele-
24 gated to the Secretary by the President for military oper-
25 ations in cyberspace that are otherwise held by the Na-

1 tional Command Authority, not later than 15 days after
2 any such delegation. Such notification shall include the
3 following:

4 (1) A description of the authorities delegated to
5 the Secretary.

6 (2) A description of relevant documents, includ-
7 ing execute orders, issued by the Secretary in ac-
8 cordance with such authorities.

9 (3) A list of countries in which such authorities
10 may be utilized.

11 (4) A description of authorized activities to be
12 conducted or planned to be conducted pursuant to
13 such authorities.

14 (5) Defined military objectives relating to such
15 authorities.

16 (b) PROCEDURES.—

17 (1) IN GENERAL.—The Secretary of Defense
18 shall establish and submit to the Committee on
19 Armed Services of the House of Representatives and
20 the Committee on Armed Services of the Senate pro-
21 cedures for complying with the requirements of sub-
22 section (a), consistent with the national security of
23 the United States and the protection of operational
24 integrity. The Secretary shall promptly notify the
25 Committee on Armed Services of the House of Rep-

1 representatives and the Committee on Armed Services
2 of the Senate in writing of any changes to such pro-
3 cedures at least 14 days prior to the adoption of any
4 such changes.

5 (2) SUFFICIENCY.—The Committee on Armed
6 Services of the House of Representatives and the
7 Committee on Armed Services of the Senate shall
8 ensure that committee procedures designed to pro-
9 tect from unauthorized disclosure classified informa-
10 tion relating to national security of the United
11 States are sufficient to protect the information that
12 is submitted to the committees pursuant to this sec-
13 tion.

14 (3) NOTIFICATION IN EVENT OF UNAUTHOR-
15 IZED DISCLOSURE.—In the event of an unauthorized
16 disclosure of authorities covered by this section, the
17 Secretary of Defense shall ensure, to the maximum
18 extent practicable, that the Committee on Armed
19 Services of the House of Representatives and the
20 Committee on Armed Services of the Senate are no-
21 tified immediately. Notification under this paragraph
22 may be verbal or written, but in the event of a
23 verbal notification, a written notification signed by
24 the Secretary shall be provided by not later than 48
25 hours after the provision of such verbal notification.

1 **SEC. 1629. LIMITATION OF FUNDING FOR CONSOLIDATED**
2 **AFLOAT NETWORKS AND ENTERPRISE SERV-**
3 **ICES.**

4 Of the funds authorized to be appropriated by this
5 Act or otherwise made available for fiscal year 2020 for
6 the Consolidated Afloat Networks and Enterprise Serv-
7 ices, not more than 85 percent of such funds may be obli-
8 gated or expended until the Secretary of Defense, in co-
9 ordination with the Chief Information Officer of the De-
10 partment of Defense, certifies to the congressional defense
11 committees that the recommendations in the Audit of Con-
12 solidated Afloat Networks and Enterprise Services Secu-
13 rity Safeguards (DODIG–2019–072) have been imple-
14 mented.

15 **SEC. 1630. ANNUAL MILITARY CYBERSPACE OPERATIONS**
16 **REPORT.**

17 (a) IN GENERAL.—Not later than March 1 of each
18 year, the Secretary of Defense shall provide to the con-
19 gressional defense committees a written report detailing
20 all military cyberspace operations conducted in the pre-
21 vious calendar year. For each such operation each such
22 report shall include the following:

23 (1) An identification of the objective and pur-
24 pose.

25 (2) Impacted information technology infrastruc-
26 ture, by location.

1 (3) A description of tools and capabilities uti-
2 lized.

3 (4) An identification of the Cyber Mission
4 Force team, or other Department of Defense entity
5 or unit, that conducted such operation, and sup-
6 porting teams, entities, or units.

7 (5) A description of the infrastructure and plat-
8 forms on which such operation occurred.

9 (6) A description of relevant legal, operational,
10 and funding authorities, including Execute Orders
11 and Deployment Orders.

12 (7) Information relating to the total amount of
13 funding required and associated program elements.

14 (8) Any other matters the Secretary determines
15 relevant.

16 (b) CLASSIFICATION.—The Secretary of Defense
17 shall provide each report required under subsection (a) at
18 a classification level the Secretary determines appropriate.

19 (c) LIMITATION.—This section does not apply to
20 cyber-enabled military information support operations.

21 (d) DEFINITION.—In this section, the term “military
22 cyberspace operations” means defensive and offensive—

23 (1) cyber effects enabling operations, activities,
24 and missions; and

1 (2) cyber effects operations, activities, and mis-
2 sions.

3 **SEC. 1631. REPORT ON SYNCHRONIZATION OF EFFORTS RE-**
4 **LATING TO CYBERSECURITY IN THE DE-**
5 **FENSE INDUSTRIAL BASE.**

6 (a) REPORT.—Not later than May 1, 2020, the Sec-
7 retary of Defense shall submit to the congressional defense
8 committees a report on efforts, and roles and responsibil-
9 ities, relating to cybersecurity in the Defense Industrial
10 Base.

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

13 (1) Definitions for “Controlled Unclassified In-
14 formation” (CUI) and “For Official Use Only”
15 (FOUO), as well as policies regarding protecting in-
16 formation designated as such.

17 (2) A comprehensive list of Department of De-
18 fense programs to assist the Defense Industrial Base
19 with cybersecurity compliance requirements of the
20 Department.

21 (3) An evaluation of the resources and utiliza-
22 tion of Department programs to assist the Defense
23 Industrial Base in complying with cybersecurity
24 compliance requirements referred to in paragraph
25 (2).

1 (4) Optimal levels of resourcing required for ac-
2 tivities, programs, and other Department efforts to
3 assess and monitor compliance by the Defense In-
4 dustrial Base with such cybersecurity compliance re-
5 quirements.

6 (5) Roles and responsibilities of the Under Sec-
7 retary of Defense for Acquisition and Sustainment,
8 the Chief Information Officer, the Chief Manage-
9 ment Officer, the Director of the Protecting Critical
10 Technologies Task Force, and the Secretaries of the
11 military services relating to the following:

12 (A) Establishing and ensuring compliance
13 with cybersecurity standards, regulations, and
14 policies.

15 (B) Deconflicting existing cybersecurity
16 standards, regulations, and policies.

17 (C) Coordinating with and providing as-
18 sistance to the Defense Industrial Base for cy-
19 bersecurity matters, particularly such relates to
20 the issues described in paragraphs (2), (3), and
21 (8).

22 (6) Efforts to enhance the Department's visi-
23 bility into its entire supply chain without violating
24 privacy.

1 (7) An evaluation of methodologies to tier cy-
2 bersecurity requirements for the Defense Industrial
3 Base relative to risk.

4 (8) An evaluation of the level of threat informa-
5 tion sharing between the Department and the De-
6 fense Industrial Base.

7 (9) Efforts to support and enhance threat infor-
8 mation sharing between the Department and the De-
9 fense Industrial Base.

10 (10) An evaluation of a single Sector Coordi-
11 nating Council for the Defense Industrial Base.

12 (11) An explanation of the Department's Pro-
13 tecting Critical Technologies Task Force efforts, and
14 how its work will be incorporated into existing De-
15 partment efforts.

16 (12) Any other information the Secretary of
17 Defense determines relevant.

18 (c) DEFINITION.—In this section, the term “Defense
19 Industrial Base” includes traditional and non-traditional
20 defense contractors and academic institutions with con-
21 tractual relationships with the Department of Defense re-
22 lated to activities involving information or technology re-
23 quiring cybersecurity compliance.

1 **SEC. 1632. BRIEFINGS ON THE STATUS OF THE NATIONAL**
2 **SECURITY AGENCY AND UNITED STATES**
3 **CYBER COMMAND PARTNERSHIP.**

4 (a) IN GENERAL.—Not later than 90 days after the
5 date of the enactment of this Act and quarterly thereafter,
6 the Secretary of Defense and the Director of National In-
7 telligence shall provide to the congressional defense com-
8 mittees and the Permanent Select Committee on Intel-
9 ligence of the House of Representatives and the Select
10 Committee on Intelligence of the Senate briefings on the
11 nature of the National Security Agency and United States
12 Cyber Command’s current and future partnership. Brief-
13 ings under this section shall terminate on January 1,
14 2022.

15 (b) ELEMENTS.—Each briefing under this section
16 shall include the following:

17 (1) Status updates on the current and future
18 National Security Agency-United States Cyber Com-
19 mand partnership efforts.

20 (2) Executed documents, written memoranda of
21 agreements or understandings, and policies issued
22 governing such current and future partnership.

23 (3) Projected long-term efforts.

24 (4) Updates related to the assessment required
25 under section 1642 of the National Defense Author-
26 ization Act for Fiscal Year 2017 (relating to limita-

1 tion on termination of dual-hat arrangement for
2 Commander of the United States Cyber Command;
3 Public Law 114–328).

4 **SEC. 1633. MODIFICATION OF CYBER SCHOLARSHIP PRO-**
5 **GRAM.**

6 Section 2200a(a)(1) of title 10, United States Code,
7 is amended by striking “or advanced degree, or a certifi-
8 cation,” and inserting “advanced degree, or certificate”.

9 **SEC. 1634. REPORT ON CYBERSECURITY TRAINING PRO-**
10 **GRAMS.**

11 Not later than 240 days after the date of the enact-
12 ment of this Act, the Secretary of Defense shall submit
13 to the congressional defense committees a report that ac-
14 counts for all of the efforts, programs, initiatives, and in-
15 vestments of the Department of Defense to train elemen-
16 tary, secondary, and postsecondary students in fields re-
17 lated to cybersecurity, cyber defense, and cyber operations.
18 The report shall—

19 (1) include information on the metrics used to
20 evaluate such efforts, programs, initiatives, and in-
21 vestments, and identify overlaps or redundancies
22 across the various efforts, programs, initiatives, and
23 investments; and

24 (2) address how the Department leverages such
25 efforts, programs, initiatives, and investments in the

1 recruitment and retention of both the civilian and
2 military cyberworkforces.

3 **SEC. 1635. NATIONAL SECURITY PRESIDENTIAL MEMORAN-**
4 **DUMS RELATING TO DEPARTMENT OF DE-**
5 **FENSE OPERATIONS IN CYBERSPACE.**

6 Not later than 30 days after the date of the enact-
7 ment of this Act, the President shall provide the congres-
8 sional defense committees with a copy of all National Se-
9 curity Presidential Memorandums relating to Department
10 of Defense operations in cyberspace.

11 **SEC. 1636. CYBERSECURITY DEFENSE ACADEMY PILOT**
12 **PROGRAM.**

13 (a) PROGRAM REQUIRED.—The Secretary of Defense
14 carry out a pilot program under which the Secretary shall
15 seek to enter into a public-private partnership with eligible
16 cybersecurity organizations to train and place veterans as
17 cybersecurity personnel within the Department of Defense.
18 The public-private partnership entered into under this
19 subsection shall be known as the “Cybersecurity Defense
20 Academy”.

21 (b) ACTIVITIES.—The Cybersecurity Defense Acad-
22 emy shall provide educational courses in topics relating to
23 cybersecurity, including the following:

- 24 (1) Cybersecurity analysis.
25 (2) Cybersecurity penetration testing.

- 1 (3) Cybersecurity threat hunting.
- 2 (4) Cybersecurity advanced exploitation.
- 3 (5) Linux systems administration.
- 4 (6) Robotics process automation analysis.

5 (c) PLACEMENT OF GRADUATES.—

6 (1) IN GENERAL.—The Secretary of Defense
7 shall establish a process under which an individual
8 who has completed a course of study at the Cyberse-
9 curity Defense Academy may be placed in a cyberse-
10 curity-related position within the Department of De-
11 fense.

12 (2) WAIVER OF CERTIFICATION.—The Sec-
13 retary of Defense shall waive the certification re-
14 quirements set forth in Department of Defense Di-
15 rectives 8570 and 8140 with respect to the initial
16 placement of an individual described in paragraph
17 (1) if the Secretary Determines that the training
18 provided to the individual by the Cybersecurity De-
19 fense Academy meets or exceeds the level of training
20 required by such directives.

21 (d) ELIGIBLE CYBERSECURITY ORGANIZATION DE-
22 FINED.—In this section, the term “eligible cybersecurity
23 organizton” means an nonprofit or for-profit organization
24 that—

1 (1) has a history of working with state and
2 local governments;

3 (2) is accredited by the American National
4 Standards Institute;

5 (3) has experience placing veterans in cyberse-
6 curity positions;

7 (4) does not charge fees to servicemembers or
8 veterans for taking a cybersecurity course; and

9 (5) aligns aptitude and psychometric selection
10 with cybersecurity career choice.

11 (e) INITIAL REPORT.—Not later than 90 days after
12 the date one which the 50th graduate of the Cybersecurity
13 Defense Academy is placed in the Department of Defense,
14 the Secretary of Defense shall submit to the congressional
15 defense committees a report that includes the following:

16 (1) The number of individuals who graduated
17 from the Cybersecurity Defense Academy.

18 (2) The number of such individuals who were
19 directly placed in cybersecurity positions with em-
20 ployers.

21 (3) The efficiency and effectiveness (speed of
22 entry and candidate selection) based on aptitude and
23 psychometric tools utilized to allocate veterans to cy-
24 bersecurity roles.

1 (4) The benefits or burdens of permanently es-
2 tablishing the Cybersecurity Defense Academy.

3 (5) Recommendations identifying any specific
4 actions that should be carried out if the program
5 under this section should become permanent.

6 (6) Recommendations for any changes to De-
7 partment of Defense Directives 8570 and 8140.

8 (f) TERMINATION.—

9 (1) IN GENERAL.—Except as provided in para-
10 graph (2), the program under this section shall ter-
11 minate on the date that is five years after the date
12 of the enactment of this Act.

13 (2) CONTINUATION.—The Secretary of Defense
14 may continue the program after the termination
15 date applicable under paragraph (1) if the Secretary
16 determines that continuation of the program after
17 that date is advisable and appropriate. If the Sec-
18 retary determines to continue the program after that
19 date, the Secretary shall do the following:

20 (A) Not later than 180 days after the date
21 on which the report is submitted under sub-
22 section (e), the Secretary shall submit to the
23 congressional defense committees a report de-
24 scribing the reasons for the determination to
25 continue the program.

(B) The Secretary shall—

(i) establish the program throughout the Department of Defense and individual service branches;

(ii) make recommendations to the President and all committees of Congress for making the program applicable to all departments and agencies of the Federal Government;

(iii) conduct contract negotiations with companies that provide services under the program to ensure that such services are provided at a cost-effective rate; and

(iv) ensure that cybersecurity courses accredited by the American National Standards Institute are integrated into level III of the IAT, IAM, and IASE baseline certifications described in Department of Defense Directive 8570.

Subtitle D—Nuclear Forces

SEC. 1641. IMPROVEMENT TO ANNUAL REPORT ON THE MODERNIZATION OF THE NUCLEAR WEAP- ONS ENTERPRISE.

(a) EXTENSION.—Section 1043(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public

1 Law 112–81; 125 Stat. 1576), as most recently amended
2 by section 1670 of the John S. McCain National Defense
3 Authorization Act for Fiscal Year 2019 (Public Law 115–
4 232; 132 Stat. 2157), is further amended in paragraph
5 (1) by striking “2023” and inserting “2024”.

6 (b) ACQUISITION COSTS.—Paragraph (2) of such sec-
7 tion is amended—

8 (1) by redesignating subparagraph (G) as sub-
9 paragraph (I); and

10 (2) by inserting after subparagraph (F) the fol-
11 lowing new subparagraphs:

12 “(G) For the 10-year period following the
13 date of the report, an estimate of the relative
14 percentage of acquisition costs of the military
15 departments, and of the entire Department of
16 Defense, represented by the costs to the De-
17 partment of Defense to modernize and recap-
18 talize the nuclear weapons enterprise.

19 “(H) A plan covering the 25-year period
20 following the date of the report that—

21 “(i) covers the research and develop-
22 ment and production relating to nuclear
23 weapons that are being modernized or sus-
24 tained, including with respect to—

1 “(I) associated delivery systems
2 or platforms that carry nuclear weap-
3 ons;

4 “(II) nuclear command and con-
5 trol systems; and

6 “(III) facilities, infrastructure,
7 and critical skills; and

8 “(ii) includes estimated timelines for
9 such research and development and pro-
10 duction, and the estimated acquisition and
11 life cycle costs, including estimated cost
12 ranges if necessary, to modernize or re-
13 capitalize each system.”.

14 (c) TRANSFER OF PROVISION.—

15 (1) CODIFICATION.—Such section 1043, as
16 amended by subsections (a) and (b), is—

17 (A) transferred to chapter 24 of title 10,
18 United States Code;

19 (B) inserted after section 492;

20 (C) redesignated as section 492a; and

21 (D) amended—

22 (i) in the enumerator, by striking
23 “SEC.” and inserting “§”; and

24 (ii) in the section heading—

1 (I) by striking the period at the
2 end; and

3 (II) by conforming the typeface
4 and typestyle, including capitalization,
5 to the typeface and typestyle as used
6 in the section heading of section 491
7 of such title.

8 (2) CLERICAL AMENDMENT.—The table of sec-
9 tions at the beginning of chapter 24 of title 10,
10 United States Code, is amended by inserting after
11 the item relating to section 492 the following new
12 item:

“492a. Annual report on the plan for the nuclear weapons stockpile, nuclear weapons complex, nuclear weapons delivery systems, and nuclear weapons command and control system.”.

13 **SEC. 1642. BRIEFINGS ON MEETINGS HELD BY THE NU-**
14 **CLEAR WEAPONS COUNCIL.**

15 Section 179 of title 10, United States Code, is
16 amended by adding at the end the following new sub-
17 section:

18 “(g) SEMIANNUAL BRIEFINGS.—Not later than 30
19 days after the date of the enactment of the National De-
20 fense Authorization Act for Fiscal Year 2020, and semi-
21 annually thereafter, the Council shall—

22 “(1) provide to the congressional defense com-
23 mittees a briefing on, with respect to the period cov-
24 ered by the briefing—

1 “(A) the dates on which the Council met;
2 and

3 “(B) a summary of any decisions made by
4 the Council pursuant to subsection (d) at each
5 such meeting, except with respect to budget de-
6 cisions relating to the budget of the President
7 for a fiscal year if the request for that fiscal
8 year has not been submitted to Congress as of
9 the date of the briefing; and

10 “(2) submit to such committees at the time of
11 the briefing—

12 “(A) any decision memoranda relating to
13 the decisions specified in paragraph (1)(B); and

14 “(B) a summary of the rationale and con-
15 siderations that informed such decision.”.

16 **SEC. 1643. ELIMINATION OF CONVENTIONAL REQUIRE-**
17 **MENT FOR LONG-RANGE STANDOFF WEAPON.**

18 Subsection (a) of section 217 of the National Defense
19 Authorization Act for Fiscal Year 2014 (Public Law 113–
20 66; 127 Stat. 706), as amended by section 1662 of the
21 John S. McCain National Defense Authorization Act for
22 Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2152),
23 is amended to read as follows:

1 “(a) LONG-RANGE STANDOFF WEAPON.—The Sec-
2 retary of the Air Force shall develop a follow-on air-
3 launched cruise missile to the AGM–86 that—

4 “(1) achieves initial operating capability for nu-
5 clear missions prior to the retirement of the nuclear-
6 armed AGM–86; and

7 “(2) is capable of internal carriage and employ-
8 ment for nuclear missions on the next-generation
9 long-range strike bomber.”.

10 **SEC. 1644. EXTENSION OF ANNUAL BRIEFING ON THE**
11 **COSTS OF FORWARD-DEPLOYING NUCLEAR**
12 **WEAPONS IN EUROPE.**

13 Section 1656(a) of the National Defense Authoriza-
14 tion Act for Fiscal Year 2016 (Public Law 114–92; 129
15 Stat. 1124) is amended—

16 (1) by striking “2021” and inserting “2024”;
17 and

18 (2) by inserting “, the Committee on Foreign
19 Affairs of the House of Representatives, and the
20 Committee on Foreign Relations of the Senate”
21 after “the congressional defense committees”.

1 **SEC. 1645. TEN-YEAR EXTENSION OF PROHIBITION ON**
2 **AVAILABILITY OF FUNDS FOR MOBILE VARI-**
3 **ANT OF GROUND-BASED STRATEGIC DETER-**
4 **MENT MISSILE.**

5 Section 1664 of the National Defense Authorization
6 Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat.
7 2615), as most recently amended by section 1666 of the
8 John S. McCain National Defense Authorization Act for
9 Fiscal Year 2019 (Public Law 115–232), is amended by
10 striking “for any of fiscal years 2017 through 2020” and
11 inserting “for any of fiscal years 2017 through 2030”.

12 **SEC. 1646. PROHIBITION ON AVAILABILITY OF FUNDS FOR**
13 **DEPLOYMENT OF LOW-YIELD BALLISTIC MIS-**
14 **SILE WARHEAD.**

15 None of the funds authorized to be appropriated by
16 this Act or otherwise made available for fiscal year 2020
17 for the Department of Defense may be used to deploy the
18 W76–2 low-yield warhead.

19 **SEC. 1647. REPORT ON MILITARY-TO-MILITARY DIALOGUE**
20 **TO REDUCE THE RISK OF MISCALCULATION**
21 **LEADING TO NUCLEAR WAR.**

22 Not later than 120 days after the date of the enact-
23 ment of this Act, the Secretary of Defense, in coordination
24 with the Secretary of State, shall submit to the congres-
25 sional defense committee, the Committee on Foreign Af-
26 fairs of the House of Representatives, and the Committee

1 on Foreign Relations of the Senate a report containing
2 the following:

3 (1) A description of—

4 (A) current military-to-military discussions
5 of the United States with counterparts from
6 governments of foreign countries to reduce the
7 risk of miscalculation, unintended consequences,
8 or accidents that could precipitate a nuclear
9 war; and

10 (B) bilateral and multilateral agreements
11 to which the United States is a party that ad-
12 dress such risks.

13 (2) An assessment conducted jointly by the Sec-
14 retary and the Chairman of the Joint Chiefs of Staff
15 of the policy and operational necessity, risks, bene-
16 fits, and costs of establishing military-to-military
17 discussions with Russia, Iran, China, and North
18 Korea to address such risks.

19 **SEC. 1648. PLAN ON NUCLEAR COMMAND, CONTROL, AND**
20 **COMMUNICATIONS SYSTEMS.**

21 (a) PLAN.—Not later than 270 days after the date
22 of the enactment of this Act, the Secretary of Defense,
23 in coordination with the Commander of the United States
24 Strategic Command, shall submit to the appropriate con-

gressional committees a plan on the future of the nuclear command, control, and communications systems.

(b) MATTERS INCLUDED.—The plan under subsection (a) shall address the following:

(1) Near- and long-term plans and options to recapitalize the nuclear command, control, and communications systems to ensure the resilience of such systems.

(2) Requirements for such systems, including with respect to survivability and reliability.

(3) The risks and benefits of replicating the current architecture for such systems as of the date of the plan.

(4) The risks and benefits of using different architectures for such systems, including, at a minimum, using hosted payloads.

(5) Whether such architectures should be classified or unclassified.

(6) Requirements and plans to ensure the security of the supply chain of nuclear command, control, and communications systems.

(7) Timelines and general cost estimates for long-term investments in such systems.

(8) Options for potential negotiation with adversaries, including with respect to agreements to

1 not target nuclear command, control, and commu-
2 nications systems through kinetic, nonkinetic, or
3 cyber attacks.

4 (9) Any other matters the Secretary determines
5 appropriate.

6 (c) INTERIM BRIEFING.—Not later than 90 days
7 after the date of the enactment of this Act, the Secretary,
8 in coordination with the Commander, shall provide to the
9 congressional defense committees a briefing on the plan
10 under subsection (a).

11 **SEC. 1649. INDEPENDENT STUDY ON POLICY OF NO-FIRST-**
12 **USE OF NUCLEAR WEAPONS.**

13 (a) STUDY.—Not later than 30 days after the date
14 of the enactment of this Act, the Secretary of Defense
15 shall seek to enter into a contract with a federally funded
16 research and development center to conduct a study on
17 the United States adopting a policy to not use nuclear
18 weapons first.

19 (b) MATTERS INCLUDED.—The study under sub-
20 section (a) shall include the following:

21 (1) An assessment of the benefits of a policy to
22 not use nuclear weapons first in reducing the risk of
23 miscalculation in a crisis.

24 (2) An assessment of the likely reactions of the
25 allies of the United States with respect to the United

1 States adopting such a policy and how any negative
2 reactions could be mitigated, including the value of
3 engaging such allies to offer credible extended deter-
4 rence assurances.

5 (3) An assessment of which foreign countries
6 have stated or adopted such a policy.

7 (4) An assessment of how adversaries of the
8 United States might view such a policy.

9 (5) An assessment of the benefits and risks of
10 such a policy with respect to nuclear nonprolifera-
11 tion.

12 (6) An assessment of changes in force posture
13 and force requirements, if any, and costs or savings,
14 that such a policy would entail.

15 (7) Any other matters the Secretary determines
16 appropriate.

17 (c) SUBMISSION TO DOD.—Not later than 210 days
18 after the date of the enactment of this Act, the federally
19 funded research and development center shall submit to
20 the Secretary the study under subsection (a).

21 (d) SUBMISSION TO CONGRESS.—Not later than 240
22 days after the date of the enactment of this Act, the Sec-
23 retary shall submit to the congressional defense commit-
24 tees, the Committee on Foreign Affairs of the House of
25 Representatives, and the Committee on Foreign Relations

1 of the Senate the study under subsection (a), without
2 change.

3 (e) FORM.—The study under subsection (a) shall be
4 submitted under subsections (c) and (d) in unclassified
5 form, but may include a classified annex.

6 **SEC. 1650. INDEPENDENT STUDY ON RISKS OF NUCLEAR**
7 **TERRORISM AND NUCLEAR WAR.**

8 (a) STUDY.—Not later than 30 days after the date
9 of the enactment of this Act, the Secretary of Defense
10 shall seek to enter into an agreement with the National
11 Academy of Sciences to conduct a study on the potential
12 risks of nuclear terrorism and nuclear war.

13 (b) MATTERS INCLUDED.—The study under sub-
14 section (a) shall—

15 (1) quantify the potential risks of nuclear ter-
16 rorism and nuclear war, including the level of uncer-
17 tainty;

18 (2) assess prior literature on such risks;

19 (3) assess the role that quantitative risk anal-
20 ysis and other disciplines can play in quantifying
21 such risks, including the limitations of such analysis
22 and disciplines;

23 (4) assess the extent to which the nuclear strat-
24 egy of the United States is consistent with the risks

1 of nuclear terrorism and nuclear war identified in
2 the study; and

3 (5) provide recommendations as to whether fun-
4 damental assumptions about the national security
5 strategy of the United States might need to be re-
6 considered.

7 (c) SUBMISSION.—Not later than one year after the
8 date of the enactment of this Act, the Secretary shall sub-
9 mit to the congressional defense committees the study
10 under subsection (a), without change.

11 (d) FORM.—The study shall be submitted under sub-
12 section (c) in unclassified form, but may include a classi-
13 fied annex.

14 **SEC. 1651. CONSIDERATION OF BUDGET MATTERS AT**
15 **MEETINGS OF NUCLEAR WEAPONS COUNCIL.**

16 Section 179 of title 10, United States Code, as
17 amended by section 1642, is further amended—

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

20 “(4) The Director of Cost Assessment and Pro-
21 gram Evaluation of the Department of Defense, the
22 Director of the Office of Management and Budget of
23 the National Nuclear Security Administration, the
24 Director for Cost Estimating and Program Evalua-
25 tion of the National Nuclear Security Administra-

1 tion, and the Director of the Office of Management
2 and Budget shall attend the meetings of the Coun-
3 cil.”; and

4 (2) in subsection (c), by adding at the end the
5 following new paragraph:

6 “(4) The Director of Cost Assessment and Pro-
7 gram Evaluation of the Department of Defense, the
8 Director of the Office of Management and Budget of
9 the National Nuclear Security Administration, the
10 Director for Cost Estimating and Program Evalua-
11 tion of the National Nuclear Security Administra-
12 tion, and the Director of the Office of Management
13 and Budget shall be members of the Standing and
14 Safety Committee of the Council, or such successor
15 committee.”.

16 **SEC. 1652. REPORT ON NUCLEAR FORCES OF THE UNITED**
17 **STATES AND NEAR-PEER COUNTRIES.**

18 (a) REPORT.—Not later than 30 days after the date
19 of the enactment of this Act, the Secretary of Defense,
20 in coordination with the Director of National Intelligence,
21 shall submit to the congressional defense committees a re-
22 port on the nuclear forces of the United States and near-
23 peer countries.

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

1 (1) An assessment of the current and planned
2 nuclear systems of the United States, including with
3 respect to research and development timelines, de-
4 ployment timelines, and force size.

5 (2) An assessment of the current and planned
6 nuclear systems of Russia and China, including with
7 respect to research and development timelines, de-
8 ployment timelines, and force size.

9 (3) A comparison of the current and projected
10 nuclear systems specified in paragraphs (1) and (2)
11 through 2040.

12 (c) FORM.—The report under subsection (a) shall be
13 submitted in unclassified form, but may include a classi-
14 fied annex.

15 **Subtitle E—Missile Defense** 16 **Programs**

17 **SEC. 1661. NATIONAL MISSILE DEFENSE POLICY.**

18 (a) POLICY.—Subsection (a) of section 1681 of the
19 National Defense Authorization Act for Fiscal Year 2017
20 (Public Law 114–328; 10 U.S.C. 2431 note) is amended
21 to read as follows:

22 “(a) POLICY.—It is the policy of the United States
23 to—

24 “(1) maintain and improve, with funding sub-
25 ject to the annual authorization of appropriations

1 and the annual appropriation of funds for National
2 Missile Defense—

3 “(A) an effective protection of the home-
4 land of the United States against offensive mis-
5 sile threats posed by rogue states; and

6 “(B) an effective regional missile defense
7 system capable of defending the allies, partners,
8 and deployed forces of the United States
9 against increasingly complex missile threats;
10 and

11 “(2) rely on nuclear deterrence to address more
12 sophisticated and larger quantity near-peer inter-
13 continental ballistic missile threats.”.

14 (b) BRIEFING.—Not later than January 31, 2020,
15 the Director of Cost Assessment and Program Evaluation
16 shall provide to the Committee on Armed Services of the
17 House of Representatives a briefing on the programmatic
18 impacts across the Department of Defense with respect
19 to the implementation of the Missile Defense Review
20 issued in 2019.

21 **SEC. 1662. DEVELOPMENT OF HYPERSONIC AND BALLISTIC**
22 **MISSILE TRACKING SPACE SENSOR PAYLOAD.**

23 (a) DEVELOPMENT.—Section 1683 of the National
24 Defense Authorization Act for Fiscal Year 2018 (Public
25 Law 115–91; 10 U.S.C. 2431 note) is amended—

1 (1) by redesignating subsections (d), (e), (f),
2 (g), and (h), as subsections (e), (f), (g), (h), and (j),
3 respectively; and

4 (2) by inserting after subsection (c) the fol-
5 lowing new subsection (d):

6 “(d) **HYPERSONIC AND BALLISTIC MISSILE TRACK-**
7 **ING SPACE SENSOR PAYLOAD.**—The Director, in coordi-
8 nation with the Director of the Space Development Agency
9 and the Secretary of the Air Force, shall—

10 “(1) develop a hypersonic and ballistic missile
11 tracking space sensor payload; and

12 “(2) include such payload as a component of
13 the sensor architecture developed under subsection
14 (a).”.

15 (b) **UPDATED PLAN.**—Such section is further amend-
16 ed by inserting after subsection (h), as redesignated by
17 subsection (a), the following new subsection:

18 “(i) **UPDATED PLAN.**—Not later than 90 days after
19 the date of the enactment of the National Defense Author-
20 ization Act for Fiscal Year 2020, the Director of the Mis-
21 sile Defense Agency, in coordination with the Director of
22 the Space Development Agency and the Secretary of the
23 Air Force, shall submit to the appropriate congressional
24 committees an update to the plan under subsection (h),
25 including the following:

1 “(1) How the Director of the Missile Defense
2 Agency, in coordination with the Director of the
3 Space Development Agency and the Secretary, will
4 develop the payload under subsection (d) and include
5 such payload in the sensor architecture developed
6 under subsection (a).

7 “(2) How such payload will address the require-
8 ment of the United States Strategic Command for a
9 hypersonic and ballistic missile tracking space sens-
10 ing capability.

11 “(3) The estimated costs (in accordance with
12 subsection (e)) to develop, acquire, and deploy, and
13 the lifecycle costs to operate and sustain, the pay-
14 load under subsection (f) and include such payload
15 in the sensor architecture developed under sub-
16 section (a).”.

17 (c) CONFORMING AMENDMENT.—Subsection (h)(1)
18 of such section, as redesignated by subsection (a), is
19 amended by striking “with subsection (d)” and inserting
20 “with subsection (e)”.

21 **SEC. 1663. REQUIREMENT FOR TESTING OF REDESIGNED**

22 **KILL VEHICLE PRIOR TO PRODUCTION.**

23 (a) SENSE OF CONGRESS.—It is the sense of Con-
24 gress that the Director of the Missile Defense Agency
25 must address the technical issues of the redesigned kill

1 vehicle prior to moving forward with development, pro-
2 curement, and fielding of the vehicle.

3 (b) MODIFICATIONS TO WAIVER REQUIREMENTS.—

4 Subsection (b) of section 1683 of the John S. McCain Na-
5 tional Defense Authorization Act for Fiscal Year 2019
6 (Public Law 115–232; 132 Stat. 2163) is amended to read
7 as follows:

8 “(b) WAIVER.—The Secretary of Defense, without
9 delegation, may waive subsection (a) if—

10 “(1) the Secretary determines that the waiver is
11 in the interest of national security;

12 “(2) the Secretary conducts an assessment of
13 the missile developments of both North Korea and
14 Iran during the 18-month period preceding the date
15 of the waiver;

16 “(3) the Secretary determines that the threat of
17 missiles is advancing at a pace that requires addi-
18 tional capacity of the ground-based midcourse de-
19 fense system by 2023, including in light of the as-
20 sessment conducted under paragraph (2);

21 “(4) the Secretary determines that the waiver is
22 appropriate in light of the assessment conducted by
23 the Director of Operational Test and Evaluation
24 under subsection (c);

1 “(5) the Secretary submits to the congressional
2 defense committees a report containing—

3 “(A) a notice of the waiver, including the
4 rationale of the Secretary for making the waiv-
5 er; and

6 “(B) a certification by the Secretary that
7 the Secretary has analyzed and accepts the risk
8 of making and implementing a lot production
9 decision for the redesigned kill vehicle prior to
10 the vehicle undergoing a successful flight inter-
11 cept test; and

12 “(6) a period of 30 days elapses following the
13 date on which the Secretary submits the report
14 under paragraph (5).”.

15 (c) MODIFICATION TO ASSESSMENT.—Subsection (c)
16 of such section is amended by inserting “and to the con-
17 gressional defense committees” after “to the Secretary of
18 Defense”.

19 **SEC. 1664. DEVELOPMENT OF SPACE-BASED BALLISTIC**
20 **MISSILE INTERCEPT LAYER.**

21 Section 1688 of the National Defense Authorization
22 Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C.
23 2431 note) is amended—

24 (1) by striking subsection (c); and

1 (2) by redesignating subsection (d) as sub-
2 section (c).

3 **SEC. 1665. ORGANIZATION, AUTHORITIES, AND BILLETS OF**
4 **THE MISSILE DEFENSE AGENCY.**

5 (a) INDEPENDENT STUDY.—

6 (1) ASSESSMENT.—In accordance with para-
7 graph (2), the Secretary of Defense shall seek to
8 enter into a contract with a federally funded re-
9 search and development center to conduct a study
10 assessing—

11 (A) the organization of the Missile Defense
12 Agency under the Under Secretary of Defense
13 for Research and Engineering pursuant to sec-
14 tion 205(b) of title 10, United States Code;

15 (B) alternative ways to organize the Agen-
16 cy under other officials of the Department of
17 Defense, including the Under Secretary for Ac-
18 quisition and Sustainment and any other offi-
19 cial of the Department the federally funded re-
20 search and development center determines ap-
21 propriate; and

22 (C) transitioning the Agency to the stand-
23 ard acquisition process pursuant to Department
24 of Defense Instruction 5000, including both the
25 risks and benefits of making such a transition.

1 (2) SCOPE OF STUDY.—Before entering into the
2 contract with a federally funded research and devel-
3 opment center to conduct the study under paragraph
4 (1), the Secretary shall provide to the congressional
5 defense committees an update on the scope of such
6 study.

7 (3) SUBMISSION TO DOD.—Not later than 150
8 days after the date of the enactment of this Act, the
9 federally funded research and development center
10 shall submit to the Secretary a report containing the
11 study conducted under paragraph (1).

12 (4) SUBMISSION TO CONGRESS.—Not later than
13 180 days after the date of the enactment of this Act,
14 the Secretary shall submit to the congressional de-
15 fense committees the study under paragraph (1),
16 without change.

17 (b) NOTIFICATION ON CHANGES TO NON-STANDARD
18 ACQUISITION PROCESSES AND RESPONSIBILITIES.—

19 (1) LIMITATION.—None of the funds authorized
20 to be appropriated by this Act or otherwise made
21 available for fiscal year 2020 for the Secretary of
22 Defense may be obligated or expended to change the
23 non-standard acquisition processes and responsibil-
24 ities described in paragraph (2) until—

1 (A) the Secretary notifies the congressional
2 defense committees of such proposed change;
3 and

4 (B) a period of 90 days has elapsed fol-
5 lowing the date of such notification.

6 (2) NON-STANDARD ACQUISITION PROCESSES
7 AND RESPONSIBILITIES DESCRIBED.—The non-
8 standard acquisition processes and responsibilities
9 described in this paragraph are such processes and
10 responsibilities described in—

11 (A) the memorandum of the Secretary of
12 Defense titled “Missile Defense Program Direc-
13 tion” signed on January 2, 2002;

14 (B) Department of Defense Directive
15 5134.09, as in effect on the date of the enact-
16 ment of this Act; and

17 (C) United States Strategic Command In-
18 struction 583–3.

19 (c) LIMITATION ON CERTAIN TRANSFERS OF BIL-
20 LETS.—During fiscal year 2020, the Secretary of Defense
21 may not transfer civilian or military billets from the Mis-
22 sile Defense Agency to any element of the Department
23 under the Under Secretary of Defense for Research and
24 Engineering until, for each such transfer—

1 (1) the Secretary notifies the congressional de-
2 fense committees of such proposed transfer; and

3 (2) a period of 90 days has elapsed following
4 the date of such notification.

5 **SEC. 1666. MISSILE DEFENSE INTERCEPTOR SITE IN CON-**
6 **TIGUOUS UNITED STATES.**

7 (a) DESIGNATION.—The Secretary shall designate
8 the preferred location of a missile defense site in the con-
9 tiguous United States from among the locations evaluated
10 pursuant to section 227 of the National Defense Author-
11 ization Act for Fiscal Year 2013 (Public Law 112–239;
12 126 Stat. 1678). The Secretary shall make such designa-
13 tion based on the following:

14 (1) The environmental impact statement pre-
15 pared pursuant to section 227 of the National De-
16 fense Authorization Act for Fiscal Year 2013 (Pub-
17 lic Law 112–239; 126 Stat. 1678).

18 (2) Strategic and operational effectiveness, in-
19 cluding with respect to the location that is the most
20 advantageous site in providing coverage to the entire
21 contiguous United States, including having the capa-
22 bility to provide shoot-assess-shoot coverage to the
23 entire contiguous United States.

24 (3) Construction remediation efforts and im-
25 pacts to the existing environment at the site.

1 (4) The existing infrastructure at the site.

2 (5) The costs to construct, equip, and operate
3 the site.

4 (b) REPORT.—Not later than January 31, 2020, the
5 Secretary shall submit to the congressional defense com-
6 mittees a report on the designation made under subsection
7 (a) with respect to each factor specified in paragraphs (1)
8 through (5) of such subsection.

9 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
10 tion may be construed—

11 (1) as requiring the Secretary of Defense to
12 begin a military construction project relating to the
13 missile defense site in the contiguous United States;
14 or

15 (2) as a statement that there is any current
16 military requirement for such a site.

17 (d) CONFORMING REPEAL.—Section 1681 of the Na-
18 tional Defense Authorization Act for Fiscal Year 2018
19 (Public Law 115–91; 131 Stat. 1776) is repealed.

20 **SEC. 1667. MISSILE DEFENSE RADAR IN HAWAII.**

21 (a) CONSTRUCTION OF HOMELAND DEFENSE
22 RADAR—HAWAII.—Subject to subsection (b), the Director
23 of the Missile Defense Agency may use funds authorized
24 to be appropriated by this Act or otherwise made available
25 for fiscal year 2020 for research, development, test, and

1 evaluation for the Missile Defense Agency to design, build,
2 and integrate the foundation of the homeland defense
3 radar in Hawaii and the thermal control system of the
4 radar.

5 (b) LIMITATION.—Of the funds authorized to be ap-
6 propriated by this Act or otherwise made available for fis-
7 cal year 2020 for research, development, test, and evalua-
8 tion for the homeland defense radar in Hawaii, not more
9 than 85 percent may be obligated or expended until the
10 Director—

11 (1) completes the critical design review of the
12 radar;

13 (2) submits to the congressional defense com-
14 mittees an assessment conducted by the Army Corps
15 of Engineers on the research, development, test, and
16 evaluation proposal to design, build, and integrate
17 the foundation of the radar and the thermal control
18 system of the radar that highlights any unique com-
19 ponents of such proposal; and

20 (3) provides to such committees a briefing on
21 incorporating the foundation and thermal control
22 system into the overall design of the radar.

1 **SEC. 1668. LIMITATION ON AVAILABILITY OF FUNDS FOR**
2 **LOWER TIER AIR AND MISSILE SENSOR.**

3 (a) LIMITATION.—Of the funds authorized to be ap-
4 propriated by this Act or otherwise made available for fis-
5 cal year 2020 for the Army for the lower tier air and mis-
6 sile defense sensor, not more than 75 percent may be obli-
7 gated or expended until the Secretary of the Army submits
8 the report under subsection (b).

9 (b) REPORT.—The Secretary of the Army shall sub-
10 mit to the congressional defense committees a report on
11 the test and demonstration of lower tier air and missile
12 defense sensors that occurred during the third quarter of
13 fiscal year 2019. Such report shall include the following:

14 (1) An explanation of how the test and dem-
15 onstration was conducted and what the test and
16 demonstration set out to achieve, including—

17 (A) an explanation of the performance
18 specifications used; and

19 (B) a description of the emulated threats
20 used in the test and demonstration and how
21 such threats compare to emerging regional air
22 and missile threats.

23 (2) An explanation of the capability of the sen-
24 sor system that the Secretary determined to be the
25 winner of the test and demonstration, including with
26 respect to—

1 (A) the capability of such sensor system
2 against key threats and requirements, including
3 whether such sensor system will be delivered
4 with full 360-degree coverage and the ability of
5 such sensor system to detect, track, and surveil
6 targets;

7 (B) the estimated procurement and life-
8 cycle costs of operating such sensor system; and

9 (C) the cost, timeline, and approach that
10 will be used to integrate the lower tier air and
11 missile defense sensor with other sensors using
12 the Integrated Air and Missile Defense Battle
13 Command System.

14 (3) An explanation of whether future perform-
15 ance improvements to the lower tier air and missile
16 defense sensor are conditional on intellectual prop-
17 erty and how such improvements will be made if the
18 United States does not own such intellectual prop-
19 erty.

20 **SEC. 1669. COMMAND AND CONTROL, BATTLE MANAGE-**
21 **MENT, AND COMMUNICATIONS PROGRAM.**

22 (a) LIMITATION ON SALE.—The Director of the Mis-
23 sile Defense Agency may not pursue release of the com-
24 mand and control, battle management, and communica-
25 tions program (or any variants thereof) for export until

1 the date on which the Director submits the report under
2 subsection (b).

3 (b) REPORT.—Not later than 90 days after the date
4 of the enactment of this Act, the Director shall submit
5 to the congressional defense committees, the Committee
6 on Foreign Affairs of the House of Representatives, and
7 the Committee on Foreign Relations of the Senate a re-
8 port containing the following:

9 (1) An explanation of the rationale of the Di-
10 rector for considering to export the command and
11 control, battle management, and communications
12 program (or any variants thereof) in light of the
13 critical role of the program in the strategic national
14 defense of the United States and the allies of the
15 United States against ballistic missile attack.

16 (2) The findings of the market research and
17 analysis conducted by the Director regarding export-
18 able command and control solutions for ballistic mis-
19 sile defense, including such solutions that are inter-
20 nationally available.

21 **SEC. 1670. ANNUAL ASSESSMENT OF BALLISTIC MISSILE**
22 **DEFENSE SYSTEM.**

23 (a) SENSE OF CONGRESS.—It is the sense of Con-
24 gress that operational test and evaluation of elements of
25 the ballistic missile defense system should be conducted

1 thoroughly in accordance with section 2399 of title 10,
2 United States Code, including with respect to the reports
3 required to be submitted to the congressional defense com-
4 mittees under subsection (b) of such section regarding the
5 results of testing conducted on major defense acquisition
6 programs.

7 (b) ANNUAL ASSESSMENT.—As part of the annual
8 report of the Director of Operational Test and Evaluation
9 submitted to Congress under section 139 of title 10,
10 United States Code, the Director shall include an assess-
11 ment of the ballistic missile defense system and all of the
12 elements of the system that have been fielded or are
13 planned, as of the date of the assessment, including—

14 (1) the operational effectiveness, suitability, and
15 survivability of the ballistic missile defense system
16 and the elements of the system that have been field-
17 ed or tested; and

18 (2) the adequacy and sufficiency of the test pro-
19 gram of such system as of the date of the assess-
20 ment, including with respect to the operational real-
21 ism of the tests.

22 (c) FORM.—Each assessment under subsection (a)
23 may be submitted in unclassified form, and may include
24 a classified annex.

1 **SEC. 1671. MODIFICATIONS TO REQUIRED TESTING BY MIS-**
2 **SILE DEFENSE AGENCY OF GROUND-BASED**
3 **MIDCOURSE DEFENSE ELEMENT OF BAL-**
4 **LISTIC MISSILE DEFENSE SYSTEM.**

5 Section 1689 of the National Defense Authorization
6 Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat.
7 2631; 10 U.S.C. 2431 note) is amended—

8 (1) in subsection (b)—

9 (A) in the matter preceding paragraph (1),
10 by striking “, when possible,”; and

11 (B) in paragraph (3), by inserting “, in-
12 cluding the use of threat-representative counter-
13 measures” before the period;

14 (2) in subsection (c), by striking paragraph (8);

15 (3) by striking subsection (d);

16 (4) by redesignating subsection (e) as sub-
17 section (d); and

18 (5) in subsection (d), as so redesignated, by
19 striking the last sentence.

20 **SEC. 1672. INDEPENDENT STUDY ON IMPACTS OF MISSILE**
21 **DEFENSE DEVELOPMENT AND DEPLOYMENT.**

22 (a) STUDY.—Not later than 30 days after the date
23 of the enactment of this Act, the Secretary of Defense
24 shall seek to enter into an agreement with the National
25 Academy of Sciences to conduct a study on the impacts
26 of the development and deployment of long-range missile

1 defenses of the United States on the security of the United
2 States as a whole.

3 (b) MATTERS INCLUDED.—The study under sub-
4 section (a) shall—

5 (1) consider whether security benefits obtained
6 by the deployment of long-range missile defenses of
7 the United States are undermined or counterbal-
8 anced by adverse reactions of potential adversaries,
9 including both rogue states and near-peer adver-
10 saries; and

11 (2) consider the effectiveness of the long-range
12 missile defense efforts of the United States to deter
13 the development of ballistic missiles, in particular by
14 both rogue states and near-peer adversaries.

15 (c) SUBMISSION.—Not later than one year after the
16 date of the enactment of this Act, the Secretary shall sub-
17 mit to the congressional defense committees the study
18 under subsection (a), without change.

19 (d) FORM.—The study shall be submitted under sub-
20 section (c) in unclassified form, but may include a classi-
21 fied annex.

22 **SEC. 1673. REPORT AND BRIEFING ON MULTI-OBJECT KILL**
23 **VEHICLE.**

24 Not later than 120 days after the date of the enact-
25 ment of this Act, the Under Secretary of Defense for Re-

1 search and Engineering shall submit to the congressional
2 defense committees a report, and shall provide to such
3 committees a briefing, on the potential need for a multi-
4 object kill vehicle in future architecture of the ballistic
5 missile defense system. Such report and briefing shall in-
6 clude the following:

7 (1) An assessment of the technology readiness
8 level of needed components and the operational sys-
9 tem for the multi-object kill vehicle.

10 (2) An assessment of the costs and a com-
11 prehensive development and testing schedule to de-
12 ploy the multi-object kill vehicle by 2025.

13 (3) An assessment of whether the multi-object
14 kill vehicle was considered in the redesigned kill ve-
15 hicle program re-baseline as a replacement for fu-
16 ture ground-based midcourse defense system kill ve-
17 hicles.

18 (4) A concept of operations with respect to how
19 a multi-object kill vehicle capability could be em-
20 ployed and how such capability compares to alter-
21 native ground-based midcourse defense system inter-
22 ceptors.

Subtitle F—Other Matters

SEC. 1681. MODIFICATION TO REPORTS ON CERTAIN SOLID ROCKET MOTORS.

Section 1696 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2171) is amended—

(1) by striking “rockets or missiles” and inserting “rockets, missiles, or space launch services” each place it appears;

(2) in subsection (a)(2)(C), by striking “rocket or missile” and inserting “rocket, missile, or space launch service”;

(3) in subsection (b)(1)—

(A) by inserting after “the Secretary of Defense,” the following: “in coordination with the Administrator of the National Aeronautics and Space Administration,”;

(B) by inserting after “defense” the following: “and science”; and

(C) by inserting after “the Department of Defense” the following: “and the National Aeronautics and Space Administration”; and

(4) in subsection (b)(2)(D), by inserting after “the Secretary” the following: “or the Administrator

1 of the National Aeronautics and Space Administra-
2 tion”.

3 **SEC. 1682. REPEAL OF REVIEW REQUIREMENT FOR AMMO-**
4 **NIUM PERCHLORATE REPORT.**

5 Section 1694(d) of the National Defense Authoriza-
6 tion Act for Fiscal Year 2018 (Public Law 115–91; 131
7 Stat. 1792) is repealed.

8 **SEC. 1683. REPEAL OF REQUIREMENT FOR COMMISSION ON**
9 **ELECTROMAGNETIC PULSE ATTACKS AND**
10 **SIMILAR EVENTS.**

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

12 (1) On March 26, 2019, the President released
13 the “Executive Order on Coordinating National Re-
14 silience to Electromagnetic Pulses”.

15 (2) The Executive order codifies policy, roles,
16 and responsibilities within the executive branch in
17 order to foster sustainable, efficient, and cost-effec-
18 tive approaches to improving the resilience of the
19 United States to the effects of electromagnetic
20 pulses.

21 (b) REPEAL.—Section 1691 of the National Defense
22 Authorization Act for Fiscal Year 2018 (Public Law 115–
23 91; 131 Stat. 1786) is repealed.

1 **SEC. 1684. CONVENTIONAL PROMPT GLOBAL STRIKE WEAP-**
2 **ON SYSTEM.**

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

5 (1) the Under Secretary of Defense for Policy
6 has not adequately responded to Congress regarding
7 the miscalculation and ambiguity risks posed by
8 hypersonic weapons, specifically from submarine-
9 launched platforms, including pursuant to the report
10 required by section 1698 of the John S. McCain Na-
11 tional Defense Authorization Act for Fiscal Year
12 2019 (Public Law 115–232; 132 Stat. 2172); and

13 (2) the Secretary of Defense should coordinate
14 technology maturation efforts to develop common
15 technologies for hypersonics, and should leverage de-
16 fense laboratories and university partners to lead
17 foundational hypersonic research in areas the Sec-
18 retary determines appropriate for the Department of
19 Defense.

20 (b) PROHIBITION.—None of the funds authorized to
21 be appropriated by this Act or otherwise made available
22 for fiscal year 2020 for the conventional prompt global
23 strike weapon system may be used for a submarine-
24 launched conventional prompt global strike capability, in-
25 cluding with respect to developing or testing such a capa-
26 bility, unless such capability—

1 (1) is transferrable to a surface-launched plat-
2 form; and

3 (2) is not exclusive to submarines.

4 (c) REPORT.—Not later than 120 days after the date
5 of the enactment of this Act, the Secretary of the Navy
6 shall submit to the congressional defense committees a re-
7 port on the programmatic changes required to integrate
8 the conventional prompt global strike weapon system into
9 the DDG–1000 program or other surface ships.

10 **TITLE XVII—SANCTIONS WITH**
11 **RESPECT TO FOREIGN TRAF-**
12 **FICKERS OF ILLICIT SYN-**
13 **THETIC OPIOIDS**

14 **SEC. 1701. SHORT TITLE.**

15 This title may be cited as the “Fentanyl Sanctions
16 Act”.

17 **SEC. 1702. FINDINGS.**

18 Congress makes the following findings:

19 (1) The Centers for Disease Control and Pre-
20 vention estimate that from September 2017 through
21 September 2018 more than 48,200 people in the
22 United States died from an opioid overdose, with
23 synthetic opioids (excluding methadone), contrib-
24 uting to a record 31,900 overdose deaths. While
25 drug overdose death estimates from methadone,

1 semi-synthetic opioids, and heroin have decreased in
2 recent months, overdose deaths from synthetic
3 opioids have continued to increase.

4 (2) Congress and the President have taken a
5 number of actions to combat the demand for illicit
6 opioids in the United States, including enacting into
7 law the SUPPORT for Patients and Communities
8 Act (Public Law 115–271; 132 Stat. 3894). While
9 new statutes and regulations have reduced the rate
10 of opioid prescriptions in recent years, fully address-
11 ing the United States opioid crisis will involve dra-
12 matically restricting the foreign supply of illicit
13 opioids.

14 (3) The People’s Republic of China is the
15 world’s largest producer of illicit fentanyl, fentanyl
16 analogues, and their immediate precursors. From
17 the People’s Republic of China, those substances are
18 shipped primarily through express consignment car-
19 riers or international mail directly to the United
20 States, or, alternatively, shipped directly to
21 transnational criminal organizations in Mexico, Can-
22 ada, and the Caribbean.

23 (4) The United States and the People’s Repub-
24 lic of China, Mexico, and Canada have made impor-
25 tant strides in combating the illicit flow of opioids

1 through bilateral efforts of their respective law en-
2 forcement agencies.

3 (5) The objective of preventing the proliferation
4 of illicit opioids through existing multilateral and bi-
5 lateral initiatives requires additional efforts to deny
6 illicit actors the financial means to sustain their
7 markets and distribution networks.

8 (6) The implementation on May 1, 2019, of the
9 regulations of the People's Republic of China to
10 schedule all fentanyl analogues as controlled sub-
11 stances is a major step in combating global opioid
12 trafficking and represents a major achievement in
13 United States-China law enforcement dialogues.
14 However, that step will effectively fulfill the commit-
15 ment that President Xi Jinping of the People's Re-
16 public of China made to President Donald Trump at
17 the Group of Twenty meeting in December 2018
18 only if the Government of the People's Republic of
19 China devotes sufficient resources to full implemen-
20 tation and strict enforcement of the new regulations.
21 The effective enforcement of the new regulations
22 should result in diminished trafficking of illicit
23 fentanyl originating from the People's Republic of
24 China into the United States.

1 (7) While the Department of the Treasury used
2 the Foreign Narcotics Kingpin Designation Act (21
3 U.S.C. 1901 et seq.) to sanction the first synthetic
4 opioid trafficking entity in April 2018, additional
5 economic and financial sanctions policy tools are
6 needed to help combat the flow of synthetic opioids
7 into the United States.

8 **SEC. 1703. SENSE OF CONGRESS.**

9 It is the sense of Congress that—

10 (1) the United States should apply economic
11 and other financial sanctions to foreign traffickers of
12 illicit opioids to protect the national security, foreign
13 policy, and economy of the United States and the
14 health of the people of the United States;

15 (2) it is imperative that the People’s Republic
16 of China follow through on full implementation of
17 the new regulations, adopted May 1, 2019, to treat
18 all fentanyl analogues as controlled substances under
19 the laws of the People’s Republic of China, including
20 by devoting sufficient resources for implementation
21 and strict enforcement of the new regulations; and

22 (3) the effective enforcement of the new regula-
23 tions should result in diminished trafficking of illicit
24 fentanyl originating from the People’s Republic of
25 China into the United States.

1 **SEC. 1704. DEFINITIONS.**

2 In this title:

3 (1) ALIEN; NATIONAL; NATIONAL OF THE
4 UNITED STATES.—The terms “alien”, “national”,
5 and “national of the United States” have the mean-
6 ings given those terms in section 101 of the Immi-
7 gration and Nationality Act (8 U.S.C. 1101).

8 (2) APPROPRIATE CONGRESSIONAL COMMIT-
9 TEES AND LEADERSHIP.—The term “appropriate
10 congressional committees and leadership” means—

11 (A) the Committee on Appropriations, the
12 Committee on Armed Services, the Committee
13 on Banking, Housing, and Urban Affairs, the
14 Committee on Foreign Relations, the Com-
15 mittee on Homeland Security and Govern-
16 mental Affairs, the Committee on the Judiciary,
17 the Select Committee on Intelligence, and the
18 majority leader and the minority leader of the
19 Senate; and

20 (B) the Committee on Appropriations, the
21 Committee on Armed Services, the Committee
22 on Financial Services, the Committee on For-
23 eign Affairs, the Committee on Homeland Secu-
24 rity, the Committee on the Judiciary, the Com-
25 mittee on Oversight and Reform, the Perma-
26 nent Select Committee on Intelligence, and the

1 Speaker and the minority leader of the House
2 of Representatives.

3 (3) CONTROLLED SUBSTANCE; LISTED CHEM-
4 ICAL.—The terms “controlled substance”, “listed
5 chemical”, “narcotic drug”, and “opioid” have the
6 meanings given those terms in section 102 of the
7 Controlled Substances Act (21 U.S.C. 802).

8 (4) ENTITY.—The term “entity” means a part-
9 nership, joint venture, association, corporation, orga-
10 nization, network, group, or subgroup, or any form
11 of business collaboration.

12 (5) FOREIGN OPIOID TRAFFICKER.—The term
13 “foreign opioid trafficker” means any foreign person
14 that the President determines plays a significant
15 role in opioid trafficking.

16 (6) FOREIGN PERSON.—The term “foreign per-
17 son”—

18 (A) means—

19 (i) any citizen or national of a foreign
20 country; or

21 (ii) any entity not organized under the
22 laws of the United States or a jurisdiction
23 within the United States; and

24 (B) does not include the government of a
25 foreign country.

1 (7) KNOWINGLY.—The term “knowingly”, with
2 respect to conduct, a circumstance, or a result,
3 means that a person has actual knowledge, or should
4 have known, of the conduct, the circumstance, or the
5 result.

6 (8) OPIOID TRAFFICKING.—The term “opioid
7 trafficking” means any illicit activity—

8 (A) to produce, manufacture, distribute,
9 sell, or knowingly finance or transport illicit
10 synthetic opioids, controlled substances that are
11 synthetic opioids, listed chemicals that are syn-
12 thetic opioids, or active pharmaceutical ingredi-
13 ents or chemicals that are used in the produc-
14 tion of controlled substances that are synthetic
15 opioids;

16 (B) to attempt to carry out an activity de-
17 scribed in subparagraph (A); or

18 (C) to assist, abet, conspire, or collude
19 with other persons to carry out such an activity.

20 (9) PERSON.—The term “person” means an in-
21 dividual or entity.

22 (10) UNITED STATES PERSON.—The term
23 “United States person” means—

24 (A) any citizen or national of the United
25 States;

1 (B) any alien lawfully admitted for perma-
2 nent residence in the United States;

3 (C) any entity organized under the laws of
4 the United States or any jurisdiction within the
5 United States (including a foreign branch of
6 such an entity); or

7 (D) any person located in the United
8 States.

9 **Subtitle A—Sanctions With Respect**
10 **to Foreign Opioid Traffickers**

11 **SEC. 1711. IDENTIFICATION OF FOREIGN OPIOID TRAF-**
12 **FICKERS.**

13 (a) PUBLIC REPORT.—

14 (1) IN GENERAL.—The President shall submit
15 to the appropriate congressional committees and
16 leadership, in accordance with subsection (c), a re-
17 port—

18 (A) identifying the foreign persons that the
19 President determines are foreign opioid traf-
20 fickers;

21 (B) detailing progress the President has
22 made in implementing this subtitle; and

23 (C) providing an update on cooperative ef-
24 forts with the Governments of Mexico and the

1 People’s Republic of China with respect to com-
2 bating foreign opioid traffickers.

3 (2) IDENTIFICATION OF ADDITIONAL PER-
4 SONS.—If, at any time after submitting a report re-
5 quired by paragraph (1) and before the submission
6 of the next such report, the President determines
7 that a foreign person not identified in the report is
8 a foreign opioid trafficker, the President shall sub-
9 mit to the appropriate congressional committees and
10 leadership an additional report containing the infor-
11 mation required by paragraph (1) with respect to
12 the foreign person.

13 (3) EXCLUSION.—The President shall not be
14 required to include in a report under paragraph (1)
15 or (2) any persons with respect to which the United
16 States has imposed sanctions before the date of the
17 report under this subtitle or any other provision of
18 law with respect to opioid trafficking.

19 (4) FORM OF REPORT.—

20 (A) IN GENERAL.—Each report required
21 by paragraph (1) or (2) shall be submitted in
22 unclassified form but may include a classified
23 annex.

24 (B) AVAILABILITY TO PUBLIC.—The un-
25 classified portion of a report required by para-

1 graph (1) or (2) shall be made available to the
2 public.

3 (b) CLASSIFIED REPORT.—

4 (1) IN GENERAL.—The President shall submit
5 to the appropriate congressional committees and
6 leadership, in accordance with subsection (c), a re-
7 port, in classified form—

8 (A) describing in detail the status of sanc-
9 tions imposed under this subtitle, including the
10 personnel and resources directed toward the im-
11 position of such sanctions during the preceding
12 fiscal year;

13 (B) providing background information with
14 respect to persons newly identified as foreign
15 opioid traffickers and their illicit activities;

16 (C) describing actions the President in-
17 tends to undertake or has undertaken to imple-
18 ment this subtitle; and

19 (D) providing a strategy for identifying ad-
20 ditional foreign opioid traffickers.

21 (2) EFFECT ON OTHER REPORTING REQUIRE-
22 MENTS.—The report required by paragraph (1) is in
23 addition to, and in no way delimits or restricts, the
24 obligations to keep Congress fully and currently in-

1 formed pursuant to the provisions of the National
2 Security Act of 1947 (50 U.S.C. 3001 et seq.).

3 (c) SUBMISSION OF REPORTS.—Not later than 180
4 days after the date of the enactment of this Act, and annu-
5 ally thereafter until the date that is 5 years after such
6 date of enactment, the President shall submit the reports
7 required by subsections (a) and (b) to the appropriate con-
8 gressional committees and leadership.

9 (d) EXCLUSION OF CERTAIN INFORMATION.—

10 (1) INTELLIGENCE.—Notwithstanding any
11 other provision of this section, a report required by
12 subsection (a) or (b) shall not disclose the identity
13 of any person if the Director of National Intelligence
14 determines that such disclosure could compromise an
15 intelligence operation, activity, source, or method of
16 the United States.

17 (2) LAW ENFORCEMENT.—Notwithstanding any
18 other provision of this section, a report required by
19 subsection (a) or (b) shall not disclose the identity
20 of any person if the Attorney General, in coordina-
21 tion, as appropriate, with the Director of the Fed-
22 eral Bureau of Investigation, the Administrator of
23 the Drug Enforcement Administration, the Secretary
24 of the Treasury, the Secretary of State, and the
25 head of any other appropriate Federal law enforce-

1 ment agency, determines that such disclosure could
2 reasonably be expected—

3 (A) to compromise the identity of a con-
4 fidential source, including a State, local, or for-
5 eign agency or authority or any private institu-
6 tion that furnished information on a confiden-
7 tial basis;

8 (B) to jeopardize the integrity or success
9 of an ongoing criminal investigation or prosecu-
10 tion;

11 (C) to endanger the life or physical safety
12 of any person; or

13 (D) to cause substantial harm to physical
14 property.

15 (3) NOTIFICATION REQUIRED.—If the Director
16 of National Intelligence makes a determination
17 under paragraph (1) or the Attorney General makes
18 a determination under paragraph (2), the Director
19 or the Attorney General, as the case may be, shall
20 notify the appropriate congressional committees and
21 leadership of the determination and the reasons for
22 the determination.

23 (4) RULE OF CONSTRUCTION.—Nothing in this
24 section may be construed to authorize or compel the
25 disclosure of information determined by the Presi-

1 dent to be law enforcement information, classified
2 information, national security information, or other
3 information the disclosure of which is prohibited by
4 any other provision of law.

5 (e) PROVISION OF INFORMATION REQUIRED FOR RE-
6 PORTS.—The Secretary of the Treasury, the Attorney
7 General, the Secretary of Defense, the Secretary of State,
8 the Secretary of Homeland Security, and the Director of
9 National Intelligence shall consult among themselves and
10 provide to the President and the Director of the Office
11 of National Drug Control Policy the appropriate and nec-
12 essary information to enable the President to submit the
13 reports required by subsection (a).

14 **SEC. 1712. SENSE OF CONGRESS ON INTERNATIONAL**
15 **OPIOID CONTROL REGIME.**

16 It is the sense of Congress that, in order to apply
17 economic and other financial sanctions to foreign traf-
18 fickers of illicit opioids to protect the national security,
19 foreign policy, and economy of the United States—

20 (1) the President should instruct the Secretary
21 of State to commence immediately diplomatic ef-
22 forts, both in appropriate international fora such as
23 the United Nations, the Group of Seven, the Group
24 of Twenty, and trilaterally and bilaterally with part-
25 ners of the United States, to combat foreign opioid

1 trafficking, including by working to establish a mul-
2 tilateral sanctions regime with respect to foreign
3 opioid trafficking; and

4 (2) the Secretary of State, in consultation with
5 the Secretary of the Treasury, should intensify ef-
6 forts to maintain and strengthen the coalition of
7 countries formed to combat foreign opioid traf-
8 ficking.

9 **SEC. 1713. IMPOSITION OF SANCTIONS.**

10 The President shall impose five or more of the sanc-
11 tions described in section 1714 with respect to each for-
12 eign person that is an entity, and four or more of such
13 sanctions with respect to each foreign person that is an
14 individual, that—

15 (1) is identified as a foreign opioid trafficker in
16 a report submitted under section 1711(a); or

17 (2) the President determines is owned, con-
18 trolled, directed by, knowingly supplying or sourcing
19 precursors for, or acting for or on behalf of, such a
20 foreign opioid trafficker.

21 **SEC. 1714. DESCRIPTION OF SANCTIONS.**

22 (a) IN GENERAL.—The sanctions that may be im-
23 posed with respect to a foreign person under section 1713
24 are the following:

1 (1) LOANS FROM UNITED STATES FINANCIAL
2 INSTITUTIONS.—The United States Government
3 may prohibit any United States financial institution
4 from making loans or providing credits to the for-
5 eign person.

6 (2) PROHIBITIONS ON FINANCIAL INSTITU-
7 TIONS.—The following prohibitions may be imposed
8 with respect to a foreign person that is a financial
9 institution:

10 (A) PROHIBITION ON DESIGNATION AS
11 PRIMARY DEALER.—Neither the Board of Gov-
12 ernors of the Federal Reserve System nor the
13 Federal Reserve Bank of New York may des-
14 ignate, or permit the continuation of any prior
15 designation of, the financial institution as a pri-
16 mary dealer in United States Government debt
17 instruments.

18 (B) PROHIBITION ON SERVICE AS A RE-
19 POSITORY OF GOVERNMENT FUNDS.—The fi-
20 nancial institution may not serve as agent of
21 the United States Government or serve as re-
22 pository for United States Government funds.

23 The imposition of either sanction under subpara-
24 graph (A) or (B) shall be treated as one sanction for
25 purposes of section 1713, and the imposition of both

1 such sanctions shall be treated as 2 sanctions for
2 purposes of that section.

3 (3) PROCUREMENT BAN.—The United States
4 Government may not procure, or enter into any con-
5 tract for the procurement of, any goods or services
6 from the foreign person.

7 (4) FOREIGN EXCHANGE.—The President may,
8 pursuant to such regulations as the President may
9 prescribe, prohibit any transactions in foreign ex-
10 change that are subject to the jurisdiction of the
11 United States and in which the foreign person has
12 any interest.

13 (5) BANKING TRANSACTIONS.—The President
14 may, pursuant to such regulations as the President
15 may prescribe, prohibit any transfers of credit or
16 payments between financial institutions or by,
17 through, or to any financial institution, to the extent
18 that such transfers or payments are subject to the
19 jurisdiction of the United States and involve any in-
20 terest of the foreign person.

21 (6) PROPERTY TRANSACTIONS.—The President
22 may, pursuant to such regulations as the President
23 may prescribe, prohibit any person from—

24 (A) acquiring, holding, withholding, using,
25 transferring, withdrawing, or transporting any

1 property that is subject to the jurisdiction of
2 the United States and with respect to which the
3 foreign person has any interest;

4 (B) dealing in or exercising any right,
5 power, or privilege with respect to such prop-
6 erty; or

7 (C) conducting any transaction involving
8 such property.

9 (7) BAN ON INVESTMENT IN EQUITY OR DEBT
10 OF SANCTIONED PERSON.—The President may, pur-
11 suant to such regulations or guidelines as the Presi-
12 dent may prescribe, prohibit any United States per-
13 son from investing in or purchasing significant
14 amounts of equity or debt instruments of the foreign
15 person.

16 (8) EXCLUSION OF CORPORATE OFFICERS.—
17 The President may direct the Secretary of State to
18 deny a visa to, and the Secretary of Homeland Secu-
19 rity to exclude from the United States, any alien
20 that the President determines is a corporate officer
21 or principal of, or a shareholder with a controlling
22 interest in, the foreign person.

23 (9) SANCTIONS ON PRINCIPAL EXECUTIVE OF-
24 FICERS.—The President may impose on the prin-
25 cipal executive officer or officers of the foreign per-

1 son, or on individuals performing similar functions
2 and with similar authorities as such officer or offi-
3 cers, any of the sanctions described in paragraphs
4 (1) through (8) that are applicable.

5 (b) PENALTIES.—A person that violates, attempts to
6 violate, conspires to violate, or causes a violation of any
7 regulation, license, or order issued to carry out subsection
8 (a) shall be subject to the penalties set forth in subsections
9 (b) and (c) of section 206 of the International Emergency
10 Economic Powers Act (50 U.S.C. 1705) to the same ex-
11 tent as a person that commits an unlawful act described
12 in subsection (a) of that section.

13 (c) EXCEPTIONS.—

14 (1) INTELLIGENCE AND LAW ENFORCEMENT
15 ACTIVITIES.—Sanctions under this section shall not
16 apply with respect to—

17 (A) any activity subject to the reporting
18 requirements under title V of the National Se-
19 curity Act of 1947 (50 U.S.C. 3091 et seq.); or

20 (B) any authorized intelligence or law en-
21 forcement activities of the United States.

22 (2) EXCEPTION TO COMPLY WITH UNITED NA-
23 TIONS HEADQUARTERS AGREEMENT.—Sanctions
24 under subsection (a)(8) shall not apply to an alien
25 if admitting the alien into the United States is nec-

1 essary to permit the United States to comply with
2 the Agreement regarding the Headquarters of the
3 United Nations, signed at Lake Success June 26,
4 1947, and entered into force November 21, 1947,
5 between the United Nations and the United States,
6 the Convention on Consular Relations, done at Vi-
7 enna April 24, 1963, and entered into force March
8 19, 1967, or other applicable international obliga-
9 tions.

10 (d) IMPLEMENTATION; REGULATORY AUTHORITY.—

11 (1) IMPLEMENTATION.—The President may ex-
12 ercise all authorities provided under sections 203
13 and 205 of the International Emergency Economic
14 Powers Act (50 U.S.C. 1702 and 1704) to carry out
15 this section.

16 (2) REGULATORY AUTHORITY.—The President
17 shall issue such regulations, licenses, and orders as
18 are necessary to carry out this section.

19 **SEC. 1715. WAIVERS.**

20 (a) WAIVER FOR STATE-OWNED ENTITIES IN COUN-
21 TRIES THAT COOPERATE IN MULTILATERAL ANTI-TRAF-
22 FICKING EFFORTS.—

23 (1) IN GENERAL.—The President may waive for
24 a period of not more than 12 months the application
25 of sanctions under this subtitle with respect to an

1 entity that is owned or controlled, directly or indi-
2 rectly, by a foreign government or any political sub-
3 division, agency, or instrumentality of a foreign gov-
4 ernment, if, not less than 15 days before the waiver
5 is to take effect, the President certifies to the appro-
6 priate congressional committees and leadership that
7 the foreign government is closely cooperating with
8 the United States in efforts to prevent opioid traf-
9 ficking.

10 (2) CERTIFICATION.—The President may cer-
11 tify under paragraph (1) that a foreign government
12 is closely cooperating with the United States in ef-
13 forts to prevent opioid trafficking if that government
14 is—

15 (A) implementing domestic laws to sched-
16 ule all fentanyl analogues as controlled sub-
17 stances; and

18 (B) doing two or more of the following:

19 (i) Implementing substantial improve-
20 ments in regulations involving the chemical
21 and pharmaceutical production and export
22 of illicit opioids.

23 (ii) Implementing substantial improve-
24 ments in judicial regulations to combat

1 transnational criminal organizations that
2 traffic opioids.

3 (iii) Increasing efforts to prosecute
4 foreign opioid traffickers.

5 (iv) Increasing intelligence sharing
6 and law enforcement cooperation with the
7 United States with respect to opioid traf-
8 ficking.

9 (3) SUBSEQUENT RENEWAL OF WAIVER.—The
10 President may renew a waiver under paragraph (1)
11 for subsequent periods of not more than 12 months
12 each if, not less than 15 days before the renewal is
13 to take effect, the Secretary of State certifies to the
14 appropriate congressional committees and leadership
15 that the government of the country to which the
16 waiver applies has effectively implemented and is ef-
17 fectively enforcing the measures that formed the
18 basis for the certification under paragraph (2).

19 (b) WAIVERS FOR NATIONAL SECURITY AND ACCESS
20 TO PRESCRIPTION MEDICATIONS.—

21 (1) IN GENERAL.—The President may waive
22 the application of sanctions under this subtitle if the
23 President determines that the application of such
24 sanctions would—

1 (A) cause a specific articulated harm or set
2 of harms to a specific articulated national secu-
3 rity interest or set of interests of the United
4 States; or

5 (B) subject to paragraph (2), harm the ac-
6 cess of United States persons to prescription
7 medications.

8 (2) MONITORING.—The President shall estab-
9 lish a monitoring program to verify that a person
10 that receives a waiver under paragraph (1)(B) is not
11 trafficking illicit opioids.

12 (3) NOTIFICATION.—Not later than 15 days
13 after making a determination under paragraph (1),
14 the President shall notify the appropriate congres-
15 sional committees and leadership of the determina-
16 tion and the reasons for the determination.

17 (c) HUMANITARIAN WAIVER.—The President may
18 waive, for renewable periods of 180 days, the application
19 of the sanctions under this subtitle if the President cer-
20 tifies to the appropriate congressional committees and
21 leadership that the waiver is necessary for the provision
22 of humanitarian assistance.

1 **SEC. 1716. PROCEDURES FOR JUDICIAL REVIEW OF CLASSI-**
2 **FIED INFORMATION.**

3 (a) IN GENERAL.—If a finding under this subtitle,
4 or a prohibition, condition, or penalty imposed as a result
5 of any such finding, is based on classified information (as
6 defined in section 1(a) of the Classified Information Pro-
7 cedures Act (18 U.S.C. App.)) and a court reviews the
8 finding or the imposition of the prohibition, condition, or
9 penalty, the President may submit such information to the
10 court ex parte and in camera.

11 (b) RULE OF CONSTRUCTION.—Nothing in this sec-
12 tion shall be construed to—

13 (1) confer or imply any right to judicial review
14 of any finding under this subtitle, or any prohibition,
15 condition, or penalty imposed as a result of any such
16 finding; and

17 (2) limit or restrict any other practice, proce-
18 dure, right, remedy, or safeguard that relates to the
19 protection of classified information and is available
20 to the United States in connection with any type of
21 administrative hearing, litigation, or other pro-
22 ceeding.

23 **SEC. 1717. BRIEFINGS ON IMPLEMENTATION.**

24 Not later than 90 days after the date of the enact-
25 ment of the Fentanyl Sanctions Act, and every 180 days
26 thereafter until the date that is 5 years after such date

1 of enactment, the President, acting through the Secretary
2 of State and the Director of National Intelligence, in co-
3 ordination with the Secretary of the Treasury, shall pro-
4 vide to the appropriate congressional committees and lead-
5 ership a comprehensive briefing on efforts to implement
6 this subtitle.

7 **SEC. 1718. INCLUSION OF ADDITIONAL MATERIAL IN**
8 **INTERNATIONAL NARCOTICS CONTROL**
9 **STRATEGY REPORT.**

10 Section 489(a) of the Foreign Assistance Act of 1961
11 (22 U.S.C. 2291(a)) is amended by adding at the end the
12 following:

13 “(9)(A) An assessment conducted by the Sec-
14 retary of State, in consultation with the Secretary of
15 the Treasury and the Director of National Intel-
16 ligence, of the extent to which any diplomatic efforts
17 described in section 1712 of the Fentanyl Sanctions
18 Act have been successful.

19 “(B) Each assessment required by subpara-
20 graph (A) shall include an identification of—

21 “(i) the countries the governments of
22 which have agreed to undertake measures to
23 apply economic or other financial sanctions to
24 foreign traffickers of illicit opioids and a de-
25 scription of those measures; and

“(ii) the countries the governments of which have not agreed to measures described in clause (i), and, with respect to those countries, other measures the Secretary of State recommends that the United States take to apply economic and other financial sanctions to foreign traffickers of illicit opioids.”.

Subtitle B—Commission on Combating Synthetic Opioid Trafficking

SEC. 1721. COMMISSION ON COMBATING SYNTHETIC OPIOID TRAFFICKING.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established a commission to develop a consensus on a strategic approach to combating the flow of synthetic opioids into the United States.

(2) DESIGNATION.—The commission established under paragraph (1) shall be known as the “Commission on Synthetic Opioid Trafficking” (in this section referred to as the “Commission”).

(b) MEMBERSHIP.—

(1) COMPOSITION.—

1 (A) IN GENERAL.—Subject to subpara-
2 graph (B), the Commission shall be composed
3 of the following members:

4 (i) The Director of the Office of Na-
5 tional Drug Control Policy.

6 (ii) The Administrator of the Drug
7 Enforcement Administration.

8 (iii) The Secretary of Homeland Secu-
9 rity.

10 (iv) The Secretary of Defense.

11 (v) The Secretary of the Treasury.

12 (vi) The Secretary of State.

13 (vii) The Director of National Intel-
14 ligence.

15 (viii) Two members appointed by the
16 majority leader of the Senate, one of whom
17 shall be a Member of the Senate and one
18 of whom shall not be.

19 (ix) Two members appointed by the
20 minority leader of the Senate, one of whom
21 shall be a Member of the Senate and one
22 of whom shall not be.

23 (x) Two members appointed by the
24 Speaker of the House of Representatives,
25 one of whom shall be a Member of the

1 House of Representatives and one of whom
2 shall not be.

3 (xi) Two members appointed by the
4 minority leader of the House of Represent-
5 atives, one of whom shall be a Member of
6 the House of Representatives and one of
7 whom shall not be.

8 (B)(i) The members of the Commission
9 who are not Members of Congress and who are
10 appointed under clauses (viii) through (xi) of
11 subparagraph (A) shall be individuals who are
12 nationally recognized for expertise, knowledge,
13 or experience in—

14 (I) transnational criminal organiza-
15 tions conducting synthetic opioid traf-
16 ficking;

17 (II) the production, manufacturing,
18 distribution, sale, or transportation of syn-
19 thetic opioids; or

20 (III) relations between—

21 (aa) the United States; and

22 (bb) the People's Republic of
23 China, Mexico, or any other country
24 of concern with respect to trafficking
25 in synthetic opioids.

1 (ii) An official who appoints members of
2 the Commission may not appoint an individual
3 as a member of the Commission if the indi-
4 vidual possesses any personal or financial inter-
5 est in the discharge of any of the duties of the
6 Commission.

7 (iii)(I) All members of the Commission de-
8 scribed in clause (i) shall possess an appro-
9 priate security clearance in accordance with ap-
10 plicable provisions of law concerning the han-
11 dling of classified information.

12 (II) For the purpose of facilitating the ac-
13 tivities of the Commission, the Director of Na-
14 tional Intelligence shall expedite to the fullest
15 degree possible the processing of security clear-
16 ances that are necessary for members of the
17 Commission.

18 (2) CO-CHAIRS.—

19 (A) IN GENERAL.—The Commission shall
20 have 2 co-chairs, selected from among the mem-
21 bers of the Commission, one of whom shall be
22 a member of the majority party and one of
23 whom shall be a member of the minority party.

24 (B) SELECTION.—The individuals who
25 serve as the co-chairs of the Commission shall

1 be jointly agreed upon by the President, the
2 majority leader of the Senate, the minority
3 leader of the Senate, the Speaker of the House
4 of Representatives, and the minority leader of
5 the House of Representatives.

6 (c) DUTIES.—The duties of the Commission are as
7 follows:

8 (1) To define the core objectives and priorities
9 of the strategic approach described in subsection
10 (a)(1).

11 (2) To weigh the costs and benefits of various
12 strategic options to combat the flow of synthetic
13 opioids from the People’s Republic of China, Mexico,
14 and other countries.

15 (3) To evaluate whether the options described
16 in paragraph (2) are exclusive or complementary,
17 the best means for executing such options, and how
18 the United States should incorporate and implement
19 such options within the strategic approach described
20 in subsection (a)(1).

21 (4) To review and make determinations on the
22 difficult choices present within such options, among
23 them what norms-based regimes the United States
24 should seek to establish to encourage the effective
25 regulation of dangerous synthetic opioids.

1 (5) To report on efforts by actors in the Peo-
2 ple's Republic of China to subvert United States
3 laws and to supply illicit synthetic opioids to persons
4 in the United States, including up-to-date estimates
5 of the scale of illicit synthetic opioids flows from the
6 People's Republic of China.

7 (6) To report on the deficiencies in the regula-
8 tion of pharmaceutical and chemical production of
9 controlled substances and export controls with re-
10 spect to such substances in the People's Republic of
11 China and other countries that allow opioid traf-
12 fickers to subvert such regulations and controls to
13 traffic illicit opioids into the United States.

14 (7) To report on the scale of contaminated or
15 counterfeit drugs originating from the People's Re-
16 public of China and India.

17 (8) To report on how the United States could
18 work more effectively with provincial and local offi-
19 cials in the People's Republic of China and other
20 countries to combat the illicit production of synthetic
21 opioids.

22 (9) In weighing the options for defending the
23 United States against the dangers of trafficking in
24 synthetic opioids, to consider possible structures and

1 authorities that need to be established, revised, or
2 augmented within the Federal Government.

3 (d) FUNCTIONING OF COMMISSION.—The provisions
4 of subsections (c), (d), (e), (g), (h), and (i) of section 1652
5 of the John S. McCain National Defense Authorization
6 Act for Fiscal Year 2019 (Public Law 115–232) shall
7 apply to the Commission to the same extent and in the
8 same manner as such provisions apply to the commission
9 established under that section, except that—

10 (1) subsection (c)(1) of that section shall be ap-
11 plied and administered by substituting “30 days” for
12 “45 days”;

13 (2) subsection (g)(4)(A) of that section shall be
14 applied and administered by inserting “and the At-
15 torney General” after “Secretary of Defense”; and

16 (3) subsections (h)(2)(A) and (i)(1)(A) of that
17 section shall be applied and administered by sub-
18 stituting “level V of the Executive Schedule under
19 section 5316” for “level IV of the Executive Sched-
20 ule under section 5315”.

21 (e) TREATMENT OF INFORMATION FURNISHED TO
22 COMMISSION.—

23 (1) INFORMATION RELATING TO NATIONAL SE-
24 CURITY.—

1 (A) RESPONSIBILITY OF DIRECTOR OF NA-
2 TIONAL INTELLIGENCE.—The Director of Na-
3 tional Intelligence shall assume responsibility
4 for the handling and disposition of any informa-
5 tion related to the national security of the
6 United States that is received, considered, or
7 used by the Commission under this section.

8 (B) ACCESS AFTER TERMINATION OF COM-
9 MISSION.—Notwithstanding any other provision
10 of law, after the termination of the Commission
11 under subsection (g), only the members and
12 designated staff of the appropriate congres-
13 sional committees and leadership, the Director
14 of National Intelligence (and the designees of
15 the Director), and such other officials of the ex-
16 ecutive branch as the President may designate
17 shall have access to information related to the
18 national security of the United States that is
19 received, considered, or used by the Commis-
20 sion.

21 (2) INFORMATION PROVIDED BY CONGRESS.—

22 The Commission may obtain information from any
23 Member, committee, or office of Congress, including
24 information related to the national security of the
25 United States, only with the consent of the Member,

1 committee, or office involved and only in accordance
2 with any applicable rules and procedures of the
3 House of Representatives or Senate (as the case
4 may be) governing the provision of such information
5 by Members, committees, and offices of Congress to
6 entities in the executive branch.

7 (f) REPORTS.—The Commission shall submit to the
8 appropriate congressional committees and leadership—

9 (1) not later than 270 days after the date of
10 the enactment of this Act, an initial report on the
11 activities and recommendations of the Commission
12 under this section; and

13 (2) not later than 270 days after the submis-
14 sion of the initial report under paragraph (1), a final
15 report on the activities and recommendations of the
16 Commission under this section.

17 (g) TERMINATION.—

18 (1) IN GENERAL.—The Commission, and all the
19 authorities of this section, shall terminate at the end
20 of the 120-day period beginning on the date on
21 which the final report required by subsection (f)(2)
22 is submitted to the appropriate congressional com-
23 mittees and leadership.

24 (2) WINDING UP OF AFFAIRS.—The Commis-
25 sion may use the 120-day period described in para-

graph (1) for the purposes of concluding its activities, including providing testimony to Congress concerning the final report required by subsection (f)(2) and disseminating the report.

Subtitle C—Other Matters

SEC. 1731. DIRECTOR OF NATIONAL INTELLIGENCE PROGRAM ON USE OF INTELLIGENCE RESOURCES IN EFFORTS TO SANCTION FOREIGN OPIOID TRAFFICKERS.

(a) PROGRAM REQUIRED.—

(1) IN GENERAL.—The Director of National Intelligence shall, in consultation with the Director of the Office of National Drug Control Policy, carry out a program to allocate and enhance use of resources of the intelligence community, including intelligence collection and analysis, to assist the Secretary of the Treasury, the Secretary of State, and the Administrator of the Drug Enforcement Administration in efforts to identify and impose sanctions with respect to foreign opioid traffickers under subtitle A.

(2) FOCUS ON ILLICIT FINANCE.—To the extent practicable, efforts described in paragraph (1) shall—

1 (A) take into account specific illicit finance
2 risks related to narcotics trafficking; and

3 (B) be developed in consultation with the
4 Undersecretary of the Treasury for Terrorism
5 and Financial Crimes, appropriate officials of
6 the Office of Intelligence and Analysis of the
7 Department of the Treasury, the Director of
8 the Financial Crimes Enforcement Network,
9 and appropriate Federal law enforcement agen-
10 cies.

11 (b) QUARTERLY REPORTS ON PROGRAM.—Not later
12 than 90 days after the date of the enactment of this Act,
13 and every 90 days thereafter, the Director of National In-
14 telligence, in consultation with the Director of the Office
15 of National Drug Control Policy, shall submit to the ap-
16 propriate congressional committees and leadership a re-
17 port on the status and accomplishments of the program
18 required by subsection (a) during the 90-day period end-
19 ing on the date of the report. The first report under this
20 paragraph shall also include a description of the amount
21 of funds devoted by the intelligence community to the ef-
22 forts described in subsection (a) during each of fiscal years
23 2017 and 2018.

24 (c) INTELLIGENCE COMMUNITY DEFINED.—In this
25 section, the term “intelligence community” has the mean-

1 ing given that term in section 3(4) of the National Secu-
2 rity Act of 1947 (50 U.S.C. 3003(4)).

3 **SEC. 1732. DEPARTMENT OF DEFENSE OPERATIONS AND**
4 **ACTIVITIES.**

5 (a) IN GENERAL.—The Secretary of Defense is au-
6 thorized to carry out the operations and activities de-
7 scribed in subsection (b) for each of fiscal years 2020
8 through 2025.

9 (b) OPERATIONS AND ACTIVITIES.—The operations
10 and activities described in this subsection are the oper-
11 ations and activities of the Department of Defense in sup-
12 port of any other department or agency of the United
13 States Government solely for purposes of carrying out this
14 title.

15 (c) SUPPLEMENT NOT SUPPLANT.—Amounts made
16 available to carry out the operations and activities de-
17 scribed in subsection (b) shall supplement and not sup-
18 plant other amounts available to carry out the operations
19 and activities described in subsection (b).

20 (d) NOTIFICATION REQUIREMENT.—Amounts made
21 available to carry out the operations and activities de-
22 scribed in subsection (b) may not be obligated until 15
23 days after the date on which the President notifies the
24 appropriate committees of Congress of the President's in-
25 tent to obligate such funds.

1 (e) CONCURRENCE OF SECRETARY OF STATE.—Op-
2 erations and activities described in subsection (b) carried
3 out with foreign persons shall be conducted with the con-
4 currence of the Secretary of State.

5 **SEC. 1733. TERMINATION.**

6 The provisions of this title, and any sanctions im-
7 posed pursuant to this title, shall terminate on the date
8 that is 7 years after the date of the enactment of this
9 Act.

10 **SEC. 1734. EXCEPTION RELATING TO IMPORTATION OF**
11 **GOODS.**

12 (a) IN GENERAL.—The authorities and requirements
13 to impose sanctions under this title shall not include the
14 authority or a requirement to impose sanctions on the im-
15 portation of goods.

16 (b) GOOD DEFINED.—In this section, the term
17 “good” means any article, natural or manmade substance,
18 material, supply or manufactured product, including in-
19 spection and test equipment, and excluding technical data.

20 **SEC. 1735. APPROPRIATE COMMITTEES OF CONGRESS DE-**
21 **FINED.**

22 In this subtitle, the term “appropriate committees of
23 Congress” means—

24 (1) the Committee on Armed Services, the
25 Committee on Banking, Housing, and Urban Af-

1 fairs, the Committee on Foreign Relations, the Se-
2 lect Committee on Intelligence, and the Committee
3 on Appropriations of the Senate; and

4 (2) the Committee on Armed Services, the
5 Committee on Financial Services, the Committee on
6 Foreign Affairs, the Permanent Select Committee on
7 Intelligence, and the Committee on Appropriations
8 of the House of Representatives.

9 **SEC. 1736. FUNDING.**

10 (a) INCREASE.—Notwithstanding the amounts set
11 forth in the funding tables in division D—

12 (1) the amount authorized to be appropriated in
13 section 301 for Operation and Maintenance, De-
14 fense-Wide, as specified in the corresponding fund-
15 ing table in section 4301, for the Office of the Sec-
16 retary of Defense, is hereby increased by \$5,000,000
17 for purposes of carrying out subtitle B (relating to
18 the Commission on Synthetic Opioid Trafficking);
19 and

20 (2) the amount authorized to be appropriated
21 for Counter-Drug Activities, Defense-Wide, for
22 Counter-Narcotics Support, as specified in the cor-
23 responding funding table in section 4501, is hereby
24 increased by \$25,000,000 for purposes of carrying

1 out section 1732 (relating to Department of Defense
2 operations and activities).

3 (b) OFFSETS.—Notwithstanding the amounts set
4 forth in the funding tables in division D—

5 (1) the amount authorized to be appropriated in
6 section 301 for Operations and Maintenance, De-
7 fense-Wide, as specified in the corresponding fund-
8 ing table in section 4301, for the Defense Security
9 Cooperation Agency, line 310, is hereby reduced by
10 \$14,000,000 for unjustified growth; and

11 (2) the amount authorized to be appropriated in
12 section 101 for Procurement of Wheeled and
13 Tracked Combat Vehicles, Army, as specified in the
14 corresponding funding table in section 4101, for
15 Bradley Program (Mod), is hereby reduced by
16 \$16,000,000.

17 **DIVISION B—MILITARY CON-**
18 **STRUCTION AUTHORIZA-**
19 **TIONS**

20 **SEC. 2001. SHORT TITLE.**

21 This division may be cited as the “Military Construc-
22 tion Authorization Act for Fiscal Year 2020”.

1 **SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND**
2 **AMOUNTS REQUIRED TO BE SPECIFIED BY**
3 **LAW.**

4 (a) EXPIRATION OF AUTHORIZATIONS AFTER FIVE
5 YEARS.—Except as provided in subsection (b), all author-
6 izations contained in titles XXI through XXX (other than
7 title XXVIII) for military construction projects, land ac-
8 quisition, family housing projects and facilities, and con-
9 tributions to the North Atlantic Treaty Organization Se-
10 curity Investment Program (and authorizations of appro-
11 priations therefor) shall expire on the later of—

12 (1) October 1, 2024; or

13 (2) the date of the enactment of an Act author-
14 izing funds for military construction for fiscal year
15 2025.

16 (b) EXCEPTION.—Subsection (a) shall not apply to
17 authorizations for military construction projects, land ac-
18 quisition, family housing projects and facilities, and con-
19 tributions to the North Atlantic Treaty Organization Se-
20 curity Investment Program (and authorizations of appro-
21 priations therefor), for which appropriated funds have
22 been obligated before the later of—

23 (1) October 1, 2024; or

24 (2) the date of the enactment of an Act author-
25 izing funds for fiscal year 2025 for military con-
26 struction projects, land acquisition, family housing

1 projects and facilities, or contributions to the North
 2 Atlantic Treaty Organization Security Investment
 3 Program.

4 **SEC. 2003. EFFECTIVE DATE.**

5 Titles XXI through XXX (other than title XXVIII)
 6 shall take effect on the later of—

7 (1) October 1, 2019; or

8 (2) the date of the enactment of this Act.

9 **TITLE XXI—ARMY MILITARY**
 10 **CONSTRUCTION**

11 **SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND**
 12 **ACQUISITION PROJECTS.**

13 (a) INSIDE THE UNITED STATES.—Using amounts
 14 appropriated pursuant to the authorization of appropria-
 15 tions in section 2103(a) and available for military con-
 16 struction projects inside the United States as specified in
 17 the funding table in section 4601, the Secretary of the
 18 Army may acquire real property and carry out military
 19 construction projects for the installations or locations in-
 20 side the United States, and in the amounts, set forth in
 21 the following table:

Army: Inside the United States

State	Installation	Amount
Alabama	Redstone Arsenal	\$38,000,000
Colorado	Fort Carson	\$71,000,000
Georgia	Fort Gordon	\$107,000,000
	Hunter Army Airfield	\$62,000,000
Kentucky	Fort Campbell	\$61,300,000
Kwajalein	Kwajalein Atoll	\$40,000,000
Massachusetts	Natick Soldier Systems Center	\$50,000,000
Michigan	Detroit Arsenal	\$24,000,000

Army: Inside the United States—Continued

State	Installation	Amount
New York	Fort Drum	\$44,000,000
North Carolina	Fort Bragg	\$12,500,000
Oklahoma	Fort Sill	\$73,000,000
Pennsylvania	Carlisle Barracks	\$98,000,000
South Carolina	Fort Jackson	\$88,000,000
Texas	Corpus Christi Army Depot	\$86,000,000
	Fort Hood	\$50,500,000
Virginia	Fort Belvoir	\$60,000,000
	Joint Base Langley-Eustis	\$55,000,000
Washington	Joint Base Lewis-McChord	\$46,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out the military construction project for the installation or location outside the United States, and in the amount, set forth in the following table:

Army: Outside the United States

Country	Installation	Amount
Honduras	Soto Cano Air Base	\$34,000,000

(c) STUDY OF NEAR-TERM FACILITY ALTERNATIVES TO HOUSE HIGH VALUE DETAINEES.—

(1) STUDY REQUIRED.—The Secretary of Defense shall conduct a study of alternatives to meet the near-term facility requirements to safely and humanely house high value detainees current detained at Naval Station Guantanamo Bay, Cuba. As part

1 of the study, the Secretary shall consider the fol-
2 lowing alternatives:

3 (A) The construction of new facilities.

4 (B) The repair of current facilities.

5 (C) The renovation and repurposing of
6 other facilities at Naval Station Guantanamo
7 Bay, Cuba.

8 (D) Such other alternatives as the Sec-
9 retary considers practicable.

10 (2) SUBMISSION OF RESULTS.—Not later than
11 90 days after the date of the enactment of this Act,
12 the Secretary of Defense shall submit to the con-
13 gressional defense committees a report containing
14 the results of the study conducted under paragraph
15 (1). The report shall be unclassified, but may in-
16 clude a classified annex.

17 **SEC. 2102. FAMILY HOUSING.**

18 (a) CONSTRUCTION AND ACQUISITION.—Using
19 amounts appropriated pursuant to the authorization of ap-
20 propriations in section 2103(a) and available for military
21 family housing functions as specified in the funding table
22 in section 4601, the Secretary of the Army may construct
23 or acquire family housing units (including land acquisition
24 and supporting facilities) at the installation, and in the
25 amount, set forth in the following table:

Army: Family Housing

State/Country	Installation	Units	Amount
Pennsylvania	Tobyhanna Army Depot	Family Housing Replacement Construction	\$19,000,000

1 (b) PLANNING AND DESIGN.—Using amounts appro-
2 priated pursuant to the authorization of appropriations in
3 section 2103(a) and available for military family housing
4 functions as specified in the funding table in section 4601,
5 the Secretary of the Army may carry out architectural and
6 engineering services and construction design activities
7 with respect to the construction or improvement of family
8 housing units in an amount not to exceed \$9,222,000.

9 **SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

10 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
11 are hereby authorized to be appropriated for fiscal years
12 beginning after September 30, 2019, for military con-
13 struction, land acquisition, and military family housing
14 functions of the Department of the Army as specified in
15 the funding table in section 4601.

16 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
17 PROJECTS.—Notwithstanding the cost variations author-
18 ized by section 2853 of title 10, United States Code, and
19 any other cost variation authorized by law, the total cost
20 of all projects carried out under section 2101 of this Act
21 may not exceed the total amount authorized to be appro-

1 priated under subsection (a), as specified in the funding
2 table in section 4601.

3 **SEC. 2104. MODIFICATION OF AUTHORITY TO CARRY OUT**
4 **CERTAIN FISCAL YEAR 2019 PROJECTS.**

5 (a) ANNISTON ARMY DEPOT, ALABAMA.—In the case
6 of the authorization contained in the table in section
7 2101(a) of the National Defense Authorization Act for
8 Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2241)
9 for Anniston Army Depot, Alabama, for construction of
10 a weapon maintenance shop, as specified in the funding
11 table in section 4601 of such Act (132 Stat. 2401), the
12 Secretary of the Army may construct a 21,000-square foot
13 weapon maintenance shop.

14 (b) UNITED STATES MILITARY ACADEMY, NEW
15 YORK.—The table in section 2101(a) of the National De-
16 fense Authorization Act for Fiscal Year 2019 (Public Law
17 115–232; 132 Stat. 2241) is amended in the item relating
18 to the United States Military Academy, New York, by
19 striking “\$160,000,000” and inserting “\$197,000,000”
20 for construction of a Consolidated Engineering Center and
21 Parking Structure rather than the separate projects speci-
22 fied in the funding table in section 4601 of such Act (132
23 Stat. 2401).

TITLE XXII—NAVY MILITARY CONSTRUCTION

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Navy: Inside the United States

State	Installation or Location	Amount
Arizona	Marine Corps Air Station Yuma	\$ 189,760,000
California	Camp Pendleton	\$185,569,000
	Marine Corps Air Station Miramar	\$37,400,000
	Naval Air Weapons Station China Lake	\$64,500,000
	Navel Base Coronado	\$165,830,000
	Naval Base San Diego	\$9,900,000
	Naval Weapons Station Seal Beach	\$123,310,000
	Travis Air Force Base	\$64,000,000
Connecticut	Naval Submarine Base New London	\$72,260,000
Florida	Blount Island	\$18,700,000
	Naval Air Station Jacksonville	\$32,420,000
Guam	Joint Region Marianas	\$226,000,000
Hawaii	Marine Corps Air Station Kaneohe Bay	\$134,050,000
	Naval Ammunition Depot West Loch	\$53,790,000
Maryland	Saint Inigoes	\$15,000,000
North Carolina	Camp Lejeune	\$217,440,000
	Marine Corps Air Station Cherry Point	\$114,570,000
	Marine Corps Air Station New River	\$11,320,000
Pennsylvania	Philadelphia	\$66,000,000
South Carolina	Parris Island	\$37,200,000
Virginia	Marine Corps Base Quantico	\$143,350,000
	Naval Station Norfolk	\$128,100,000
	Portsmouth Naval Shipyard	\$48,930,000
	Yorktown Naval Weapons Station	\$59,000,000
Washington	Bremerton	\$51,010,000
	Keyport	\$25,050,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States

Country	Installation or Location	Amount
Japan	Fleet Activities Yokosuka	\$174,692,000
	Marine Corps Air Station Iwakuni	\$15,870,000

SEC. 2202. FAMILY HOUSING.

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 \$5,863,000.

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

1 authorization of appropriations in section 2204(a) and
2 available for military family housing functions as specified
3 in the funding table in section 4601, the Secretary of the
4 Navy may improve existing military family housing units
5 in an amount not to exceed \$41,798,000.

6 **SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

7 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
8 are hereby authorized to be appropriated for fiscal years
9 beginning after September 30, 2019, for military con-
10 struction, land acquisition, and military family housing
11 functions of the Department of the Navy, as specified in
12 the funding table in section 4601.

13 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
14 PROJECTS.—Notwithstanding the cost variations author-
15 ized by section 2853 of title 10, United States Code, and
16 any other cost variation authorized by law, the total cost
17 of all projects carried out under section 2201 of this Act
18 may not exceed the total amount authorized to be appro-
19 priated under subsection (a), as specified in the funding
20 table in section 4601.

21 **SEC. 2205. MODIFICATION OF AUTHORITY TO CARRY OUT**
22 **CERTAIN FISCAL YEAR 2017 PROJECT.**

23 The table in section 2201(a) of the National Defense
24 Authorization Act for Fiscal Year 2017 (Public Law 114–
25 328; 130 Stat. 2691) is amended in the item relating to

1 Bangor, Washington, by striking “\$113,415,000” and in-
 2 serting “\$161,415,000” for construction of a SEAWOLF
 3 Class Service Pier, as specified in the funding table in sec-
 4 tion 4601 of such Act (130 Stat. 2876).

5 **TITLE XXIII—AIR FORCE**

6 **MILITARY CONSTRUCTION**

7 **SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND**

8 **LAND ACQUISITION PROJECTS.**

9 (a) INSIDE THE UNITED STATES.—Using amounts
 10 appropriated pursuant to the authorization of appropria-
 11 tions in section 2304(a) and available for military con-
 12 struction projects inside the United States as specified in
 13 the funding table in section 4601, the Secretary of the
 14 Air Force may acquire real property and carry out mili-
 15 tary construction projects for the installations or locations
 16 inside the United States, and in the amounts, set forth
 17 in the following table:

Air Force: Inside the United States

State	Installation or Location	Amount
Alaska	Eielson Air Force Base	\$8,600,000
Arkansas	Little Rock Air Force Base	\$47,000,000
California	Travis Air Force Base	\$43,100,000
Colorado	Peterson Air Force Base	\$54,000,000
	Schriever Air Force Base	\$148,000,000
	United States Air Force Acad- emy	\$49,000,000
Georgia	Moody Air Force Base	\$12,500,000
Guam	Joint Region Marianas	\$65,000,000
Illinois	Scott Air Force Base	\$100,000,000
Mariana Islands	Tinian	\$316,000,000
Missouri	Whiteman Air Force Base	\$27,000,000
Montana	Malmstrom Air Force Base	\$235,000,000
Nevada	Nellis Air Force Base	\$65,200,000
New Mexico	Holloman Air Force Base	\$20,000,000
	Kirtland Air Force Base	\$37,900,000
Texas	Joint Base San Antonio	\$207,300,000

Air Force: Inside the United States—Continued

State	Installation or Location	Amount
	Joint Base San Antonio-Randolph	\$36,000,000
Utah	Hill Air Force Base	\$114,500,000
Washington	Fairchild-White Bluff	\$31,000,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2304(a) and available for military con-
4 struction projects outside the United States as specified
5 in the funding table in section 4601, the Secretary of the
6 Air Force may acquire real property and carry out mili-
7 tary construction projects for the installations or locations
8 outside the United States, and in the amounts, set forth
9 in the following table:

Air Force: Outside the United States

Country	Installation or Location	Amount
Australia	Tindal	\$70,600,000
Cyprus	Royal Air Force Akrotiri	\$27,000,000
Japan	Yokota Air Base	\$12,400,000
United Kingdom	Royal Air Force Lakenheath ..	\$14,300,000

10 **SEC. 2302. FAMILY HOUSING.**

11 (a) CONSTRUCTION AND ACQUISITION.—Using
12 amounts appropriated pursuant to the authorization of ap-
13 propriations in section 2304(a) and available for military
14 family housing functions as specified in the funding table
15 in section 4601, the Secretary of the Air Force may con-
16 struct or acquire family housing units (including land ac-
17 quisition and supporting facilities) at the installation, and
18 in the amount, set forth in the following table:

Air Force: Family Housing

Country	Installation	Units	Amount
Germany	Spangdahlem Air Base	Family Housing Construction	\$53,584,000

1 (b) PLANNING AND DESIGN.—Using amounts appro-
2 priated pursuant to the authorization of appropriations in
3 section 2304(a) and available for military family housing
4 functions as specified in the funding table in section 4601,
5 the Secretary of the Air Force may carry out architectural
6 and engineering services and construction design activities
7 with respect to the construction or improvement of family
8 housing units in an amount not to exceed \$3,409,000.

9 **SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
10 **UNITS.**

11 Subject to section 2825 of title 10, United States
12 Code, and using amounts appropriated pursuant to the
13 authorization of appropriations in section 2304(a) and
14 available for military family housing functions as specified
15 in the funding table in section 4601, the Secretary of the
16 Air Force may improve existing military family housing
17 units in an amount not to exceed \$53,584,000.

18 **SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR**
19 **FORCE.**

20 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
21 are hereby authorized to be appropriated for fiscal years
22 beginning after September 30, 2019, for military con-

1 construction, land acquisition, and military family housing
2 functions of the Department of the Air Force, as specified
3 in the funding table in section 4601.

4 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
5 PROJECTS.—Notwithstanding the cost variations author-
6 ized by section 2853 of title 10, United States Code, and
7 any other cost variation authorized by law, the total cost
8 of all projects carried out under section 2301 of this Act
9 may not exceed the total amount authorized to be appro-
10 priated under subsection (a), as specified in the funding
11 table in section 4601.

12 **SEC. 2305. MODIFICATION OF AUTHORITIES TO CARRY OUT**
13 **PHASED JOINT INTELLIGENCE ANALYSIS**
14 **COMPLEX CONSOLIDATION.**

15 (a) FISCAL YEAR 2015 PROJECT AUTHORITY.—In
16 the case of the authorization contained in the table in sec-
17 tion 2301(b) of the National Defense Authorization Act
18 for Fiscal Year 2015 (Public Law 113–291; 128 Stat.
19 3679) for Royal Air Force Croughton, United Kingdom,
20 for Phase 1 of the Joint Intelligence Analysis Complex
21 consolidation, as specified in the funding table in section
22 4601 of such Act (128 Stat. 3973), the Secretary of the
23 Air Force shall carry out the construction at Royal Air
24 Force Molesworth, United Kingdom.

1 (b) FISCAL YEAR 2016 PROJECT AUTHORITY.—In
2 the case of the authorization contained in the table in sec-
3 tion 2301(b) of the National Defense Authorization Act
4 for Fiscal Year 2016 (Public Law 114–92; 129 Stat.
5 1153), for Royal Air Force Croughton, United Kingdom,
6 for Phase 2 of the Joint Intelligence Analysis Complex
7 consolidation, as specified in the funding table in section
8 4601 of such Act (129 Stat. 1294), the Secretary of the
9 Air Force may construct a 5,152-square meter Intelligence
10 Analytic Center, a 5,234-square meter Intelligence Fusion
11 Center, and a 807-square meter Battlefield Information
12 Collection and Exploitation System Center at Royal Air
13 Force Molesworth, United Kingdom.

14 (c) FISCAL YEAR 2017 PROJECT AUTHORITY.—In
15 the case of the authorization contained in the table in sec-
16 tion 2301(b) of the National Defense Authorization Act
17 for Fiscal Year 2017 (Public Law 114–328; 130 Stat.
18 2697), for Royal Air Force Croughton, United Kingdom,
19 for Phase 3 of the Joint Intelligence Analysis Complex
20 consolidation, as specified in the funding table in section
21 4601 of such Act (130 Stat. 2878), the Secretary of the
22 Air Force may construct a 1,562-square meter Regional
23 Joint Intelligence Training Facility and a 4,495-square
24 meter Combatant Command Intelligence Facility at Royal
25 Air Force Molesworth, United Kingdom.

1 (d) CONFORMING REPEAL.—Section 2305 of the Na-
2 tional Defense Authorization Act for Fiscal Year 2019
3 (Public Law 115–232; 132 Stat. 2247) is repealed.

4 **SEC. 2306. MODIFICATION OF AUTHORITY TO CARRY OUT**
5 **CERTAIN FISCAL YEAR 2016 PROJECT.**

6 The table in section 2301(a) of the National Defense
7 Authorization Act for Fiscal Year 2016 (Public Law 114–
8 92; 129 Stat. 1152) is amended in the item relating to
9 Nellis Air Force Base, Nevada, by striking “\$68,950,000”
10 and inserting “\$72,050,000” for construction of F–35A
11 Munitions Maintenance Facilities, as specified in the fund-
12 ing table in section 4601 of such Act (129 Stat. 1293).

13 **SEC. 2307. MODIFICATION OF AUTHORITY TO CARRY OUT**
14 **CERTAIN FISCAL YEAR 2017 PROJECT.**

15 The table in section 2301(a) of the National Defense
16 Authorization Act for Fiscal Year 2017 (Public Law 114–
17 328; 130 Stat. 2696) is amended in the item relating to
18 Fairchild Air Force Base, Washington, by striking
19 “\$27,000,000” and inserting “\$31,800,000” for construc-
20 tion of a SERE School Pipeline Dormitory, as specified
21 in the funding table in section 4601 of such Act (130 Stat.
22 2878).

1 **SEC. 2308. MODIFICATION OF AUTHORITY TO CARRY OUT**
2 **CERTAIN FISCAL YEAR 2018 PROJECTS.**

3 (a) LITTLE ROCK AIR FORCE BASE, ARKANSAS.—
4 The table in section 2301(a) of the National Defense Au-
5 thorization Act for Fiscal Year 2018 (Public Law 115–
6 91; 131 Stat. 1825) is amended in the item relating to
7 Little Rock Air Force Base, Arkansas, by striking
8 “\$20,000,000” and inserting “\$27,000,000” for construc-
9 tion of a dormitory facility, as specified in the funding
10 table in section 4601 of such Act (131 Stat. 2002).

11 (b) JOINT BASE SAN ANTONIO, TEXAS.—In the case
12 of the authorization contained in the table in section
13 2301(a) of the National Defense Authorization Act for
14 Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1826)
15 for Joint Base San Antonio, Texas, the Secretary of the
16 Air Force may construct—

17 (1) a 750-square meter equipment building for
18 construction of a Classrooms/Dining Facility, as
19 specified in the funding table in section 4601 of such
20 Act (131 Stat. 2003); and

21 (2) a 636-square meter air traffic control tower
22 for construction of an Air Traffic Control Tower, as
23 specified in the funding table in section 4601 of such
24 Act (131 Stat. 2003).

25 (c) F.E. WARREN AIR FORCE BASE, WYOMING.—
26 The table in section 2301(a) of the National Defense Au-

1 thorization Act for Fiscal Year 2018 (Public Law 115–
2 91; 131 Stat. 1825) is amended in the item relating to
3 F.E. Warren Air Force Base, Wyoming, by striking
4 “\$62,000,000” and inserting “\$80,100,000” for construc-
5 tion of a Consolidated Helo/TRF Ops/AMU and Alert Fa-
6 cility, as specified in the funding table in section 4601 of
7 such Act (131 Stat. 2004).

8 (d) RYGGE AIR STATION, NORWAY.—In the case of
9 the authorization contained in the table in section 2903
10 of the National Defense Authorization Act for Fiscal Year
11 2018 (Public Law 115–91; 131 Stat. 1876) for Rygge Air
12 Station, Norway, for replacement/expansion of a Quick
13 Reaction Alert Pad, as specified in the funding table in
14 section 4602 of such Act (131 Stat. 2014), the Secretary
15 of the Air Force may construct 1,327 square meters of
16 aircraft shelter and a 404-square meter fire protection
17 support building.

18 (e) INCIRLIK AIR BASE, TURKEY.—In the case of the
19 authorization contained in the table in section 2903 of the
20 National Defense Authorization Act for Fiscal Year 2018
21 (Public Law 115–91; 131 Stat. 1876) for Incirlik Air
22 Base, Turkey, for Relocating Base Main Access Control
23 Point, as specified in the funding table in section 4602
24 of such Act (131 Stat. 2015), the Secretary of the Air

1 Force may construct a 176-square meter pedestrian
2 search building.

3 **SEC. 2309. MODIFICATION OF AUTHORITY TO CARRY OUT**
4 **CERTAIN FISCAL YEAR 2019 PROJECTS.**

5 (a) HANSCOM AIR FORCE BASE, MASSACHUSETTS.—
6 In the case of the authorization contained in the table in
7 section 2301(a) of the National Defense Authorization Act
8 for Fiscal Year 2019 (Public Law 115–232; 132 Stat.
9 2246) for Hanscom Air Force Base, Massachusetts, for
10 the construction of a semi-conductor/microelectronics lab-
11 oratory facility, as specified in the funding table in section
12 4601 of such Act (132 Stat. 2405), the Secretary of the
13 Air Force may construct a 1,000 kilowatt stand-by gener-
14 ator.

15 (b) MINOT AIR FORCE BASE, NORTH DAKOTA.—The
16 table in section 2301(a) of the National Defense Author-
17 ization Act for Fiscal Year 2019 (Public Law 115–232;
18 132 Stat. 2246) is amended in the item relating to Minot
19 Air Force Base, North Dakota, by striking “\$66,000,000”
20 and inserting “\$71,500,000” for construction of a Con-
21 solidated Helo/TRF Ops/AMU and Alert Facility, as spec-
22 ified in the funding table in section 4601 of such Act (132
23 Stat. 2405).

24 (c) ROYAL AIR FORCE LAKENHEATH, UNITED KING-
25 DOM.—In the case of the authorization contained in the

1 table in section 2301(b) of the National Defense Author-
 2 ization Act for Fiscal Year 2019 (Public Law 115–232;
 3 132 Stat. 2247) for Royal Air Force Lakenheath, United
 4 Kingdom, for the construction of an F–35A Dormitory,
 5 as specified in the funding table in section 4601 of such
 6 Act (132 Stat. 2405), the Secretary of the Air Force may
 7 construct a 5,900-square meter dormitory.

8 **TITLE XXIV—DEFENSE AGEN-**
 9 **CIES MILITARY CONSTRU-**
 10 **CTION**

11 **SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUC-**
 12 **TION AND LAND ACQUISITION PROJECTS.**

13 (a) INSIDE THE UNITED STATES.—Using amounts
 14 appropriated pursuant to the authorization of appropria-
 15 tions in section 2403(a) and available for military con-
 16 struction projects inside the United States as specified in
 17 the funding table in section 4601, the Secretary of De-
 18 fense may acquire real property and carry out military
 19 construction projects for the installations or locations in-
 20 side the United States, and in the amounts, set forth in
 21 the following table:

Defense Agencies: Inside the United States

State	Installation or Location	Amount
California	Beale Air Force Base	\$33,700,000
	Camp Pendleton	\$17,700,000
Florida	Eglin Air Force Base	\$16,500,000
	Hurlburt Field	\$108,386,000
	Naval Air Station Key West	\$16,000,000
Guam	Joint Region Marianas	\$19,200,000
Hawaii	Joint Base Pearl Harbor-Hickam	\$67,700,000
Maryland	Fort Detrick	\$27,846,000

Defense Agencies: Inside the United States—Continued

State	Installation or Location	Amount
Mississippi	Columbus Air Force Base	\$16,800,000
North Carolina	Camp Lejeune	\$13,400,000
	Fort Bragg	\$84,103,000
Oklahoma	Tulsa International Airport	\$18,900,000
Rhode Island	Quonset State Airport	\$11,600,000
South Carolina	Joint Base Charleston	\$33,300,000
South Dakota	Ellsworth Air Force Base	\$24,800,000
Virginia	Defense Distribution Depot Richmond ...	\$98,800,000
	Joint Expeditionary Base Little Creek - Fort Story	\$45,604,000
	Pentagon	\$28,802,000
	Training Center Dam Neck	\$12,770,000
Washington	Joint Base Lewis-McChord	\$47,700,000
Wisconsin	General Mitchell International Airport ...	\$25,900,000
CONUS Classified	Classified Location	\$82,200,000

(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

Country	Installation or Location	Amount
Germany	Geilenkirchen Air Base	\$30,479,000
Japan	Yokota Air Base	\$136,411,000

SEC. 2402. AUTHORIZED ENERGY RESILIENCY AND ENERGY CONSERVATION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a), the Secretary of Defense may carry out energy resiliency and energy conservation projects under chapter 173 of title 10,

1 United States Code, as specified in the funding table in
2 section 4601.

3 **SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DE-**
4 **FENSE AGENCIES.**

5 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
6 are hereby authorized to be appropriated for fiscal years
7 beginning after September 30, 2019, for military con-
8 struction, land acquisition, and military family housing
9 functions of the Department of Defense (other than the
10 military departments), as specified in the funding table
11 in section 4601.

12 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
13 PROJECTS.—Notwithstanding the cost variations author-
14 ized by section 2853 of title 10, United States Code, and
15 any other cost variation authorized by law, the total cost
16 of all projects carried out under section 2401 of this Act
17 may not exceed the total amount authorized to be appro-
18 priated under subsection (a), as specified in the funding
19 table in section 4601.

1 **TITLE XXV—INTERNATIONAL**
2 **PROGRAMS**
3 **Subtitle A—North Atlantic Treaty**
4 **Organization Security Invest-**
5 **ment Program**

6 **SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND**
7 **ACQUISITION PROJECTS.**

8 The Secretary of Defense may make contributions for
9 the North Atlantic Treaty Organization Security Invest-
10 ment Program as provided in section 2806 of title 10,
11 United States Code, in an amount not to exceed the sum
12 of the amount authorized to be appropriated for this pur-
13 pose in section 2502 and the amount collected from the
14 North Atlantic Treaty Organization as a result of con-
15 struction previously financed by the United States.

16 **SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

17 (a) AUTHORIZATION.—Funds are hereby authorized
18 to be appropriated for fiscal years beginning after Sep-
19 tember 30, 2019, for contributions by the Secretary of De-
20 fense under section 2806 of title 10, United States Code,
21 for the share of the United States of the cost of projects
22 for the North Atlantic Treaty Organization Security In-
23 vestment Program authorized by section 2501 as specified
24 in the funding table in section 4601.

(b) AUTHORITY TO RECOGNIZE NATO AUTHORIZATION AMOUNTS AS BUDGETARY RESOURCES FOR PROJECT EXECUTION.—When the United States is designated as the Host Nation for the purposes of executing a project under the NATO Security Investment Program (NSIP), the Department of Defense construction agent may recognize the NATO project authorization amounts as budgetary resources to incur obligations for the purposes of executing the NSIP project.

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 in the Republic of Korea, and in the amounts, set forth in the following table:

Republic of Korea Funded Construction Projects

Component	Installation or Location	Project	Amount
Army	Camp Carroll	Army Prepositioned Stock-4 Wheeled Vehicle Maintenance Facility	\$51,000,000
Army	Camp Humphreys	Unaccompanied Enlisted Personnel Housing, P1	\$154,000,000
Army	Camp Humphreys	Unaccompanied Enlisted Personnel Housing, P2	\$211,000,000
Army	Camp Humphreys	Satellite Communications Facility	\$32,000,000
Air Force ...	Gwangju Air Base	Hydrant Fuel System	\$35,000,000
Air Force ...	Kunsan Air Base	Upgrade Electrical Distribution System	\$14,200,000

Republic of Korea Funded Construction Projects—Continued

Component	Installation or Location	Project	Amount
Air Force ...	Kunsan Air Base	Dining Facility	\$21,000,000
Air Force ...	Suwon Air Base	Hydrant Fuel System	\$24,000,000

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CON- STRUCTION 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:

Army National Guard

State	Location	Amount
Alabama	Anniston Army Depot	\$34,000,000
	Foley	\$12,000,000
California	Camp Roberts	\$12,000,000
Idaho	Orchard Combat Training Center	\$29,000,000
Maryland	Havre De Grace	\$12,000,000
Massachusetts	Camp Edwards	\$9,700,000
Minnesota	New Ulm	\$11,200,000
Mississippi	Camp Shelby	\$8,100,000
Missouri	Springfield	\$12,000,000
Nebraska	Bellevue	\$29,000,000
New Hampshire	Concord	\$5,950,000
New York	Jamaica Armory	\$91,000,000
Pennsylvania	Moon Township	\$23,000,000
Vermont	Jericho	\$30,000,000
Washington	Richland	\$11,400,000

**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:

Army Reserve		
State	Location	Amount
Delaware	Newark Army Reserve Center	\$21,000,000
Wisconsin	Fort McCoy	\$25,000,000

**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:

Navy Reserve and Marine Corps Reserve

State	Location	Amount
Louisiana	New Orleans	\$25,260,000

1 **SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUC-**
2 **TION AND LAND ACQUISITION PROJECTS.**

3 Using amounts appropriated pursuant to the author-
4 ization of appropriations in section 2606 and available for
5 the National Guard and Reserve as specified in the fund-
6 ing table in section 4601, the Secretary of the Air Force
7 may acquire real property and carry out military construc-
8 tion projects for the Air National Guard locations inside
9 the United States, and in the amounts, set forth in the
10 following table:

Air National Guard

State	Location	Amount
California	Moffett Air National Guard Base	\$57,000,000
Georgia	Savannah/Hilton Head International Airport	\$24,000,000
Missouri	Rosecrans Memorial Airport	\$9,500,000
Puerto Rico	Luis Munoz-Marin International Airport	\$50,000,000
Wisconsin	Truax Field	\$34,000,000

11 **SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUC-**
12 **TION AND LAND ACQUISITION PROJECTS.**

13 Using amounts appropriated pursuant to the author-
14 ization of appropriations in section 2606 and available for
15 the National Guard and Reserve as specified in the fund-
16 ing table in section 4601, the Secretary of the Air Force
17 may acquire real property and carry out military construc-
18 tion projects for the Air Force Reserve locations inside

1 the United States, and in the amounts, set forth in the
 2 following table:

Air Force Reserve

State	Location	Amount
Georgia	Robins Air Force Base	\$43,000,000
Maryland	Joint Base Andrews	\$15,000,000
Minnesota	Minneapolis-St. Paul IAP	\$9,800,000

3 **SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NA-**
 4 **TIONAL GUARD AND RESERVE.**

5 Funds are hereby authorized to be appropriated for
 6 fiscal years beginning after September 30, 2019, for the
 7 costs of acquisition, architectural and engineering services,
 8 and construction of facilities for the Guard and Reserve
 9 Forces, and for contributions therefor, under chapter
 10 1803 of title 10, United States Code (including the cost
 11 of acquisition of land for those facilities), as specified in
 12 the funding table in section 4601.

13 **SEC. 2607. REVIEW AND REPORT ON CONSTRUCTION OF**
 14 **NEW, OR MAINTENANCE OF EXISTING, DI-**
 15 **RECT FUEL PIPELINE CONNECTIONS AT AIR**
 16 **NATIONAL GUARD AND AIR FORCE RESERVE**
 17 **INSTALLATIONS.**

18 (a) REVIEW REQUIRED.—Not later than 180 days
 19 after the date of the enactment of this Act, the Secretary
 20 of the Air Force, in conjunction with the Defense Logistics
 21 Agency, shall complete a review considering—

1 (1) the need for, and benefits of, the construc-
2 tion of new, or maintenance of existing, direct fuel
3 pipeline connections at Air National Guard and Air
4 Force Reserve installations; and

5 (2) the barriers, including funding needs and
6 any inconsistent guidance and consideration of such
7 projects by the Air Force, that may impede such
8 projects.

9 (b) ELEMENTS OF REVIEW.—The review required by
10 subsection (a) shall include the following:

11 (1) An analysis of the extent that the Air Force
12 and Defense Logistics Agency have identified direct
13 fuel pipeline projects as an effective and efficient
14 way to enhance the ability of regular component, Air
15 National Guard, and Air Force Reserve installations,
16 to improve the readiness of affected units and help
17 them to meet their mission requirements, including
18 an assessment of how the Air National Guard and
19 Air Force Reserve facilities, across all States and
20 territories, can leverage such connections to better
21 support current and emerging air refueling require-
22 ments.

23 (2) An assessment of how direct fuel pipeline
24 connections enhance the resiliency and efficiency of
25 the installations and help meet existing Defense Lo-

1 logistics Agency requirements for secondary storage
2 and other fuel requirements.

3 (3) A list of Air National Guard and Air Force
4 Reserve installations that currently do not have a di-
5 rect connection pipeline but have access to such a
6 pipeline within reasonable proximity (less than five
7 miles) to the facility.

8 (4) An overview and summary of the current
9 process for considering such proposals, including the
10 factors used to consider requests, including the
11 weight provided to each factor and including a list
12 of Air National Guard and Air Force Reserve instal-
13 lations that have sought funding for projects to cre-
14 ate direct access to a national fuel pipeline or to
15 maintain access to such pipelines over the last five
16 years.

17 (5) A list of the total instances in the past five
18 years in which projects for direct fuel pipeline con-
19 nections have been approved for regular component,
20 Air National Guard, or Air Force Reserve installa-
21 tions, including the costs of each project and the jus-
22 tification for such approval.

23 (6) A list of Air National Guard and Air Force
24 Reserve installations with current pipeline connec-
25 tions that the Air Force or Defense Logistics Agency

1 has determined should no longer be used, includ-
2 ing—

3 (A) an analysis of the justifications for
4 each such determination, such as decisions to
5 switch from pipelines to using trucks as the pri-
6 mary fuel delivery method;

7 (B) an assessment of whether these deter-
8 minations fairly weigh the costs and benefits of
9 building or maintaining a pipeline tap as a
10 practical primary or secondary fuel delivery
11 method for the installation compared to rail-
12 road, barge terminal, or truck delivery; and

13 (C) an assessment of whether these deter-
14 minations fairly consider or weigh how direct
15 fuel pipeline connections increase security for
16 the fuel supply by reducing the threat of inter-
17 ruption, enhance mission reliability by providing
18 access to greater fuel storage capability, and
19 the ability of such projects once completed to
20 better support the domestic and global oper-
21 ations of the Air National Guard or Air Force
22 Reserve installation.

23 (7) An assessment of how costs associated with
24 each direct fuel pipeline connection project is consid-
25 ered by the Air Force or Defense Logistics Agency

1 and the weight given to such costs in the final anal-
2 ysis.

3 (8) An assessment of the effectiveness or use-
4 fulness of guidance or technical assistance provided
5 to installations requesting or proposing direct fuel
6 pipeline connection projects and recommend ways to
7 provide additional assistance to ensure the Air Force
8 and Defense Logistics Agency receive the most up to
9 date information about the costs and benefits of pro-
10 posed projects from installations.

11 (9) An assessment of the available funding
12 sources through the Air Force, Defense Logistics
13 Agency, other Department of Defense entities, or
14 other mechanisms, such as a public-private partner-
15 ship or enhanced use lease, that can support direct
16 fuel pipeline connection projects either in whole or in
17 part.

18 (10) An assessment of the extent to which di-
19 rect fuel pipeline connection projects have been in-
20 corporated in any comprehensive plan the Air Force
21 has developed or will develop regarding investments
22 needed to improve Air National Guard, Air Force
23 Reserve, and regular component installations to
24 meet the Department's needs.

1 (c) FINAL REPORT.—Not later than one year after
2 the date of the enactment of this Act, the Secretary of
3 the Air Force shall provide a final report to the Commit-
4 tees on Armed Services of the Senate and the House of
5 Representatives containing the results of the review re-
6 quired by subsection (a) and recommendations from the
7 review on how the Air Force can better expedite and sup-
8 port the use of fuel pipelines at Air National Guard and
9 Air Force Reserve installations. Such recommendations
10 shall include options for accelerating the development and
11 consideration of such projects where most feasible and ap-
12 propriate, including whether costs savings could be ob-
13 tained by including such projects as part of other related
14 projects already authorized at an installation.

15 **TITLE XXVII—BASE REALIGN-**
16 **MENT AND CLOSURE ACTIVI-**
17 **TIES**

18 **SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR**
19 **BASE REALIGNMENT AND CLOSURE ACTIVI-**
20 **TIES FUNDED THROUGH DEPARTMENT OF**
21 **DEFENSE BASE CLOSURE ACCOUNT.**

22 Funds are hereby authorized to be appropriated for
23 fiscal years beginning after September 30, 2019, for base
24 realignment and closure activities, including real property
25 acquisition and military construction projects, as author-

1 ized by the Defense Base Closure and Realignment Act
2 of 1990 (part A of title XXIX of Public Law 101–510;
3 10 U.S.C. 2687 note) and funded through the Department
4 of Defense Base Closure Account established by section
5 2906 of such Act (as amended by section 2711 of the Mili-
6 tary Construction Authorization Act for Fiscal Year 2013
7 (division B of Public Law 112–239; 126 Stat. 2140)), as
8 specified in the funding table in section 4601.

9 **TITLE XXVIII—MILITARY CON-**
10 **STRUCTION GENERAL PROVI-**
11 **SIONS**

12 **Subtitle A—Military Construction**
13 **Program Changes**

14 **SEC. 2801. PROHIBITION ON USE OF MILITARY CONSTRUC-**
15 **TION FUNDS FOR CONSTRUCTION OF A WALL,**
16 **FENCE, OR OTHER PHYSICAL BARRIER**
17 **ALONG THE SOUTHERN BORDER OF THE**
18 **UNITED STATES.**

19 (a) PROHIBITION.—Military construction funds may
20 not be obligated, expended, or otherwise used to design
21 or carry out a project to construct, replace, or modify a
22 wall, fence, or other physical barrier along the inter-
23 national border between the United States and Mexico.

24 (b) DEFINITIONS.—In this section:

1 (1) MILITARY CONSTRUCTION FUNDS.—The
2 term “military construction funds” means—

3 (A) amounts authorized to be appropriated
4 for a military construction project authorized in
5 this division or authorized in any Military Con-
6 struction Authorization Act for any of fiscal
7 years 2015 through 2019, including any
8 amounts of such an authorization made avail-
9 able to the Department of Defense and trans-
10 ferred to another authorization by the Secretary
11 of Defense pursuant to transfer authority avail-
12 able to the Secretary; and

13 (B) funds appropriated in any Act for a
14 military construction project described in sub-
15 paragraph (A).

16 (2) MILITARY CONSTRUCTION PROJECT.—The
17 term “military construction project” has the mean-
18 ing given that term in section 2801 of title 10,
19 United States Code.

1 **SEC. 2802. MODIFICATION AND CLARIFICATION OF CON-**
2 **STRUCTION AUTHORITY IN THE EVENT OF A**
3 **DECLARATION OF WAR OR NATIONAL EMER-**
4 **GENCY.**

5 (a) LIMITATION ON AMOUNT OF FUNDS AVAILABLE
6 FOR NATIONAL EMERGENCY.—Section 2808 of title 10,
7 United States Code, is amended—

8 (1) by redesignating subsections (b) and (c) as
9 subsections (e) and (f), respectively; and

10 (2) by inserting after subsection (a) the fol-
11 lowing new subsection:

12 “(c) LIMITATION ON AMOUNT OF FUNDS AVAILABLE
13 FOR NATIONAL EMERGENCY.—(1) Except as provided in
14 paragraph (2), in the event of a declaration by the Presi-
15 dent of a national emergency in which the construction
16 authority described in subsection (a) is used, the total cost
17 of all military construction projects undertaken using that
18 authority during the national emergency may not exceed
19 \$500,000,000.

20 “(2) In the event of a national emergency declaration
21 in which the construction authority described in subsection
22 (a) will be used only within the United States, the total
23 cost of all military construction projects undertaken using
24 that authority during the national emergency may not ex-
25 ceed \$100,000,000.”.

1 (b) ADDITIONAL CONDITION ON SOURCE OF
2 FUNDS.—Section 2808(a) of title 10, United States Code,
3 is amended—

4 (1) in the second sentence—

5 (A) by striking “Such projects may” and
6 inserting the following:

7 “(b) CONDITIONS ON SOURCE OF FUNDS.—(1) Mili-
8 tary construction projects to be undertaken using the con-
9 struction authority described in subsection (a) may”; and

10 (B) by inserting before the period at the
11 end of the sentence the following: “and that the
12 Secretary of Defense determines are otherwise
13 unexecutable”; and

14 (2) by adding after the second sentence the fol-
15 lowing:

16 “(2) For purposes of paragraph (1), the Secretary
17 may determine that funds appropriated for military con-
18 struction are unexecutable if—

19 “(A) a military construction project for which
20 the funds were appropriated has been cancelled, for
21 a reason other than to provide funds to carry out
22 military construction under this section; or

23 “(B) the cost of a military construction project
24 for which the funds were appropriated has been re-
25 duced because of project modifications or other cost

1 savings, for a reason other than to provide funds to
2 carry out military construction under this section.”.

3 (c) WAIVER OF OTHER PROVISIONS OF LAW.—Sec-
4 tion 2808 of title 10, United States Code, is amended by
5 inserting after subsection (c), as added by subsection (a),
6 the following new subsection:

7 “(d) WAIVER OF OTHER PROVISIONS OF LAW IN
8 EVENT OF NATIONAL EMERGENCY.—In the event of a
9 declaration by the President of a national emergency in
10 which the construction authority described in subsection
11 (a) is used, the authority provided by such subsection to
12 waive or disregard another provision of law that would
13 otherwise apply to a military construction project author-
14 ized by this section may be used only if—

15 “(1) such other provision of law does not pro-
16 vide a means by which compliance with the require-
17 ments of the law may be waived, modified, or expe-
18 dited; and

19 “(2) the Secretary of Defense determines that
20 the nature of the national emergency necessitates
21 the noncompliance with the requirements of the
22 law.”.

23 (d) ADDITIONAL NOTIFICATION REQUIREMENTS.—
24 Subsection (e) of section 2808 of title 10, United States
25 Code, as redesignated by subsection (a)(1), is amended—

1 (1) by striking “of the decision” and all that
2 follows through the end of the subsection and insert-
3 ing the following: “of the following:

4 “(A) The reasons for the decision to use the
5 construction authority described in subsection (a),
6 including, in the event of a declaration by the Presi-
7 dent of a national emergency, the reasons why use
8 of the armed forces is required in response to the
9 declared national emergency.

10 “(B) The construction projects to be under-
11 taken using the construction authority described in
12 subsection (a), including, in the event of a declara-
13 tion by the President of a national emergency, an
14 explanation of how each construction project directly
15 supports the immediate security, logistical, or short-
16 term housing and ancillary supporting facility needs
17 of the members of the armed forces used in the na-
18 tional emergency.

19 “(C) The estimated cost of the construction
20 projects to be undertaken using the construction au-
21 thority described in subsection (a), including the
22 cost of any real estate action pertaining to the con-
23 struction projects, and certification of compliance
24 with the funding conditions imposed by subsections
25 (b) and (c).

1 “(D) Any determination made pursuant to sub-
2 section (d)(2) to waive or disregard another provi-
3 sion of law to undertake any construction project
4 using the construction authority described in sub-
5 section (a).

6 “(E) The military construction projects, includ-
7 ing any military family housing and ancillary sup-
8 porting facility projects, to be canceled or deferred
9 in order to provide funds to undertake construction
10 projects using the construction authority described
11 in subsection (a) and the possible impact of the can-
12 cellation or deferment of such military construction
13 projects on military readiness and the quality of life
14 of members of the armed forces and their depend-
15 ents.”; and

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

18 “(2) In the event of a declaration by the President
19 of a national emergency in which the construction author-
20 ity described in subsection (a) is used, a construction
21 project to be undertaken using such construction authority
22 may be carried out only after the end of the five-day pe-
23 riod beginning on the date the notification required by
24 paragraph (1) is received by the appropriate committees
25 of Congress.”.

1 (e) CLERICAL AMENDMENTS.—Section 2808 of title
2 10, United States Code, is further amended—

3 (1) in subsection (a), by inserting “CONSTRUC-
4 TION AUTHORIZED.—” after “(a)”;

5 (2) in subsection (e), as redesignated by sub-
6 section (a)(1), by inserting “NOTIFICATION RE-
7 QUIREMENT.—(1)” after “(e)”; and

8 (3) in subsection (f), as redesignated by sub-
9 section (a)(1), by inserting “TERMINATION OF AU-
10 THORITY.—” after “(f)”.

11 **SEC. 2803. INCLUSION OF INFORMATION REGARDING MILI-**
12 **TARY INSTALLATION RESILIENCE IN MASTER**
13 **PLANS FOR MAJOR MILITARY INSTALLA-**
14 **TIONS.**

15 (a) MILITARY INSTALLATION RESILIENCE.—Section
16 2864 of title 10, United States Code, is amended—

17 (1) in subsection (a)(1), by inserting “military
18 installation resilience,” after “master planning,”;

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

21 (3) by inserting after subsection (b) the fol-
22 lowing new subsection:

23 “(c) MILITARY INSTALLATION RESILIENCE COMPO-
24 NENT.—To address military installation resilience under

1 subsection (a)(1), each installation master plan shall dis-
2 cuss the following:

3 “(1) Risks and threats to military installation
4 resilience that exist at the time of the development
5 of the plan and that are projected for the future, in-
6 cluding from extreme weather events, mean sea level
7 fluctuation, wildfires, flooding, and other changes in
8 environmental conditions.

9 “(2) Assets or infrastructure located on the
10 military installation vulnerable to the risks and
11 threats described in paragraph (1), with a special
12 emphasis on assets or infrastructure critical to the
13 mission of the installation and the mission of mem-
14 bers of the armed forces.

15 “(3) Lessons learned from the impacts of ex-
16 treme weather events, including changes made to the
17 military installation to address such impacts, since
18 the prior master plan developed under this section.

19 “(4) Ongoing or planned infrastructure projects
20 or other measures, as of the time of the development
21 of the plan, to mitigate the impacts of the risks and
22 threats described in paragraph (1).

23 “(5) Community infrastructure and resources
24 located outside the installation (such as medical fa-

1 cilities, transportation systems, and energy infra-
2 structure) that are—

3 “(A) necessary to maintain mission capa-
4 bility or that impact the resilience of the mili-
5 tary installation; and

6 “(B) vulnerable to the risks and threats
7 described in paragraph (1).

8 “(6) Agreements in effect or planned, as of the
9 time of the development of the plan, with public or
10 private entities for the purpose of maintaining or en-
11 hancing military installation resilience or resilience
12 of the community infrastructure and resources de-
13 scribed in paragraph (5).

14 “(7) Projections from recognized governmental
15 and scientific entities such as the Census Bureau,
16 the National Academies of Sciences, the United
17 States Geological Survey, and the United States
18 Global Change Research Office (or any similar suc-
19 cessor entities) with respect to future risks and
20 threats (including the risks and threats described in
21 paragraph (1)) to the resilience of any project con-
22 sidered in the installation master plan during the
23 50-year lifespan of the installation.”.

24 (b) REPORT ON MASTER PLANS.—Section 2864 of
25 title 10, United States Code, is amended by inserting after

1 subsection (c), as added by subsection (a), the following
2 new subsection:

3 “(d) REPORT.—Not later than March 1 of each year,
4 the Secretary of Defense shall submit to the congressional
5 defense committees a report listing all master plans com-
6 pleted pursuant to this section in the prior calendar
7 year.”.

8 **SEC. 2804. IMPROVED CONSULTATION WITH TRIBAL GOV-**
9 **ERNMENTS WHEN PROPOSED MILITARY CON-**
10 **STRUCTION PROJECTS POTENTIALLY IM-**
11 **PACT INDIAN TRIBES.**

12 Section 2802 of title 10, United States Code, is
13 amended by adding at the end the following new sub-
14 section:

15 “(f)(1) If a proposed military construction project
16 has the potential to significantly affect tribal lands, sacred
17 sites, or tribal treaty rights, the Secretary concerned shall
18 initiate consultation with the tribal government of each
19 impacted Indian tribe—

20 “(A) to determine the nature, extent, and esti-
21 mated costs of the adverse impacts;

22 “(B) to determine whether the adverse impacts
23 can be avoided or mitigated in the design and imple-
24 mentation of the project; and

1 “(C) if the adverse impacts cannot be avoided,
2 to develop feasible measures to mitigate the impacts
3 and estimate the cost of the mitigation measures.

4 “(2) As part of the Department of Defense Form
5 1391 submitted to the appropriate committees of Congress
6 for a military construction project covered by paragraph
7 (1), the Secretary concerned shall include a description of
8 the current status of the consultation conducted under
9 such paragraph and specifically address each of the items
10 specified in subparagraphs (A), (B), and (C) of such para-
11 graph.

12 “(3) In this subsection:

13 “(A) The term ‘Indian tribe’ has the meaning
14 given that term in section 4 of the Indian Self-De-
15 termination and Education Assistance Act (25
16 U.S.C. 5304).

17 “(B) The term ‘tribal government’ means the
18 recognized governing body of an Indian tribe.

19 “(C) The term ‘sacred site’ has the meaning
20 given that term in Executive Order No. 13007, as
21 in effect on the date of the enactment of the Na-
22 tional Defense Authorization Act for Fiscal Year
23 2020.”.

1 **SEC. 2805. AMENDMENT OF UNIFIED FACILITIES CRITERIA**
2 **TO PROMOTE MILITARY INSTALLATION RE-**
3 **SILIENCE, ENERGY RESILIENCE, ENERGY**
4 **AND CLIMATE RESILIENCY, AND CYBER RE-**
5 **SILIENCE.**

6 (a) AMENDMENT REQUIRED.—Not later than Sep-
7 tember 1, 2020, the Secretary of Defense shall amend the
8 Unified Facility Criteria related to military construction
9 planning and design to ensure that building practices and
10 standards promote military installation resilience, energy
11 resilience, energy and climate resiliency, and cyber resil-
12 ience. To prepare the amendments required by this sub-
13 section, the Secretary of Defense shall take into account
14 historical data, current conditions, and sea level rise pro-
15 jections. The Secretary may consult with the heads of
16 other Federal departments and agencies with expertise re-
17 garding military installation resilience, energy resilience,
18 energy and climate resiliency, and cyber resilience.

19 (b) CONDITIONAL AVAILABILITY OF FUNDS PEND-
20 ING INITIATION OF AMENDMENT PROCESS.—Not more
21 than 25 percent of the funds authorized to be appro-
22 priated for fiscal year 2020 for Department of Defense
23 planning and design accounts related to military construc-
24 tion projects may be obligated until the date on which the
25 Secretary of Defense submits to the Committees on Armed
26 Services of the House of Representatives and the Senate

1 a certification that the Secretary has initiated the process
2 to amend the Unified Facility Criteria to comply with the
3 requirements of subsection (a) and intends to complete the
4 amendment process by the date specified in such sub-
5 section.

6 (c) IMPLEMENTATION OF UNIFIED FACILITIES CRI-
7 TERIA AMENDMENT.—

8 (1) IMPLEMENTATION.—Any Department of
9 Defense Form 1391 submitted to Congress after the
10 date specified in subsection (a) must be in compli-
11 ance with the Unified Facility Criteria, amended as
12 required by subsection (a).

13 (2) CERTIFICATION.—Not later than March 1,
14 2021, the Secretary of Defense shall certify to the
15 Committees on Armed Services of the House of Rep-
16 resentatives and the Senate that the amendment re-
17 quired by subsection (a) and the amendment re-
18 quired by section 2805(c) of the Military Construc-
19 tion Authorization Act for Fiscal Year 2019 (divi-
20 sion B of Public Law 115–232; 132 Stat. 2262; 10
21 U.S.C. 2864 note) have been completed and fully in-
22 corporated into military construction planning and
23 design.

24 (d) ANNUAL REVIEW.—Beginning with fiscal year
25 2022, and annually thereafter, the Secretary of Defense

1 shall conduct a review comparing the Unified Facility Cri-
2 teria and industry best practices to ensure that military
3 construction building practices and standards related to
4 military installation resilience, energy resilience, energy
5 and climate resiliency, and cyber resilience remain current.

6 (e) DEFINITIONS.—In this section:

7 (1) The terms “energy resilience” and “military
8 installation resilience” have the meanings given
9 those terms in section 101(e) of title 10, United
10 States Code.

11 (2) The term “energy and climate resiliency”
12 has the meaning given that term in section 2864 of
13 title 10, United States Code.

14 **SEC. 2806. MODIFICATION TO DEPARTMENT OF DEFENSE**
15 **FORM 1391 REGARDING CONSIDERATION OF**
16 **POTENTIAL LONG-TERM ADVERSE ENVIRON-**
17 **MENTAL EFFECTS.**

18 (a) MODIFICATION.—

19 (1) CERTIFICATION REQUIREMENT.—The Sec-
20 retary of Defense shall modify Department of De-
21 fense Form 1391 to require, with respect to any pro-
22 posed major or minor military construction project
23 requiring congressional notification or approval, the
24 inclusion of a certification by the Secretary of De-
25 fense or the Secretary of the military department

1 concerned that the proposed military construction
2 project takes into consideration—

3 (A) the potential adverse consequences of
4 long-term changes in environmental conditions,
5 such as increasingly frequent extreme weather
6 events, that could affect the military installation
7 resilience of the installation for which the mili-
8 tary construction project is proposed; and

9 (B) building requirements in effect for the
10 locality in which the military construction
11 project is proposed and industry best practices
12 that are developed to withstand extreme weath-
13 er events and other consequences of changes in
14 environmental conditions.

15 (2) ELEMENTS OF CERTIFICATION.—As part of
16 the certification required by paragraph (1) for a pro-
17 posed military construction project, the Secretary
18 concerned shall identify the potential changes in en-
19 vironmental conditions, such as increasingly frequent
20 extreme weather events, considered and addressed
21 under subparagraphs (A) and (B) of paragraph (1).

22 (b) RELATION TO RECENT MODIFICATION REQUIRE-
23 MENT.—The modification of Department of Defense Form
24 1391 required by subsection (a) is in addition to, and ex-
25 pands upon, the modification of Department of Defense

1 Form 1391 with respect to flood risk disclosure for mili-
 2 tary construction required by section 2805(a) of the Mili-
 3 tary Construction Authorization Act for Fiscal Year 2019
 4 (division B of Public Law 115–232; 132 Stat. 2262; 10
 5 U.S.C. 2802 note).

6 (c) MILITARY INSTALLATION RESILIENCE DE-
 7 FINED.—In this section, the term “military installation re-
 8 silience” has the meaning given that term in section
 9 101(e)(8) of title 10, United States Code.

10 **SEC. 2807. IMPROVED FLOOD RISK DISCLOSURE FOR MILI-**
 11 **TARY CONSTRUCTION.**

12 (a) WHEN DISCLOSURE REQUIRED.—Section
 13 2805(a)(1) of the Military Construction Authorization Act
 14 for Fiscal Year 2019 (division B of Public Law 115–232;
 15 132 Stat. 2262; 10 U.S.C. 2802 note) is amended—

16 (1) in subparagraph (A), by inserting after
 17 “hazard data” the following: “, or will be impacted
 18 by projected current and future mean sea level fluc-
 19 tuations over the lifetime of the project”; and

20 (2) in subparagraph (B), by inserting after
 21 “floodplain” the following: “or will be impacted by
 22 projected current and future mean sea level fluctua-
 23 tions over the lifetime of the project”.

24 (b) REPORTING REQUIREMENTS.—Section
 25 2805(a)(3) of the Military Construction Authorization Act

1 for Fiscal Year 2019 (division B of Public Law 115–232;
2 132 Stat. 2262; 10 U.S.C. 2802 note) is amended—

3 (1) in the matter preceding the subparagraphs,
4 by inserting after “floodplain” the following: “or are
5 to be impacted by projected current and future mean
6 sea level fluctuations over the lifetime of the
7 project”; and

8 (2) by adding at the end the following new sub-
9 paragraph:

10 “(D) A description of how the proposed
11 project has taken into account projected current
12 and future mean sea level fluctuations over the
13 lifetime of the project.”.

14 (c) MITIGATION PLAN ASSUMPTIONS.—Section
15 2805(a)(4) of the Military Construction Authorization Act
16 for Fiscal Year 2019 (division B of Public Law 115–232;
17 132 Stat. 2262; 10 U.S.C. 2802 note) is amended—

18 (1) in the matter preceding the subpara-
19 graphs—

20 (A) by inserting after “floodplain” the fol-
21 lowing: “or that will be impacted by projected
22 current and future mean sea level fluctuations
23 over the lifetime of the project”; and

24 (B) by striking “an additional”;

25 (2) in subparagraph (A)—

1 (A) by inserting “an additional” before “2
2 feet”; and

3 (B) by striking “and” at the end of the
4 subparagraph;

5 (3) in subparagraph (B)—

6 (A) by inserting “an additional” before “3
7 feet”; and

8 (B) by striking the period at the end of the
9 subparagraph and inserting “; and”; and

10 (4) by adding at the end the following new sub-
11 paragraph:

12 “(C) any additional flooding that will re-
13 sult from projected current and future mean
14 sea level fluctuations over the lifetime of the
15 project.”.

16 **SEC. 2808. TECHNICAL CORRECTIONS AND IMPROVEMENTS**
17 **TO DEFENSE ACCESS ROAD RESILIENCE.**

18 Section 210 of title 23, United States Code, is
19 amended—

20 (1) in subsection (a), by striking “(a)(1) The
21 Secretary” and all that follows through the end of
22 paragraph (1) and inserting the following:

23 “(a) AUTHORIZATION.—

24 “(1) IN GENERAL.—When defense access roads
25 are certified to the Secretary as important to the na-

1 tional defense by the Secretary of Defense or such
2 other official as the President may designate, the
3 Secretary is authorized, out of the funds appro-
4 priated for defense access roads, to provide for—

5 “(A) the construction and maintenance of
6 defense access roads (including bridges, tubes,
7 tunnels, and culverts or other hydraulic appur-
8 tenances on those roads) to—

9 “(i) military reservations;

10 “(ii) defense industry sites;

11 “(iii) air or sea ports that are nec-
12 essary for or are planned to be used for
13 the deployment or sustainment of members
14 of the Armed Forces, equipment, or sup-
15 plies; or

16 “(iv) sources of raw materials;

17 “(B) the reconstruction or enhancement of,
18 or improvements to, those roads to ensure the
19 continued effective use of the roads, regardless
20 of current or projected increases in mean tides,
21 recurrent flooding, or other weather-related
22 conditions or natural disasters; and

23 “(C) replacing existing highways and high-
24 way connections that are shut off from general
25 public use by necessary closures, closures due to

1 mean sea level fluctuation and flooding, or re-
2 strictions at—

3 “(i) military reservations;

4 “(ii) air or sea ports that are nec-
5 essary for or are planned to be used for
6 the deployment or sustainment of members
7 of the Armed Forces, equipment, or sup-
8 plies; or

9 “(iii) defense industry sites.”;

10 (2) in subsection (b), by striking “the construc-
11 tion and maintenance of” and inserting “construc-
12 tion, reconstruction, resurfacing, restoration, reha-
13 bilitation, and preservation of, or enhancements to,”;

14 (3) in subsection (c)—

15 (A) by striking “him” and inserting “the
16 Secretary”;

17 (B) by striking “construction, mainte-
18 nance, and repair work” and inserting “activi-
19 ties for construction, maintenance, reconstruc-
20 tion, enhancement, improvement, and repair”;

21 (C) by striking “therein” and inserting “in
22 those areas”; and

23 (D) by striking “condition for such train-
24 ing purposes and for repairing the damage
25 caused to such highways by the operations of

1 men and equipment in such training.” and in-
2 serting the following: “condition for—

3 “(1) that training; and

4 “(2) repairing the damage to those highways
5 caused by—

6 “(A) weather-related events, increases in
7 mean high tide levels, recurrent flooding, or
8 natural disasters; or

9 “(B) the operations of men and equipment
10 in such training.”;

11 (4) in subsection (g)—

12 (A) by striking “he” and inserting “the
13 Secretary”;

14 (B) by striking “construction which has
15 been” and inserting “construction and other ac-
16 tivities”; and

17 (C) by striking “upon his demand” and in-
18 serting “upon demand by the Secretary”; and

19 (5) by striking subsection (i) and inserting the
20 following:

21 “(i) REPAIR OF CERTAIN DAMAGES AND INFRA-
22 STRUCTURE.—The funds appropriated to carry out this
23 section may be used to pay the cost of repairing damage
24 caused, or any infrastructure to mitigate a risk posed, to
25 a defense access road by recurrent or projected recurrent

1 flooding, sea level fluctuation, a natural disaster, or any
 2 other current or projected change in applicable environ-
 3 mental conditions, if the Secretary determines that contin-
 4 ued access to a military installation, defense industry site,
 5 air or sea port necessary for or planned to be used for
 6 the deployment or sustainment of members of the Armed
 7 Forces, equipment, or supplies, or to a source of raw mate-
 8 rials, has been or is projected to be impacted by those
 9 events or conditions.”.

10 **Subtitle B—Military Family** 11 **Housing Reforms**

12 **SEC. 2811. ENHANCED PROTECTIONS FOR MEMBERS OF** 13 **THE ARMED FORCES AND THEIR DEPEND-** 14 **ENTS RESIDING IN PRIVATIZED MILITARY** 15 **HOUSING UNITS.**

16 (a) SPECIFIED RIGHTS OF TENANCY IN PRIVATIZED
 17 MILITARY HOUSING UNITS.—

18 (1) IN GENERAL.—Section 2886 of title 10,
 19 United States Code, is amended to read as follows:
 20 **“§ 2886. Specified rights of tenancy in military hous-**
 21 **ing units**

22 “(a) CONTRACT REQUIREMENT FOR MILITARY
 23 HOUSING UNITS.—

24 “(1) INCLUSION OF RIGHTS OF TENANCY.—
 25 Each contract between the Secretary concerned and

1 a landlord shall guarantee the rights of tenancy
2 specified in this section for military tenants who re-
3 side in military housing units covered by the con-
4 tract.

5 “(2) RULE OF CONSTRUCTION.—The rights of
6 tenancy in military housing units specified in this
7 section are not intended to be exclusive. The omis-
8 sion of a tenant right or protection shall not be con-
9 strued to deny the existence of such a right or pro-
10 tection for military tenants.

11 “(3) WRITTEN LEASE AND EXPLANATION OF
12 TENANCY.—(A) The lease between a landlord and
13 military tenant shall be in writing to establish ten-
14 ancy in a military housing unit. The landlord shall
15 provide the military tenant with a copy of the lease,
16 any addendums, and any other regulations imposed
17 by the landlord regarding occupancy of the military
18 housing unit and use of common areas.

19 “(B) The Secretary concerned shall require that
20 a military tenant receive a plain-language briefing
21 regarding the rights of tenancy guaranteed by this
22 section and the respective responsibilities of land-
23 lords and military tenants related to tenancy, includ-
24 ing the existence of any additional fees authorized by
25 subsection (c)(2), any utilities payments, the proce-

1 dures for submitting and tracking work orders, the
2 identity of the military tenant advocate, and the dis-
3 pute resolution process.

4 “(b) PROTECTION AGAINST RETALIATION.—

5 “(1) IN GENERAL.—A landlord may not retali-
6 ate against a military tenant, directly or through the
7 chain-of-command of a member of the armed forces
8 who is a military tenant, in response to a military
9 tenant making a complaint relating to a military
10 housing unit or common areas. Evidence of retalia-
11 tion may include any of the following actions, includ-
12 ing unsuccessful attempts to commit such an action:

13 “(A) Unlawful recovery of, or attempt to
14 recover, possession of a military housing unit.

15 “(B) Unlawfully increasing the rent, de-
16 creasing services, or increasing the obligations
17 of a military tenant.

18 “(C) Interference with a military tenant’s
19 right to privacy.

20 “(D) Harassment of a military tenant.

21 “(E) Refusal to honor the terms of the
22 lease.

23 “(F) Interference with the career of a mili-
24 tary tenant.

1 “(2) INVESTIGATION.—The Inspector General
2 of the Department of Defense and the Inspector
3 General of a military department may investigate al-
4 legations of retaliation against a military tenant in
5 connection with a complaint relating to a military
6 housing unit.

7 “(c) PROHIBITION AGAINST COLLECTION OF
8 AMOUNTS IN ADDITION TO RENT.—

9 “(1) IN GENERAL.—A landlord may not impose
10 on a military tenant a supplemental payment, such
11 as an out-of-pocket fee, in addition to the amount of
12 rent the landlord charges for a unit of similar size
13 and composition to the military housing unit, with-
14 out regard to whether or not the amount of the
15 member’s basic allowance for housing under section
16 403 of title 37 is less than the amount of the rent.

17 “(2) EXCEPTIONS.—Nothing in paragraph (1)
18 shall be construed—

19 “(A) to prohibit a landlord from imposing
20 an additional payment—

21 “(i) for optional services provided to
22 military tenants, such as access to a gym
23 or a parking space;

24 “(ii) for non-essential utility services,
25 as determined in accordance with regula-

1 tions promulgated by the Secretary con-
2 cerned; or

3 “(iii) to recover damages associated
4 with tenant negligence; or

5 “(B) to limit or otherwise affect the au-
6 thority of the Secretary concerned to enter into
7 rental guarantee agreements under section
8 2876 of this title or to make differential lease
9 payments under section 2877 of this title, so
10 long as such agreements or payments do not re-
11 quire a military tenant to pay an out-of-pocket
12 fee or payment in addition to the basic allow-
13 ance for housing of the member.

14 “(d) DISPUTE RESOLUTION PROCESS.—

15 “(1) ESTABLISHMENT.—The Secretary con-
16 cerned shall establish a dispute resolution process
17 for the resolution of disputes between landlords and
18 military tenants related to military housing units.
19 The resolution process shall use neutral arbitrators
20 and minimize costs incurred by military tenants to
21 participate.

22 “(2) TREATMENT OF BASIC ALLOWANCE FOR
23 HOUSING.—During the dispute resolution process
24 between a landlord and military tenant, the Sec-
25 retary concerned may withhold from the landlord

1 amounts of the military tenant's basic allowance for
2 housing under section 403 of title 37 that otherwise
3 would be paid to the landlord directly by the military
4 tenant or through allotments of the pay of the mili-
5 tary tenant under section 701 of such title.

6 “(e) PROMPT MAINTENANCE AND REPAIRS.—

7 “(1) IN GENERAL.—The Secretary concerned
8 shall ensure that landlords—

9 “(A) respond promptly to requests for the
10 maintenance or repair of a military housing
11 unit; and

12 “(B) communicate effectively with military
13 tenants regarding the schedule and status of
14 maintenance or repair requests.

15 “(2) ELECTRONIC WORK ORDER SYSTEM.—To
16 promote the policy objective described in paragraph
17 (1), the Secretary concerned shall require the estab-
18 lishment of an electronic work order system through
19 which a military tenant may request maintenance or
20 repairs of a military housing unit and track the
21 progress of the work.

22 “(3) ACCESS TO SYSTEM.—The electronic work
23 order system shall be accessible—

1 “(A) to a military tenant to track a work
2 request made through the system by the mili-
3 tary tenant;

4 “(B) to military tenant advocates or a
5 commander of the relevant military installation
6 to track a work request made through the sys-
7 tem; and

8 “(C) to the landlord responsible for the
9 military housing unit to track a work request
10 made through the system by a military tenant.

11 “(f) DISCLOSURE OF HOUSING CODE VIOLATIONS
12 AND HAZARDS.—

13 “(1) IN GENERAL.—Before accepting a rental
14 application from a prospective military tenant to
15 lease a military housing unit, the landlord must dis-
16 close to the prospective military tenant the following:

17 “(A) Any housing code violations with re-
18 spect to the military housing unit incurred
19 within the previous three years.

20 “(B) Either a three-year history of mold
21 contamination with respect to the military hous-
22 ing unit and common areas or proof of proper
23 remediation.

24 “(C) Either a three-year history of lead
25 contamination in water with respect to the mili-

1 tary housing unit and common areas or proof
2 of proper remediation.

3 “(D) Either a three-year history of rodent
4 infestation with respect to the military housing
5 unit and common areas or proof of proper re-
6 mediation.

7 “(E) Any information regarding health-re-
8 lated symptoms among previous residents of the
9 military housing unit that may have been the
10 result of exposure to environmental hazards in
11 the military housing unit or common areas, if
12 such residents agreed to voluntarily disclose
13 such information. The military tenant advocate
14 shall inform military tenants of their option to
15 disclose or decline to disclose such information.

16 “(2) CONTINUED REQUIREMENT.—The landlord
17 must make the information referred to in paragraph
18 (1) accessible to the military tenant throughout the
19 lease of the military housing unit.

20 “(g) UNIT INSPECTIONS.—

21 “(1) MOVE-IN.—A military tenant is entitled to
22 be present for an inspection of a military housing
23 unit before accepting occupancy of the military hous-
24 ing unit to ensure that the military housing unit is

1 habitable and that facilities and common areas of
2 the building are in good repair.

3 “(2) MOVE-OUT.—A military tenant is entitled
4 to be present for the move-out inspection and must
5 be given sufficient time to address any concerns re-
6 lated to the military tenant’s occupancy of the mili-
7 tary housing unit.

8 “(h) MILITARY TENANT ADVOCATES.—(1)(A) The
9 Secretary concerned shall assign personnel of the Depart-
10 ment of Defense or contractor personnel to serve as a mili-
11 tary tenant advocate—

12 “(i) to assist in the resolution of a dispute
13 between a landlord and a military tenant; and

14 “(ii) to serve as a liaison between military
15 tenants and landlords, officials in the chain of
16 command at the installation, and the individual
17 designated in paragraph (2) within the Office of
18 the Secretary of Defense, with respect to con-
19 cerns of military tenants at the applicable in-
20 stallation.

21 “(B) A military tenant advocate may not be an em-
22 ployee of a landlord or occupy office-space provided by a
23 landlord.

24 “(2)(A) The Secretary of Defense shall designate an
25 individual within the Office of the Secretary of Defense

1 to serve as the liaison between the Secretary and the Sec-
2 retaries concerned, the military tenant advocates under
3 paragraph (1), landlords, and other offices of the Depart-
4 ment as the Secretary determines appropriate with respect
5 to military tenant issues.

6 “(B) Not later than one year after the date of the
7 enactment of the National Defense Authorization Act for
8 Fiscal Year 2020, and annually thereafter for the next two
9 years, the individual designated under subparagraph (A)
10 shall submit to the Secretary of Defense and the congres-
11 sional defense committees a report containing a descrip-
12 tion of—

13 “(i) common issues encountered by military ten-
14 ants with respect to military housing; and

15 “(ii) the responsiveness of landlords to tenant
16 requests for the maintenance or repair of military
17 housing units.”.

18 (2) CLERICAL AMENDMENT.—The table of sec-
19 tions at the beginning of subchapter IV of title 10,
20 United States Code, is amended by striking the item
21 relating to section 2886 and inserting the following
22 new item:

“2886. Specified rights of tenancy in military housing units.”.

23 (b) DEFINITIONS.—Section 2871 of title 10, United
24 States Code, is amended—

1 (1) by redesignating paragraphs (7) and (8) as
2 paragraphs (10) and (11), respectively; and

3 (2) by inserting after paragraph (6) the fol-
4 lowing new paragraphs:

5 “(7) The term ‘landlord’ means an eligible enti-
6 ty that enters into a contract as a partner with the
7 Secretary concerned for the acquisition or construc-
8 tion of a military housing unit under this subchapter
9 or any subsequent lessor who owns, manages, or is
10 otherwise responsible for a military housing unit.

11 “(8) The term ‘military housing unit’ means a
12 unit of military family housing or military unaccom-
13 panied housing acquired or constructed under this
14 subchapter.

15 “(9) The term ‘military tenant’ means a mem-
16 ber of the armed forces who occupies a military
17 housing unit and any dependent of the member who
18 is a party to a lease for a military housing unit or
19 is authorized to act on behalf of the member in the
20 event of the assignment or deployment of the mem-
21 ber.”.

22 (c) IMPLEMENTATION REPORT.—Not later than
23 March 1, 2020, the Secretary of Defense shall submit to
24 the Committees on Armed Services of the House of Rep-
25 resentatives and the Senate a report containing a plan to

1 implement section 2886 of title 10, United States Code,
2 as amended by subsection (a). In the report, the Secretary
3 shall identify any circumstances that would impede appli-
4 cation of the requirements of such section to existing con-
5 tracts for the acquisition or construction of military family
6 housing units or military unaccompanied housing units
7 under subchapter IV of chapter 169 of such title, and to
8 existing contracts for the management of such military
9 housing units.

10 **SEC. 2812. PROHIBITION ON USE OF NONDISCLOSURE**
11 **AGREEMENTS IN CONNECTION WITH LEASES**
12 **OF MILITARY HOUSING CONSTRUCTED OR**
13 **ACQUIRED USING ALTERNATIVE AUTHORITY**
14 **FOR ACQUISITION AND IMPROVEMENT OF**
15 **MILITARY HOUSING.**

16 (a) NONDISCLOSURE AGREEMENTS PROHIBITED.—
17 Section 2882 of title 10, United States Code, is amended
18 by adding at the end the following new subsection:

19 “(d) PROHIBITION ON USE OF NONDISCLOSURE
20 AGREEMENTS.—(1) A member of the armed forces who
21 leases a housing unit acquired or constructed under this
22 subchapter, and any dependent of the member who is a
23 party to a lease for such a unit or is authorized to act
24 on behalf of the member in the event of the assignment
25 or deployment of the member, may not be required to sign

1 a nondisclosure agreement in connection with entering
2 into, continuing, or terminating the lease. Any such agree-
3 ment against the interests of the member is invalid.

4 “(2) Paragraph (1) shall not apply to a nondisclosure
5 agreement executed as part of the settlement of litiga-
6 tion.”.

7 (b) IMPLEMENTATION.—The Secretary of Defense
8 and the Secretaries of the military departments shall pro-
9 mulgate regulations necessary to give full force and effect
10 to subsection (d) of section 2882 of title 10, United States
11 Code, as added by subsection (a).

12 (c) RETROACTIVE APPLICATION OF AMENDMENT.—
13 Subsection (d) of section 2882 of title 10, United States
14 Code, as added by subsection (a), shall apply with respect
15 to any nondisclosure agreement covered by the terms of
16 such subsection (d) regardless of the date on which the
17 agreement was executed.

18 **SEC. 2813. AUTHORITY TO FURNISH CERTAIN SERVICES IN**
19 **CONNECTION WITH USE OF ALTERNATIVE**
20 **AUTHORITY FOR ACQUISITION AND IM-**
21 **PROVEMENT OF MILITARY HOUSING.**

22 Section 2872a(b) of title 10, United States Code, is
23 amended by adding at the end the following new para-
24 graphs:

25 “(13) Street sweeping.

1 “(14) Tree trimming and removal.”.

2 **SEC. 2814. MODIFICATION TO REQUIREMENTS FOR WIN-**
3 **DOW FALL PREVENTION DEVICES IN MILI-**
4 **TARY FAMILY HOUSING UNITS.**

5 (a) FALL PREVENTION DEVICE REQUIREMENTS.—

6 Section 2879(a) of title 10, United States Code, is amend-
7 ed—

8 (1) in paragraph (1), by striking “that protect
9 against unintentional window falls by young children
10 and that are in compliance with applicable Inter-
11 national Building Code (IBC) standards” and insert-
12 ing “described in paragraph (3)”;

13 (2) in paragraph (2)—

14 (A) in subparagraph (A), by striking “De-
15 cember 11, 2017” and inserting “October 1,
16 2019”; and

17 (B) in subparagraph (B), by striking “Sep-
18 tember 1, 2018” and inserting “October 1,
19 2019”; and

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

22 “(3) FALL PREVENTION DEVICE DESCRIBED.—
23 A fall prevention device is a window screen or guard
24 that complies with applicable standards in ASTM
25 standard F2090–13 (or any successor standard).”.

1 (b) MODIFICATION TO WINDOW DESCRIPTION.—Sec-
2 tion 2879(c) of title 10, United States Code, is amended
3 by striking “24” and inserting “42”.

4 (c) CONFORMING AMENDMENT.—Section 2879(b)(1)
5 of title 10, United States Code, is amended by striking
6 “paragraph (1)” and inserting “paragraph (3)”.

7 **SEC. 2815. ASSESSMENT OF HAZARDS IN DEPARTMENT OF**
8 **DEFENSE HOUSING.**

9 (a) HAZARD ASSESSMENT TOOL.—

10 (1) DEVELOPMENT REQUIRED.—Not later than
11 180 days after the date of the enactment of this Act,
12 the Secretary of Defense shall develop an assessment
13 tool, such as a rating system or similar mechanism,
14 to identify and measure health and safety hazards in
15 housing under the jurisdiction of the Department of
16 Defense (including privatized housing).

17 (2) COMPONENTS.—The assessment tool shall
18 provide for the identification and measurement of
19 the following hazards:

20 (A) Physiological hazards, including damp-
21 ness and mold growth, lead-based paint, asbes-
22 tos and manmade fibers, radiation, biocides,
23 carbon monoxide, and volatile organic com-
24 pounds.

1 (B) Psychological hazards, including ease
2 of access by unlawful intruders, and lighting
3 issues.

4 (C) Infection hazards.

5 (D) Safety hazards.

6 (3) PUBLIC FORUMS.—In developing the assess-
7 ment tool, the Secretary of Defense shall provide for
8 multiple public forums at which the Secretary may
9 receive input with respect to such assessment tool
10 from occupants of housing under the jurisdiction of
11 the Department of Defense (including privatized
12 housing).

13 (4) REPORT.—Not later than 210 days after
14 the date of the enactment of this Act, the Secretary
15 of Defense shall submit to the Committees on Armed
16 Services of the Senate and the House of Representa-
17 tives a report on the assessment tool.

18 (b) HAZARD ASSESSMENTS.—

19 (1) ASSESSMENTS REQUIRED.—Not later than
20 one year after the date of the enactment of this Act,
21 the Secretary of Defense, using the assessment tool
22 developed under subsection (a)(1), shall complete a
23 hazard assessment for each housing facility under
24 the jurisdiction of the Department of Defense (in-
25 cluding privatized housing).

1 (2) TENANT INFORMATION.—As soon as prac-
2 ticable after the completion of the hazard assess-
3 ment conducted for a housing facility under para-
4 graph (1), the Secretary of Defense shall provide to
5 each individual who leases or is assigned to a hous-
6 ing unit in the facility a summary of the results of
7 the assessment.

8 **SEC. 2816. DEVELOPMENT OF PROCESS TO IDENTIFY AND**
9 **ADDRESS ENVIRONMENTAL HEALTH HAZ-**
10 **ARDS IN DEPARTMENT OF DEFENSE HOUS-**
11 **ING.**

12 (a) PROCESS REQUIRED.—Not later than 180 days
13 after the date of the enactment of this Act, the Secretary
14 of Defense, in coordination with the Secretaries of the
15 military departments, shall develop a process to identify,
16 record, and resolve environmental health hazards in hous-
17 ing under the jurisdiction of the Department of Defense
18 (including privatized housing) in a timely manner.

19 (b) ELEMENTS OF PROCESS.—The process developed
20 under subsection (a) shall provide for the following with
21 respect to each identified environmental health hazard:

22 (1) Categorization of the hazard.

23 (2) Identification of health risks posed by the
24 hazard.

1 (3) Identification of the number of housing oc-
2 cupants potentially affected by the hazard.

3 (4) Recording and maintenance of information
4 regarding the hazard.

5 (5) Resolution of the hazard, which shall in-
6 clude—

7 (A) the performance by the Secretary of
8 Defense (or in the case of privatized housing,
9 the landlord) of hazard remediation activities at
10 the affected facility; and

11 (B) follow-up by the Secretary of Defense
12 to collect information on medical care related to
13 the hazard sought or received by individuals af-
14 fected by the hazard.

15 (c) COORDINATION.—The Secretary of Defense shall
16 ensure coordination between military treatment facilities,
17 appropriate public health officials, and housing managers
18 at military installations with respect to the development
19 and implementation of the process required by subsection
20 (a).

21 (d) REPORT.—Not later than 210 days after the date
22 of the enactment of this Act, the Secretary of Defense
23 shall submit to the Committees on Armed Services of the
24 Senate and the House of Representatives a report on the
25 process required by subsection (a).

1 **SEC. 2817. REPORT ON CIVILIAN PERSONNEL SHORTAGES**
2 **FOR APPROPRIATE OVERSIGHT OF MANAGE-**
3 **MENT OF MILITARY HOUSING CONSTRUCTED**
4 **OR ACQUIRED USING ALTERNATIVE AUTHOR-**
5 **ITY FOR ACQUISITION AND IMPROVEMENT**
6 **OF MILITARY HOUSING.**

7 (a) REPORT REQUIRED.—Not later than six months
8 after the date of the enactment of this Act, the Secretary
9 of Defense, in coordination with the Secretaries of the
10 military departments, shall submit to the congressional de-
11 fense committees a report containing the following:

12 (1) An evaluation of the extent to which short-
13 ages in the number of civilian personnel performing
14 oversight functions at Department of Defense hous-
15 ing management offices or assigned to housing-re-
16 lated functions at headquarters levels contribute to
17 problems regarding the management of military
18 housing constructed or acquired using the alter-
19 native authority for the acquisition and improvement
20 of military housing under subchapter IV of chapter
21 169 of title 10, United States Code.

22 (2) Recommendations to address such personnel
23 shortages in order to eliminate management prob-
24 lems regarding such military housing, ensure over-
25 sight of the partner's execution of the housing agree-
26 ment and the delivery of all requirements in accord-

1 ance with implementing guidance provided by the
2 Secretaries of the military departments, improve
3 oversight of and expedite the work-order process,
4 and facilitate a positive experience for members of
5 the Armed Forces and their dependents who reside
6 in military housing.

7 (b) **PERSONNEL RECOMMENDATIONS.**—As part of
8 the recommendations required by subsection (a)(2), the
9 Secretary of Defense shall—

10 (1) determine the number of additional per-
11 sonnel who are required, the installation and head-
12 quarter locations at which they will be employed, the
13 employment positions they will fill, and the duties
14 they will perform;

15 (2) identify the number of additional personnel
16 already hired as of the date on which the report is
17 submitted and their locations and the timeline for
18 employing the remaining required personnel; and

19 (3) estimate the cost of employing the addi-
20 tional personnel.

1 **SEC. 2818. INSPECTOR GENERAL REVIEW OF DEPARTMENT**
2 **OF DEFENSE OVERSIGHT OF PRIVATIZED**
3 **MILITARY HOUSING.**

4 Not later than one year after the date of the enact-
5 ment of this Act, and annually thereafter until 2022, the
6 Inspector General of the Department of Defense shall—

7 (1) conduct a review at not less than 15 ran-
8 domly selected military installations of the oversight
9 by the Secretary of Defense of privatized military
10 housing at such installations; and

11 (2) make publicly available on a website of the
12 Department a summary of the results of such re-
13 view.

14 **SEC. 2819. DEPARTMENT OF DEFENSE INSPECTION AU-**
15 **THORITY REGARDING PRIVATIZED MILITARY**
16 **HOUSING.**

17 (a) INSPECTION AUTHORITY.—Section 2885 of title
18 10, United States Code, is amended by adding at the end
19 the following new subsection:

20 “(g) POST-CONSTRUCTION ACCESS AND INSPECTION
21 AUTHORITY.—

22 “(1) REQUIREMENT.—The Secretary concerned
23 shall retain the authority after the completion of a
24 military housing privatization project to access and
25 inspect any military housing unit, ancillary sup-
26 porting facility, or common area acquired, con-

1 structured, or renovated as part of the project in order
2 to protect the health and safety of members of the
3 armed forces and their dependents who occupy the
4 privatized military housing units.

5 “(2) NOTICE AND RIGHT OF REFUSAL OF AC-
6 CESS AND INSPECTION.—The Secretary concerned
7 shall ensure that the individuals who lease or are as-
8 signed a military housing unit—

9 “(A) are provided not less than 48 hours
10 notice prior to the Secretary concerned access-
11 ing and inspecting the unit as authorized under
12 paragraph (1); and

13 “(B) have the right to refuse the Secretary
14 concerned such access.”.

15 (b) RETROACTIVE APPLICATION OF AMENDMENT.—
16 Subsection (g) of section 2885 of title 10, United States
17 Code, as added by subsection (a), shall apply to each mili-
18 tary housing privatization project completed prior to the
19 date of the enactment of this Act, and to each such project
20 completed on or after such date.

21 **SEC. 2820. IMPROVEMENT OF PRIVATIZED MILITARY HOUS-**
22 **ING.**

23 (a) COMPLAINT DATABASE AND FINANCIAL TRANS-
24 PARENCY.—

1 (1) IN GENERAL.—Subchapter IV of chapter
2 169 of title 10, United States Code, is amended by
3 adding at the end the following new sections:

4 **“§ 2887. Complaint database**

5 “(a) DATABASE REQUIRED.—The Secretary of De-
6 fense shall establish a database that is available to the
7 public of complaints relating to housing units under this
8 subchapter.

9 “(b) FILING OF COMPLAINTS.—The Secretary shall
10 ensure that a tenant of a housing unit under this sub-
11 chapter may file a complaint relating to such housing unit
12 for inclusion in the database under subsection (a).

13 “(c) RESPONSE BY LANDLORD.—(1) The Secretary
14 shall include in any contract with a landlord responsible
15 for a housing unit under this subchapter a requirement
16 that the landlord respond to any complaints included in
17 the database under subsection (a) that relate to the hous-
18 ing unit.

19 “(2) Any response under paragraph (1) shall be in-
20 cluded in the database under subsection (a).

21 **“§ 2888. Financial transparency**

22 “(a) AUDITS OF AGREEMENTS WITH PARTNERS.—
23 (1) Not less frequently than annually, the Comptroller
24 General of the United States, in accordance with best
25 audit practices, shall randomly select one small, medium,

1 and large military installation participating in the Military
2 Privatized Housing Initiative for the purposes of con-
3 ducting a full financial audit of the privatized housing
4 project or projects at each installation. The results of au-
5 dits conducted under this section shall be provided to the
6 Secretary of Defense and the Committees on Armed Serv-
7 ices of the Senate and the House of Representatives.

8 “(2) Audits conducted under paragraph (1) shall in-
9 clude an analysis, at a minimum, of the following:

10 “(A) Base management fees for managing the
11 housing units.

12 “(B) Incentive fees relating to the housing
13 units, including details on the following:

14 “(i) Metrics upon which such incentive fees
15 are paid.

16 “(ii) Whether incentive fees were paid in
17 full or withheld in part or in full during the
18 year covered by the publication, and if so, why.

19 “(C) Asset management fees relating to the
20 housing units.

21 “(D) Preferred return fees relating to the hous-
22 ing units.

23 “(E) Any deferred fees or other fees relating to
24 the housing units.

1 “(F) Residual cash flow distributions relating
2 to the housing units.

3 “(G) Provider’s financial relationship with and
4 use of subsidiaries and third parties to manage/im-
5 plement housing agreements.”.

6 (2) CLERICAL AMENDMENT.—The table of sec-
7 tions at the beginning of subchapter IV of chapter
8 169 of title 10, United States Code, is amended by
9 inserting after the item relating to section 2886 the
10 following new items:

“2887. Complaint database.

“2888. Financial transparency.”.

11 (b) ANNUAL REPORTS ON PRIVATIZED MILITARY
12 HOUSING.—Section 2884 of title 10, United States Code,
13 is amended by adding at the end the following new sub-
14 section:

15 “(d) ANNUAL REPORT ON HOUSING.—(1) Not less
16 frequently than annually, the Secretary of Defense shall
17 submit to the congressional defense committees and pub-
18 lish on a publicly available website of the Department of
19 Defense a report on housing units under this subchapter,
20 disaggregated by military installation.

21 “(2) Each report submitted under paragraph (1)
22 shall include the following:

23 “(A) An assessment of the condition of housing
24 units under this subchapter based on the average

1 age of those units and the estimated time until re-
2 capitalization.

3 “(B) An analysis of complaints of tenants of
4 such housing units.

5 “(C) An assessment of maintenance response
6 times and completion of maintenance requests relat-
7 ing to such housing units.

8 “(D) An assessment of dispute resolution relat-
9 ing to such housing units, which must include an
10 analysis of all denied tenant requests to withhold
11 rent payments, or where the dispute resolution proc-
12 ess resulted in a favorable outcome for the housing
13 provider.

14 “(E) An assessment of overall customer service
15 for tenants of such housing units.

16 “(F) A description of the results of any no-no-
17 tice housing inspections conducted for such housing
18 units.

19 “(G) The results of any resident surveys con-
20 ducted with respect to such housing units.”.

21 **SEC. 2821. INSTALLATION OF CARBON MONOXIDE DETEC-**
22 **TORS IN MILITARY FAMILY HOUSING.**

23 Section 2821 of title 10, United States Code, is
24 amended by adding at the end the following new sub-
25 section:

1 “(e) The Secretary concerned shall provide for the in-
2 stallation and maintenance of an appropriate number of
3 carbon monoxide detectors in each unit of military family
4 housing under the jurisdiction of the Secretary.”.

5 **SEC. 2822. LEAD-BASED PAINT TESTING AND REPORTING.**

6 (a) ESTABLISHMENT OF DEPARTMENT OF DEFENSE
7 POLICY ON LEAD TESTING ON MILITARY INSTALLA-
8 TIONS.—

9 (1) IN GENERAL.—Not later than February 1,
10 2020, the Secretary of Defense shall establish a pol-
11 icy under which—

12 (A) a qualified individual may access a
13 military installation for the purpose of con-
14 ducting lead testing on the installation, subject
15 to the approval of the Secretary; and

16 (B) the results of any lead testing con-
17 ducted on a military installation shall be trans-
18 mitted—

19 (i) in the case of a military installa-
20 tion located inside the United States, to—

21 (I) the civil engineer of the in-
22 stallation;

23 (II) the housing management of-
24 fice of the installation;

1 (III) the public health organiza-
2 tion on the installation;

3 (IV) the major subordinate com-
4 mand of the Armed Force with juris-
5 diction over the installation; and

6 (V) if required by law, any rel-
7 evant Federal, State, and local agen-
8 cies; and

9 (ii) in the case of a military installa-
10 tion located outside the United States, to
11 the civil engineer or commander of the in-
12 stallation who shall transmit those results
13 to the major subordinate command of the
14 Armed Force with jurisdiction over the in-
15 stallation.

16 (2) DEFINITIONS.—In this subsection:

17 (A) UNITED STATES.—The term “United
18 States” has the meaning given such term in
19 section 101(a)(1) of title 10, United States
20 Code.

21 (B) QUALIFIED INDIVIDUAL.—The term
22 “qualified individual” means an individual who
23 is certified by the Environmental Protection
24 Agency or by a State as—

25 (i) a lead-based paint inspector; or

1 (ii) a lead-based paint risk assessor.

2 (b) ANNUAL REPORTING ON LEAD-BASED PAINT IN
3 MILITARY HOUSING.—

4 (1) IN GENERAL.—Subchapter III of chapter
5 169 of title 10, United States Code, is amended by
6 adding at the end the following new section:

7 **“SEC. 2869a. ANNUAL REPORTING ON LEAD-BASED PAINT**
8 **IN MILITARY HOUSING.**

9 “(a) ANNUAL REPORTS.—

10 “(1) IN GENERAL.—Not later than February 1
11 of each year, the Secretary of Defense shall submit
12 to the congressional defense committees a report
13 that sets forth, with respect to military housing
14 under the jurisdiction of each Secretary of a military
15 department for the calendar year preceding the year
16 in which the report is submitted, the following:

17 “(A) A certification that indicates whether
18 the military housing under the jurisdiction of
19 the Secretary concerned is in compliance with
20 the requirements respecting lead-based paint,
21 lead-based paint activities, and lead-based paint
22 hazards described in section 408 of the Toxic
23 Substances Control Act (15 U.S.C. 2688).

24 “(B) A detailed summary of the data,
25 disaggregated by military department, used in

1 making the certification under subparagraph
2 (A).

3 “(C) The total number of military housing
4 units under the jurisdiction of the Secretary
5 concerned that were inspected for lead-based
6 paint in accordance with the requirements de-
7 scribed in subparagraph (A).

8 “(D) The total number of military housing
9 units under the jurisdiction of the Secretary
10 concerned that were not inspected for lead-
11 based paint.

12 “(E) The total number of military housing
13 units that were found to contain lead-based
14 paint in the course of the inspections described
15 in subparagraph (C).

16 “(F) A description of any abatement ef-
17 forts with respect to lead-based paint conducted
18 regarding the military housing units described
19 in subparagraph (E).

20 “(2) PUBLICATION.—The Secretary of Defense
21 shall publish each report submitted under paragraph
22 (1) on a publicly available website of the Depart-
23 ment of Defense.

24 “(b) MILITARY HOUSING DEFINED.—In this section,
25 the term ‘military housing’ includes military family hous-

1 ing and military unaccompanied housing (as such term is
2 defined in section 2871 of this title).”.

3 (2) CLERICAL AMENDMENT.—The table of sec-
4 tions at the beginning of such subchapter is amend-
5 ed by adding at the end the following new item:

“2869a. Annual reporting on lead-based paint in military housing”.

6 **SEC. 2823. PILOT PROGRAM TO BUILD AND MONITOR USE**
7 **OF SINGLE FAMILY HOMES.**

8 (a) IN GENERAL.—The Secretary of the Army shall
9 carry out a pilot program to build and monitor the use
10 of not fewer than 5 single family homes for members of
11 the Army and their families.

12 (b) LOCATION.—The Secretary of the Army shall
13 carry out the pilot program at no less than two installa-
14 tions of the Army located in different climate regions of
15 the United States as determined by the Secretary.

16 (c) DESIGN.—In building homes under the pilot pro-
17 gram, the Secretary of the Army shall use the All-Amer-
18 ican Abode design from the suburban single-family divi-
19 sion design by the United States Military Academy.

20 (d) FUNDING INCREASE.—Notwithstanding the
21 amounts set forth in the funding tables in division D, the
22 amount authorized to be appropriated in section 2103 for
23 Army military construction, as specified in the cor-
24 responding funding table in section 4601, for Military
25 Construction, FH Con Army Family Housing P&D, is

1 hereby increased by \$5,000,000, with the amount of such
2 increase to be made available to carry out the pilot pro-
3 gram.

4 (e) OFFSET.—Notwithstanding the amounts set forth
5 in the funding tables in division D, the amount authorized
6 to be appropriated in section 201 for research, develop-
7 ment, test, and evaluation, as specified in the cor-
8 responding funding table in section 4201, for Air Force,
9 Line 088, Program Element 0604933F, ICBM FUZE
10 MODERNIZATION, is hereby reduced by \$5,000,000.

11 **SEC. 2824. INVESTIGATION OF REPORTS OF REPRISALS RE-**
12 **LATING TO PRIVATIZED MILITARY HOUSING**
13 **AND TREATMENT AS MATERIAL BREACH.**

14 Section 2885 of title 10, United States Code, is
15 amended by inserting after subsection (g), as added by
16 section 2819, the following new subsection:

17 “(h) INVESTIGATION OF REPORTS OF REPRISALS;
18 TREATMENT AS MATERIAL BREACH.—(1) The Assistant
19 Secretary of Defense for Sustainment shall investigate all
20 reports of reprisal against a member of the armed forces
21 for reporting an issue relating to a housing unit under
22 this subchapter.

23 “(2) If the Assistant Secretary of Defense for
24 Sustainment determines under paragraph (1) that a land-
25 lord has retaliated against a member of the armed forces

1 for reporting an issue relating to a housing unit under
2 this subchapter, the Assistant Secretary shall—

3 “(A) provide initial notice to the Committees on
4 Armed Services of the Senate and the House of Rep-
5 resentatives as soon as practicable; and

6 “(B) following the initial notice under subpara-
7 graph (A), provide an update to such committees
8 every 30 days thereafter until such time as the As-
9 sistant Secretary has taken final action with respect
10 to the retaliation.

11 “(3) The Assistant Secretary of Defense for
12 Sustainment shall carry out this subsection in coordina-
13 tion with the Secretary of the military department con-
14 cerned.”.

15 **Subtitle C—Real Property and**
16 **Facilities Administration**

17 **SEC. 2831. IMPROVED ENERGY SECURITY FOR MAIN OPER-**
18 **ATING BASES IN EUROPE.**

19 (a) PROHIBITION ON USE OF CERTAIN ENERGY
20 SOURCE.—The Secretary of Defense shall ensure that
21 each contract for the acquisition of furnished energy for
22 a covered military installation in Europe does not use any
23 energy sourced from inside the Russian Federation as a
24 means of generating the furnished energy for the covered
25 military installation.

1 (b) WAIVER FOR NATIONAL SECURITY INTERESTS.—

2 (1) WAIVER AUTHORITY; CERTIFICATION.—The
3 Secretary of Defense may waive application of sub-
4 section (a) to a specific contract for the acquisition
5 of furnished energy for a covered military installa-
6 tion if the Secretary certifies to the congressional
7 defense committees that—

8 (A) the waiver of such subsection is nec-
9 essary to ensure an adequate supply of fur-
10 nished energy for the covered military installa-
11 tion; and

12 (B) the Secretary has balanced these na-
13 tional security requirements against the poten-
14 tial risk associated with reliance upon the Rus-
15 sian Federation for furnished energy.

16 (2) SUBMISSION OF WAIVER NOTICE.—Not
17 later than 14 days before the execution of any en-
18 ergy contract for which a waiver is granted under
19 paragraph (1), the Secretary of Defense shall submit
20 to the congressional defense committees notice of the
21 waiver. The waiver notice shall include the following:

22 (A) The rationale for the waiver, including
23 the basis for the certifications required by sub-
24 paragraphs (A) and (B) of paragraph (1).

1 (B) An assessment of how the waiver may
2 impact the European energy resiliency strategy.

3 (C) An explanation of the measures the
4 Department of Defense is taking to mitigate
5 the risk of using Russian Federation furnished
6 energy.

7 (c) DEFINITIONS.—In this section:

8 (1) The term “covered military installation”
9 means a military installation in Europe identified by
10 the Department of Defense as a main operating
11 base.

12 (2) The term “furnished energy” means energy
13 furnished to a covered military installation in any
14 form and for any purpose, including heating, cool-
15 ing, and electricity.

16 (d) CONFORMING REPEAL.—Section 2811 of the
17 Military Construction Authorization Act for Fiscal Year
18 2019 (division B of Public Law 115–232; 132 Stat. 2266)
19 is repealed.

20 **SEC. 2832. ACCESS TO DEPARTMENT OF DEFENSE FACILI-**
21 **TIES FOR CREDENTIALLED TRANSPORTATION**
22 **WORKERS.**

23 Section 1050 of the National Defense Authorization
24 Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C.
25 113 note) is amended—

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

3 “(a) ACCESS TO FACILITIES FOR CREDENTIALLED
4 TRANSPORTATION WORKERS.—The Secretary of Defense,
5 to the extent practicable—

6 “(1) shall ensure that the Transportation
7 Worker Identification Credential is accepted as a
8 valid credential for unescorted access to a work site
9 at a maritime terminal of the Department of De-
10 fense; and

11 “(2) may provide that the Transportation
12 Worker Identification Credential be accepted as a
13 valid credential for unescorted access to Department
14 of Defense facilities other than those specified in
15 paragraph (1).”; and

16 (2) in the section heading, by striking “**IN-**
17 **STALLATIONS**” and inserting “**FACILITIES**”.

18 **SEC. 2833. REPORT ON ENCROACHMENT CHALLENGES ON**
19 **MILITARY INSTALLATIONS POSED BY NON-**
20 **MILITARY AIRCRAFT.**

21 (a) REPORT REQUIRED.—Not later than 180 days
22 after the date of the enactment of this Act, the Assistant
23 Secretary of Defense for Sustainment shall submit to the
24 congressional defense committees a report describing—

1 (1) the encroachment challenges and security
2 risks posed by non-military aircraft overflying mili-
3 tary installations inside the United States, to include
4 operational impacts, installation and personnel secu-
5 rity, and intelligence concerns, and

6 (2) practicable strategies and recommendations
7 for mitigation of any such challenges and risks, to
8 include—

9 (A) increased military regulatory authority;
10 and

11 (B) distinctions, if any, among govern-
12 ment/first responder, commercial, civil and rec-
13 reational aviation.

14 (b) EXCLUSION OF DRONE AIRCRAFT.—In this sec-
15 tion, the term “aircraft” does not include unmanned aerial
16 vehicles known as drones, whether used for military or
17 non-military purposes, except that the Assistant Secretary
18 of Defense for Sustainment may make reference in the
19 report required by subsection (a) to the use of such un-
20 manned aerial vehicles if the Secretary considers reference
21 to such use relevant to the subject of the report.

1 **SEC. 2834. REPORT ON CAPACITY OF DEPARTMENT OF DE-**
2 **FENSE TO PROVIDE SURVIVORS OF NATURAL**
3 **DISASTERS WITH EMERGENCY SHORT-TERM**
4 **HOUSING.**

5 Not later than 220 days after the date of the enact-
6 ment of this Act, the Secretary of Defense shall submit
7 to the congressional defense committees a report analyzing
8 the capacity of the Department of Defense to provide sur-
9 vivors of natural disasters with emergency short-term
10 housing.

11 **SEC. 2835. IMPROVED RECORDING AND MAINTAINING OF**
12 **DEPARTMENT OF DEFENSE REAL PROPERTY**
13 **DATA.**

14 (a) INITIAL REPORT.—Not later than 150 days after
15 the date of the enactment of this Act, the Undersecretary
16 of Defense for Acquisition and Sustainment shall submit
17 to Congress a report evaluating service-level best practices
18 for recording and maintaining real property data.

19 (b) ISSUANCE OF GUIDANCE.—Not later than 300
20 days after the date of the enactment of this Act, the Un-
21 dersecretary of Defense for Acquisition and Sustainment
22 shall issue service-wide guidance on the recording and col-
23 lection of real property data based on the best practices
24 described in the report.

1 **SEC. 2836. CONTINUED DEPARTMENT OF DEFENSE USE OF**
2 **HEATING, VENTILATION, AND AIR CONDI-**
3 **TIONING SYSTEMS UTILIZING VARIABLE RE-**
4 **FRIGERANT FLOW.**

5 Notwithstanding any provision of law to the contrary,
6 the Department of Defense may continue to consider and
7 select heating, ventilation, and air conditioning systems
8 that utilize variable refrigerant flow as an option for use
9 in Department of Defense facilities.

10 **SEC. 2837. REPORT ON DEPARTMENT OF DEFENSE USE OF**
11 **INTERGOVERNMENTAL SUPPORT AGREE-**
12 **MENTS.**

13 (a) **PLAN REQUIRED.**—Not later than July 31, 2020,
14 the Secretary of Defense shall submit to the Committees
15 on Armed Service of the Senate and the House of Rep-
16 resentatives a report containing a plan to improve the col-
17 lection and monitoring of information regarding the con-
18 sideration and use of intergovernmental support agree-
19 ments, as authorized by section 2679 of title 10, United
20 States Code, including information regarding the financial
21 and nonfinancial benefits derived from the use of such
22 agreements.

23 (b) **ADDITIONAL PLAN ELEMENTS.**—The plan re-
24 quired by subsection (a) also shall include the following:

25 (1) A timeline for implementation of the plan.

1 (2) A education and outreach component for in-
2 stallation commanders to improve understanding of
3 the benefits of intergovernmental support agree-
4 ments and to encourage greater use of such agree-
5 ments.

6 (3) Proposals to standardize across all military
7 departments the approval process for intergovern-
8 mental support agreements.

9 (4) Proposals to achieve efficiencies in intergov-
10 ernmental support agreements based on inherent
11 intergovernmental trust.

12 (5) Proposals for the development of criteria to
13 evaluate the effectiveness of intergovernmental sup-
14 port agreements separate from Federal Acquisition
15 Regulations.

16 **Subtitle D—Land Conveyances**

17 **SEC. 2841. LAND CONVEYANCE, HILL AIR FORCE BASE,** 18 **UTAH.**

19 (a) CONVEYANCE AUTHORIZED.—The Secretary of
20 the Air Force may convey, without consideration, to the
21 State of Utah or a designee of the State of Utah (in this
22 section referred to as the “State”) all right, title, and in-
23 terest of the United States in and to a parcel of real prop-
24 erty, including improvements thereon, consisting of ap-
25 proximately 35 acres located at Hill Air Force Base (com-

1 monly known as the Defense Nontactical Generator and
2 Rail Center), and such real property adjacent to the Cen-
3 ter as the parties consider to be appropriate, for the pur-
4 pose of permitting the State to construct a new inter-
5 change for Interstate 15.

6 (b) CONDITION OF CONVEYANCE.—As a condition on
7 the conveyance authorized by subsection (a), the State
8 shall agree to the following:

9 (1) That, not later than two years after the
10 date of the conveyance of the property under such
11 subsection, the State, at no cost to the United
12 States, shall—

13 (A) demolish all improvements, and infra-
14 structure associated with the improvements, in
15 existence on the property as of the date of the
16 conveyance; and

17 (B) subject to subsection (c), complete all
18 environmental cleanup and remediation activi-
19 ties as may be required for the planned redevel-
20 opment and use of the property.

21 (2) That, as part of the construction of the new
22 Interstate 15 interchange referred to in subsection
23 (a), the State, at no cost to the United States, shall
24 construct on the property a new gate for Hill Air
25 Force Base in compliance with such construction, se-

1 curity, and other requirements as the Secretary of
2 the Air Force considers to be necessary.

3 (3) That the State shall coordinate any demoli-
4 tion, cleanup, remediation, design, redevelopment,
5 and construction activities performed pursuant to
6 the conveyance of property under subsection (a) with
7 the Secretary and the Utah Department of Trans-
8 portation.

9 (c) ENVIRONMENTAL OBLIGATIONS.—The State
10 shall not have any obligation in relation to any environ-
11 mental conditions on the property to be conveyed under
12 subsection (a) unless—

13 (1) the conditions were in existence and known
14 before the date of the conveyance of the property;
15 and

16 (2) the State agrees to address the conditions
17 under subsection (b)(1)(B).

18 (d) PAYMENT OF COSTS OF CONVEYANCE.—

19 (1) PAYMENT REQUIRED.—The Secretary of
20 the Air Force shall require the State to cover costs
21 to be incurred by the Secretary, or to reimburse the
22 Secretary for such costs incurred, to carry out the
23 conveyance under subsection (a), including survey
24 costs, costs for environmental documentation, and
25 other administrative costs related to the conveyance.

1 If amounts collected are in advance of the Secretary
2 incurring actual costs, and the amount collected ex-
3 ceeds the costs actually incurred by the Secretary to
4 carry out the conveyance, the Secretary shall refund
5 the excess amount.

6 (2) TREATMENT OF AMOUNTS RECEIVED.—
7 Amounts received under paragraph (1) as reim-
8 bursement for costs incurred by the Secretary to
9 carry out the conveyance under subsection (a) shall
10 be credited to the fund or account that was used to
11 cover the costs incurred by the Secretary in carrying
12 out the conveyance, or to an appropriate fund or ac-
13 count currently available to the Secretary for the
14 purposes for which the costs were paid. Amounts so
15 credited shall be merged with amounts in such fund
16 or account and shall be available for the same pur-
17 poses, and subject to the same conditions and limita-
18 tions, as amounts in such fund or account.

19 (e) DESCRIPTION OF PROPERTY.—The exact acreage
20 and legal description of the property to be conveyed under
21 subsection (a) shall be determined by a survey satisfactory
22 to the Secretary of the Air Force.

23 (f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-
24 retary of the Air Force may require such additional terms
25 and conditions in connection with the conveyance under

1 subsection (a) as the Secretary considers appropriate to
2 protect the interests of the United States.

3 **SEC. 2842. RELEASE OF CONDITIONS AND REVERSIONARY**
4 **INTEREST, CAMP JOSEPH T. ROBINSON, AR-**
5 **KANSAS.**

6 (a) RELEASE OF CONDITIONS AND RETAINED INTER-
7 ESTS.—With respect to a parcel of real property at Camp
8 Joseph T. Robinson, Arkansas, consisting of approxi-
9 mately 141.52 acres and conveyed by the United States
10 to the State of Arkansas pursuant to the Act entitled “An
11 Act authorizing the transfer of part of Camp Joseph T.
12 Robinson to the State of Arkansas”, approved June 30,
13 1950 (64 Stat. 311, chapter 429), the Secretary of the
14 Army may release, without consideration, the terms and
15 conditions imposed by the United States and the rever-
16 sionary interest retained by the United States under sec-
17 tion 2 of such Act and the right to reenter and use the
18 property retained by the United States under section 3
19 of such Act.

20 (b) CONDITION OF RELEASE.—As a condition of the
21 release of terms and conditions and retained interests
22 under subsection (a) and subject to subsection (c), the
23 State of Arkansas shall agree to convey, without consider-
24 ation, the parcel of real property described in subsection
25 (a) to the Arkansas Department of Veterans Affairs for

1 the purpose of expanding the Arkansas State Veterans
2 Cemetery in North Little Rock, Arkansas.

3 (c) NEW REVERSIONARY INTEREST.—The convey-
4 ance required by subsection (b) of the real property de-
5 scribed in subsection (a) shall include a reversionary inter-
6 est to protect the interests of the United States. Under
7 the terms of such reversionary interest, if the Secretary
8 of the Army determines at any time that the real property
9 conveyed pursuant to subsection (b) is not being used in
10 accordance with the purpose of the conveyance specified
11 in such subsection, all right, title, and interest in and to
12 the real property, including any improvements thereto,
13 shall, at the option of the Secretary, revert to and become
14 the property of the United States, and the United States
15 shall have the right of immediate entry onto the real prop-
16 erty. A determination by the Secretary under this sub-
17 section shall be made on the record after an opportunity
18 for a hearing.

19 (d) INSTRUMENT OF RELEASE AND DESCRIPTION OF
20 PROPERTY.—The Secretary of the Army may execute and
21 file in the appropriate office a deed of release, amended
22 deed, or other appropriate instrument reflecting the re-
23 lease of terms and conditions and retained interests under
24 subsection (a). The exact acreage and legal description of

1 the property described in this section shall be determined
2 by a survey satisfactory to the Secretary of the Army.

3 (e) PAYMENT OF ADMINISTRATIVE COSTS.—

4 (1) PAYMENT REQUIRED.—The Secretary of
5 the Army may require the State of Arkansas to
6 cover costs to be incurred by the Secretary, or to re-
7 imburse the Secretary for costs incurred by the Sec-
8 retary, to carry out the release of terms and condi-
9 tions and retained interests under subsection (a), in-
10 cluding survey costs, costs related to environmental
11 documentation, and other administrative costs re-
12 lated to the release. If amounts paid to the Sec-
13 retary in advance exceed the costs actually incurred
14 by the Secretary to carry out the release, the Sec-
15 retary shall refund the excess amount to the State.

16 (2) TREATMENT OF AMOUNTS RECEIVED.—
17 Amounts received under subsection (a) as reimburse-
18 ment for costs incurred by the Secretary to carry
19 out the release of terms and conditions and retained
20 interests under subsection (a) shall be credited to
21 the fund or account that was used to cover the costs
22 incurred by the Secretary in carrying out the re-
23 lease. Amounts so credited shall be merged with
24 amounts in such fund or account and shall be avail-
25 able for the same purposes, and subject to the same

1 conditions and limitations, as amounts in such fund
2 or account.

3 (f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-
4 retary of the Army may require such additional terms and
5 conditions in connection with the release of terms and con-
6 ditions and retained interests under subsection (a) as the
7 Secretary considers appropriate to protect the interests of
8 the United States.

9 **SEC. 2843. MODIFICATION OF AUTHORIZED USES OF CER-**
10 **TAIN PROPERTY CONVEYED BY THE UNITED**
11 **STATES IN LOS ANGELES, CALIFORNIA.**

12 (a) IN GENERAL.—Section 2 of Public Law 85–236
13 (71 Stat. 517) is amended in the first sentence by insert-
14 ing after “for other military purposes” the following: “and
15 for purposes of meeting the needs of the homeless (as that
16 term is defined in section 103 of the McKinney-Vento
17 Homeless Assistance Act (42 U.S.C. 11302))”.

18 (b) MODIFICATION OF USE.—

19 (1) APPLICATION.—The State of California
20 shall submit to the Administrator of General Serv-
21 ices an application for use of the property conveyed
22 by section 2 of Public Law 85–236 for purposes of
23 meeting the needs of the homeless in accordance
24 with the amendment made by subsection (a).

1 (2) REVIEW OF APPLICATION.—Not later than
2 60 days after the date of receipt of an application
3 pursuant to paragraph (1), the Administrator and
4 the Secretary of Health and Human Services shall
5 jointly determine whether the use of the property de-
6 scribed in the application is a use for purposes of
7 meeting the needs of the homeless.

8 (3) MODIFICATION OF INSTRUMENT OF CON-
9 VEYANCE.—If the Administrator and the Secretary
10 jointly determine that the use of the property de-
11 scribed in the application is for purposes of meeting
12 the needs of the homeless, the Administrator shall
13 execute and record in the appropriate office an in-
14 strument of modification of the deed of conveyance
15 executed pursuant to Public Law 85–236 in order to
16 authorize such use of the property. The instrument
17 shall include such additional terms and conditions as
18 the Administrator considers appropriate to protect
19 the interests of the United States.

20 (4) COMPATIBILITY WITH MILITARY PUR-
21 POSES.—Before executing any instrument of modi-
22 fication of the deed of conveyance, the Administrator
23 and the Secretary shall request a review by the Chief
24 of the National Guard Bureau, in consultation with
25 the Secretary of the Army, to ensure that any modi-

1 fication of the use of the property described in the
2 application is compatible with the training of mem-
3 bers of the National Guard and other military pur-
4 poses.

5 **Subtitle E—Military Land** 6 **Withdrawals**

7 **SEC. 2851. PUBLIC NOTICE REGARDING UPCOMING PERI-** 8 **ODS OF SECRETARY OF THE NAVY MANAGE-** 9 **MENT OF SHARED USE AREA OF THE JOHN-** 10 **SON VALLEY OFF-HIGHWAY VEHICLE RECRE-** 11 **ATION AREA.**

12 (a) PUBLIC NOTICE REQUIRED.—Section 2942(b)(2)
13 of the Military Land Withdrawals Act of 2013 (title XXIX
14 of Public Law 113–66; 127 Stat. 1036) is amended by
15 adding at the end the following new subparagraph:

16 “(D) PUBLIC NOTICE.—Not later than one
17 year before the date on which a 30-day period
18 of Secretary of the Navy management of the
19 Shared Use Area will start, the Secretary of the
20 Navy, acting through the Resource Manage-
21 ment Group established pursuant to section
22 2944, shall notify the public of the start date
23 and the intention of the Armed Forces to use
24 the Shared Use Area for military training pur-
25 poses. The Secretary of the Navy, upon notice

1 to the Secretary of the Interior, may waive such
2 public notice in the event of an emergent mili-
3 tary training requirement.”.

4 (b) APPLICATION OF AMENDMENT.—Subparagraph
5 (D) of section 2942(b)(2) of the Military Land With-
6 draws Act of 2013 (title XXIX of Public Law 113–66;
7 127 Stat. 1036), as added by subsection (a), shall apply
8 to periods of Secretary of the Navy management of the
9 Shared Use Area of the Johnson Valley Off-Highway Ve-
10 hicle Recreation Area under such section that start on or
11 after January 1, 2021.

12 **Subtitle F—White Sands National**
13 **Park and White Sands Missile**
14 **Range**

15 **SEC. 2861. SHORT TITLE.**

16 This subtitle may be cited as the “White Sands Na-
17 tional Park Establishment Act”.

18 **SEC. 2862. DEFINITIONS.**

19 In this subtitle:

20 (1) MAP.—The term “Map” means the map en-
21 titled “White Sands National Park Proposed Bound-
22 ary Revision & Transfer of Lands Between National
23 Park Service & Department of the Army”, numbered
24 142/136,271, and dated February 14, 2017.

1 (2) MILITARY MUNITIONS.—The term “military
2 munitions” has the meaning given the term in sec-
3 tion 101(e) of title 10, United States Code.

4 (3) MISSILE RANGE.—The term “Missile
5 Range” means the White Sands Missile Range, New
6 Mexico, administered by the Secretary of the Army.

7 (4) MONUMENT.—The term “Monument”
8 means the White Sands National Monument, New
9 Mexico, established by Presidential Proclamation
10 No. 2025 (54 U.S.C. 320301 note), dated January
11 18, 1933, and administered by the Secretary of the
12 Interior.

13 (5) MUNITIONS DEBRIS.—The term “munitions
14 debris” has the meaning given the term in volume
15 8 of the Department of Defense Manual Number
16 6055.09–M entitled “DoD Ammunitions and Explo-
17 sives Safety Standards” and dated February 29,
18 2008 (as in effect on the date of enactment of this
19 Act).

20 (6) NATIONAL PARK.—The term “National
21 Park” means the White Sands National Park estab-
22 lished by this subtitle.

23 (7) PUBLIC LAND ORDER.—The term “Public
24 Land Order” means Public Land Order 833, dated
25 May 21, 1952 (17 Fed. Reg. 4822).

1 **SEC. 2863. FINDINGS.**

2 Congress finds the following:

3 (1) White Sands National Monument was es-
4 tablished on January 18, 1933, by President Her-
5 bert Hoover pursuant to the Antiquities Act of 1906
6 (now chapter 3203 of title 54, United States Code).

7 (2) President Hoover proclaimed that the
8 Monument was established “for the preservation of
9 the white sands and additional features of scenic,
10 scientific, and educational interest”.

11 (3) The Monument was expanded by Presidents
12 Roosevelt, Eisenhower, Carter, and Clinton in 1934,
13 1942, 1953, 1978, and 1996, respectively.

14 (4) The Monument contains a substantially
15 more diverse set of nationally significant historical,
16 archaeological, scientific, and natural resources than
17 were known of at the time the Monument was estab-
18 lished, including a number of recent discoveries.

19 (5) The Monument is recognized as a major
20 unit of the National Park System with extraordinary
21 values enjoyed by more visitors each year since 1995
22 than any other unit in the State of New Mexico.

23 (6) The Monument contributes significantly to
24 the local economy by attracting tourists.

25 (7) Designation of the Monument as a national
26 park would increase public recognition of the diverse

1 array of nationally significant resources at the
2 Monument and visitation to the unit.

3 **SEC. 2864. ESTABLISHMENT OF WHITE SANDS NATIONAL**
4 **PARK IN THE STATE OF NEW MEXICO.**

5 (a) ESTABLISHMENT.—To protect, preserve, and re-
6 store its scenic, scientific, educational, natural, geological,
7 historical, cultural, archaeological, paleontological,
8 hydrological, fish, wildlife, and recreational values and to
9 enhance visitor experiences, there is established the White
10 Sands National Park as a unit of the National Park Sys-
11 tem.

12 (b) ABOLISHMENT OF WHITE SANDS NATIONAL
13 MONUMENT.—

14 (1) ABOLISHMENT.—Due to the establishment
15 of the National Park, the Monument is abolished.

16 (2) INCORPORATION.—The land and interests
17 in land that comprise the Monument are incor-
18 porated in, and shall be considered to be part of, the
19 National Park.

20 (c) REFERENCES.—Any reference in a law, map, reg-
21 ulation, document, paper, or other record of the United
22 States to White Sands National Monument shall be con-
23 sidered to be a reference to White Sands National Park.

24 (d) AVAILABILITY OF FUNDS.—Any funds available
25 for the Monument shall be available for the National Park.

1 (e) ADMINISTRATION.—The Secretary of the Interior
2 shall administer the National Park in accordance with—

3 (1) this subtitle; and

4 (2) the laws generally applicable to units of the
5 National Park System, including section 100101(a),
6 chapter 1003, sections 100751(a), 100752, 100753,
7 and 102101, and chapter 3201 of title 54, United
8 States Code.

9 (f) EFFECT.—Nothing in this section affects—

10 (1) valid existing rights (including water
11 rights);

12 (2) permits or contracts issued by the Monu-
13 ment;

14 (3) existing agreements, including agreements
15 with the Department of Defense;

16 (4) the jurisdiction of the Department of De-
17 fense regarding the restricted airspace above the Na-
18 tional Park; or

19 (5) the airshed classification of the National
20 Park under the Clean Air Act (42 U.S.C. 7401 et
21 seq.).

1 **SEC. 2865. TRANSFERS OF ADMINISTRATIVE JURISDICTION**
2 **RELATED TO THE NATIONAL PARK AND**
3 **WHITE SANDS MISSILE RANGE.**

4 (a) TRANSFER OF ADMINISTRATIVE JURISDICTION
5 TO THE SECRETARY OF THE INTERIOR.—

6 (1) IN GENERAL.—Administrative jurisdiction
7 over the land described in paragraph (2) is trans-
8 ferred from the Secretary of the Army to the Sec-
9 retary of the Interior.

10 (2) DESCRIPTION OF LAND.—The land referred
11 to in paragraph (1) consists of the following:

12 (A) The approximately 2,826 acres of land
13 identified as “To NPS, lands inside current
14 boundary” on the Map.

15 (B) The approximately 5,766 acres of land
16 identified as “To NPS, new additions” on the
17 Map.

18 (b) TRANSFER OF ADMINISTRATIVE JURISDICTION
19 TO THE SECRETARY OF THE ARMY.—

20 (1) IN GENERAL.—Administrative jurisdiction
21 over the land described in paragraph (2) is trans-
22 ferred from the Secretary of the Interior to the Sec-
23 retary of the Army.

24 (2) DESCRIPTION OF LAND.—The land referred
25 to in paragraph (1) consists of the approximately

1 3,737 acres of land identified as “To DOA” on the
2 Map.

3 (c) ADMINISTRATION.—

4 (1) NATIONAL PARK.—The Secretary of the In-
5 terior shall administer the land transferred under
6 subsection (a) in accordance with laws (including
7 regulations) applicable to the National Park.

8 (2) MISSILE RANGE.—Subject to subsection (d),
9 the Secretary of the Army shall administer the land
10 transferred to the Secretary of the Army under sub-
11 section (b) as part of the Missile Range.

12 (d) INFRASTRUCTURE; RESOURCE MANAGEMENT.—

13 (1) RANGE ROAD 7.—

14 (A) INFRASTRUCTURE MANAGEMENT.—To
15 the maximum extent practicable, in planning,
16 constructing, and managing infrastructure on
17 the land described in subparagraph (C), the
18 Secretary of the Army shall apply low-impact
19 development techniques and strategies to pre-
20 vent impacts within the Missile Range and the
21 National Park from stormwater runoff from the
22 land described in that subparagraph.

23 (B) RESOURCE MANAGEMENT.—The Sec-
24 retary of the Army shall—

1 (i) manage the land described in sub-
2 paragraph (C) in a manner consistent with
3 the protection of natural and cultural re-
4 sources within the Missile Range and the
5 National Park and in accordance with sec-
6 tion 101(a)(1)(B) of the Sikes Act (16
7 U.S.C. 670a(a)(1)(B)), division A of sub-
8 title III of title 54, United States Code,
9 and the Native American Graves Protec-
10 tion and Repatriation Act (25 U.S.C. 3001
11 et seq.); and

12 (ii) include the land described in sub-
13 paragraph (C) in the integrated natural
14 and cultural resource management plan for
15 the Missile Range.

16 (C) DESCRIPTION OF LAND.—The land re-
17 ferred to in subparagraphs (A) and (B) is the
18 land that is transferred to the administrative
19 jurisdiction of the Secretary of the Army under
20 subsection (b) and located in the area east of
21 Range Road 7 in—

22 (i) T. 17 S., R. 5 E., sec. 31;

23 (ii) T. 18 S., R. 5 E.; and

24 (iii) T. 19 S., R. 5 E., sec. 5.

25 (2) FENCE.—

1 (A) IN GENERAL.—The Secretary of the
2 Army shall continue to allow the Secretary of
3 the Interior to maintain the fence shown on the
4 Map until such time as the Secretary of the In-
5 terior determines that the fence is unnecessary
6 for the management of the National Park.

7 (B) REMOVAL.—If the Secretary of the In-
8 terior determines that the fence is unnecessary
9 for the management of the National Park under
10 subparagraph (A), the Secretary of the Interior
11 shall promptly remove the fence at the expense
12 of the Department of the Interior.

13 (e) RESEARCH.—The Secretary of the Army and the
14 Secretary of the Interior may enter into an agreement to
15 allow the Secretary of the Interior to conduct certain re-
16 search in the area identified as “Cooperative Use Research
17 Area” on the Map.

18 (f) MILITARY MUNITIONS AND MUNITIONS DE-
19 BRIS.—

20 (1) RESPONSE ACTION.—With respect to any
21 Federal liability, the Secretary of the Army shall re-
22 main responsible for any response action addressing
23 military munitions or munitions debris on the land
24 transferred under subsection (a) to the same extent

1 as on the day before the date of enactment of this
2 Act.

3 (2) INVESTIGATION OF MILITARY MUNITIONS
4 AND MUNITIONS DEBRIS.—

5 (A) IN GENERAL.—The Secretary of the
6 Interior may request that the Secretary of the
7 Army conduct one or more investigations of
8 military munitions or munitions debris on any
9 land transferred under subsection (a).

10 (B) ACCESS.—The Secretary of the Inte-
11 rior shall give access to the Secretary of the
12 Army to the land covered by a request under
13 subparagraph (A) for the purposes of con-
14 ducting an investigation under that subpara-
15 graph.

16 (C) LIMITATION.—An investigation con-
17 ducted under this paragraph shall be subject to
18 available appropriations.

19 (3) APPLICABLE LAW.—Any activities under-
20 taken under this subsection shall be carried out in
21 accordance with—

22 (A) the Comprehensive Environmental Re-
23 sponse, Compensation, and Liability Act of
24 1980 (42 U.S.C. 9601 et seq.);

1 (B) the purposes for which the National
2 Park was established; and

3 (C) any other applicable law.

4 **SEC. 2866. BOUNDARY MODIFICATIONS RELATED TO THE**
5 **NATIONAL PARK AND MISSILE RANGE.**

6 (a) NATIONAL PARK.—

7 (1) IN GENERAL.—The boundary of the Na-
8 tional Park is revised to reflect the boundary de-
9 picted on the Map.

10 (2) MAP.—

11 (A) IN GENERAL.—The Secretary of the
12 Interior, in coordination with the Secretary of
13 the Army, shall prepare and keep on file for
14 public inspection in the appropriate office of the
15 Secretary of the Interior a map and a legal de-
16 scription of the revised boundary of the Na-
17 tional Park.

18 (B) EFFECT.—The map and legal descrip-
19 tion under subparagraph (A) shall have the
20 same force and effect as if included in this Act,
21 except that the Secretary of the Interior may
22 correct clerical and typographical errors in the
23 map and legal description.

24 (3) BOUNDARY SURVEY.—As soon as prac-
25 ticable after the date of the establishment of the Na-

1 tional Park and subject to the availability of funds,
2 the Secretary of the Interior shall complete an offi-
3 cial boundary survey of the National Park.

4 (b) MISSILE RANGE.—

5 (1) IN GENERAL.—The boundary of the Missile
6 Range and the Public Land Order are modified to
7 exclude the land transferred to the Secretary of the
8 Interior under subsection (a) of section 2865 and to
9 include the land transferred to the Secretary of the
10 Army under subsection (b) of such section.

11 (2) MAP.—The Secretary of the Interior shall
12 prepare a map and legal description depicting the re-
13 vised boundary of the Missile Range.

14 (c) CONFORMING AMENDMENT.—Section 2854 of the
15 National Defense Authorization Act for Fiscal Year 1997
16 (Public Law 104–201; 54 U.S.C. 320301 note), relating
17 to the modification of boundaries of the Monument and
18 the Missile Range, is repealed.

19 **Subtitle G—Other Matters**

20 **SEC. 2871. INSTALLATION AND MAINTENANCE OF FIRE EX-** 21 **TINGUISHERS IN DEPARTMENT OF DEFENSE** 22 **FACILITIES.**

23 The Secretary of Defense shall ensure that portable
24 fire extinguishers are installed and maintained in all De-
25 partment of Defense facilities in accordance with require-

1 ments of national model fire codes developed by the Na-
 2 tional Fire Protection Association and the International
 3 Code Council that require redundancy and extinguishers
 4 throughout occupancies regardless of the presence of other
 5 suppression systems or alarm systems.

6 **SEC. 2872. DEFINITION OF COMMUNITY INFRASTRUCTURE**
 7 **FOR PURPOSES OF MILITARY BASE REUSE**
 8 **STUDIES AND COMMUNITY PLANNING AS-**
 9 **SISTANCE.**

10 Paragraph (4) of section 2391(e) of title 10, United
 11 States Code, is amended to read as follows:

12 “(4)(A) The term ‘community infrastructure’
 13 means a project or facility described in subpara-
 14 graph (B) that—

15 “(i) is located off of a military installation;

16 and

17 “(ii) is—

18 “(I) owned by a State or local govern-

19 ment; or

20 “(II) a not-for-profit, member owned

21 utility service.

22 “(B) A project or facility described in this sub-
 23 paragraph is any of the following:

24 “(i) Any transportation project.

“(ii) A school, hospital, police, fire, emergency response, or other community support facility.

“(iii) A water, waste-water, telecommunications, electric, gas, or other utility infrastructure project.”.

**SEC. 2873. REPORT ON VULNERABILITIES FROM SEA LEVEL
RISE TO CERTAIN MILITARY INSTALLATIONS
LOCATED OUTSIDE THE CONTINENTAL
UNITED STATES.**

(a) 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 from sea level rise to covered installations located outside of the continental United States.

(b) CONTENTS.—For each covered installation, the report required by subsection (a) shall include the following:

(1) An analysis of the impacts to the operations, contingency plans, and readiness of such installation from a sea level rise.

(2) A discussion of mitigation efforts, including dredging, reclaiming land, and island building, that may be necessary due to a sea level rise—

1 (A) to ensure the continued operational vi-
2 ability of such installation; and

3 (B) to increase the resiliency of such in-
4 stallation.

5 (3) The estimated costs of the efforts discussed
6 under paragraph (2).

7 (4) An identification of alternative locations for
8 the continuance of operations of such installation if
9 such installation is rendered inoperable.

10 (c) FORM.—The report required under subsection (a)
11 shall be submitted in unclassified form, but may contain
12 a classified annex.

13 (d) COVERED INSTALLATION DEFINED.—In this sec-
14 tion, the term “covered installation” means the following
15 military installations:

16 (1) Naval Support Facility Diego Garcia.

17 (2) Ronald Reagan Ballistic Missile Defense
18 Test Site.

19 **SEC. 2874. BLACK START EXERCISES AT JOINT BASES.**

20 (a) REQUIREMENT.—Not later than September 30,
21 2020, the Secretary of Defense shall conduct a black start
22 exercise at three Joint Bases at which such exercise has
23 not previously been conducted, for the purpose of identi-
24 fying any shortcomings in infrastructure, joint operations,

1 joint coordination, and security that would result from a
2 loss of power at the site.

3 (b) REPORT.—Not later than June 1, 2020, the Sec-
4 retary of Defense shall submit to the congressional defense
5 committees a report that contains a discussion of lessons
6 learned from black start exercises conducted by the Sec-
7 retary of Defense during the period beginning with the
8 first such exercise and ending on December 31, 2019, in-
9 cluding the three most recurring issues identified as a re-
10 sult of such exercises with respect to infrastructure, joint
11 coordination efforts, and security.

12 (c) BLACK START EXERCISE DEFINED.—In this sec-
13 tion, the term “black start exercise” means, with respect
14 to a military installation, an exercise in which commercial
15 utility power at the installation is dropped before backup
16 generation assets start, for the purpose of—

17 (1) testing the ability of the backup systems to
18 start, transfer the load, and carry the load until
19 commercial power is restored;

20 (2) aligning stakeholders on critical energy re-
21 quirements to meet mission requirements;

22 (3) validating mission operation plans, such as
23 continuity of operations plans;

24 (4) identifying infrastructure interdependencies;
25 and

1 (5) verifying backup electric power system per-
2 formance.

3 **SEC. 2875. REPORT ON PROJECTS AWAITING APPROVAL**
4 **FROM THE REALTY GOVERNANCE BOARD.**

5 Not later than 180 days after the date of the enact-
6 ment of this Act, the Secretary of Defense shall submit
7 to Congress a report describing the projects that, as of
8 the date of the report, are awaiting approval from the Re-
9 alty Governance Board. Such report shall include—

10 (1) a list of projects awaiting evaluation for a
11 Major Land Acquisition Waiver; and

12 (2) an assessment of the impact a project de-
13 scribed in paragraph (1) would have on the security
14 of physical assets and personnel at the military in-
15 stallation requesting the Major Land Acquisition
16 Waiver.

17 **SEC. 2876. SANTA YNEZ BAND OF CHUMASH INDIANS LAND**
18 **AFFIRMATION.**

19 (a) **SHORT TITLE.**—This section may be cited as the
20 “Santa Ynez Band of Chumash Indians Land Affirmation
21 Act of 2019”.

22 (b) **FINDINGS.**—Congress finds the following:

23 (1) On October 13, 2017, the General Council
24 of the Santa Ynez Band of Chumash Indians voted
25 to approve the Memorandum of Agreement between

1 the County of Santa Barbara and the Santa Ynez
2 Band of Chumash Indians regarding the approxi-
3 mately 1,427.28 acres of land, commonly known as
4 Camp 4, and authorized the Tribal Chairman to sign
5 the Memorandum of Agreement.

6 (2) On October 31, 2017, the Board of Super-
7 visors for the County of Santa Barbara approved the
8 Memorandum of Agreement on Camp 4 and author-
9 ized the Chair to sign the Memorandum of Agree-
10 ment.

11 (3) The Secretary of the Interior approved the
12 Memorandum of Agreement pursuant to section
13 2103 of the Revised Statutes (25 U.S.C. 81).

14 (c) LAND TO BE TAKEN INTO TRUST.—

15 (1) IN GENERAL.—The approximately 1,427.28
16 acres of land in Santa Barbara County, CA de-
17 scribed in paragraph (3), is hereby taken into trust
18 for the benefit of the Tribe, subject to valid existing
19 rights, contracts, and management agreements re-
20 lated to easements and rights-of-way.

21 (2) ADMINISTRATION.—

22 (A) ADMINISTRATION.—The land described
23 in paragraph (3) shall be a part of the Santa
24 Ynez Indian Reservation and administered in
25 accordance with the laws and regulations gen-

1 erally applicable to the land held in trust by the
2 United States for an Indian tribe.

3 (B) EFFECT.—For purposes of certain
4 California State laws (including the California
5 Land Conservation Act of 1965, Government
6 Code Section 51200, et seq.), placing the land
7 described in paragraph (3) into trust shall re-
8 move any restrictions on the property pursuant
9 to California Government Code Section 51295
10 or any other provision of such Act.

11 (3) LEGAL DESCRIPTION OF LANDS TRANS-
12 FERRED.—The lands to be taken into trust for the
13 benefit of the Tribe pursuant to this Act are de-
14 scribed as follows:

15 Legal Land Description/Site Location: Real
16 property in the unincorporated area of the County of
17 Santa Barbara, State of California, described as fol-
18 lows: PARCEL 1: (APN: 141–121–51 AND POR-
19 TION OF APN 141–140–10) LOTS 9 THROUGH
20 18, INCLUSIVE, OF TRACT 18, IN THE COUN-
21 TY OF SANTA BARBARA, STATE OF CALI-
22 FORNIA, AS SHOWN ON THE MAP SHOWING
23 THE SUBDIVISIONS OF THE CANADA DE
24 LOS PINOS OR COLLEGE RANCHO, FILED IN
25 RACK 3, AS MAP 4 IN THE OFFICE OF THE

1 COUNTY RECORDER OF SAID COUNTY. THIS
2 LEGAL IS MADE PURSUANT TO THAT CER-
3 TAIN CERTIFICATE OF COMPLIANCE RE-
4 CORDED DECEMBER 5, 2001 AS INSTRU-
5 MENT NO. 01-105580 OF OFFICIAL
6 RECORDS. PARCEL 2: (PORTION OF APN:
7 141-140-10) LOTS 1 THROUGH 12, INCLU-
8 SIVE, OF TRACT 24, IN THE COUNTY OF
9 SANTA BARBARA, STATE OF CALIFORNIA,
10 AS SHOWN ON THE MAP SHOWING THE
11 SUBDIVISIONS OF THE CANADA DE LOS
12 PINOS OR COLLEGE RANCHO, FILED IN
13 RACK 3, AS MAP 4 IN THE OFFICE OF THE
14 COUNTY RECORDER OF SAID COUNTY. THIS
15 LEGAL IS MADE PURSUANT TO THAT CER-
16 TAIN CERTIFICATE OF COMPLIANCE RE-
17 CORDED DECEMBER 5, 2001 AS INSTRU-
18 MENT NO. 01-105581 OF OFFICIAL
19 RECORDS. PARCEL 3: (PORTIONS OF APNS:
20 141-230-23 AND 141-140-10) LOTS 19 AND 20
21 OF TRACT 18 AND THAT PORTION OF LOTS
22 1, 2, 7, 8, 9, 10, AND 15 THROUGH 20, INCLU-
23 SIVE, OF TRACT 16, IN THE COUNTY OF
24 SANTA BARBARA, STATE OF CALIFORNIA,
25 AS SHOWN ON THE MAP SHOWING THE

1 SUBDIVISIONS OF THE CANADA DE LOS
2 PINOS OR COLLEGE RANCHO, FILED IN
3 RACK 3, AS MAP 4 IN THE OFFICE OF THE
4 COUNTY RECORDER OF SAID COUNTY,
5 THAT LIES NORTHEASTERLY OF THE
6 NORTHEASTERLY LINE OF THE LAND
7 GRANTED TO THE STATE OF CALIFORNIA
8 BY AN EXECUTOR'S DEED RECORDED
9 APRIL 2, 1968 IN BOOK 2227, PAGE 136 OF
10 OFFICIAL RECORDS OF SAID COUNTY. THIS
11 LEGAL IS MADE PURSUANT TO THAT CER-
12 TAIN CERTIFICATE OF COMPLIANCE RE-
13 CORDED DECEMBER 5, 2001 AS INSTRU-
14 MENT NO. 01-105582 OF OFFICIAL
15 RECORDS. PARCEL 4: (APN: 141-240-02 AND
16 PORTION OF APN: 141-140-10) LOTS 1
17 THROUGH 12, INCLUSIVE, OF TRACT 25, IN
18 THE COUNTY OF SANTA BARBARA, STATE
19 OF CALIFORNIA, AS SHOWN ON THE MAP
20 SHOWING THE SUBDIVISIONS OF THE CAN-
21 ADA DE LOS PINOS OR COLLEGE RANCHO,
22 FILED IN RACK 3, AS MAP 4 IN THE OFFICE
23 OF THE COUNTY RECORDER OF SAID
24 COUNTY. THIS LEGAL IS MADE PURSUANT
25 TO THAT CERTAIN CERTIFICATE OF COM-

1 PLIANCE RECORDED DECEMBER 5, 2001 AS
2 INSTRUMENT NO. 01-105583 OF OFFICIAL
3 RECORDS. PARCEL 5: (PORTION OF APN:
4 141-230-23) THAT PORTION OF LOTS 3 AND
5 6 OF TRACT 16, IN THE COUNTY OF SANTA
6 BARBARA, STATE OF CALIFORNIA, AS
7 SHOWN ON THE MAP SHOWING THE SUB-
8 DIVISIONS OF THE CANADA DE LOS PINOS
9 OR COLLEGE RANCHO, FILED IN RACK 3, AS
10 MAP 4 IN THE OFFICE OF THE COUNTY RE-
11 CORDER OF SAID COUNTY, THAT LIES
12 NORTHEASTERLY OF THE NORTHEAST-
13 ERLY LINE OF THE LAND GRANTED TO
14 THE STATE OF CALIFORNIA BY AN EXECU-
15 TOR'S DEED RECORDED APRIL 2, 1968 IN
16 BOOK 2227, PAGE 136 OF OFFICIAL
17 RECORDS OF SAID COUNTY. THIS LEGAL IS
18 MADE PURSUANT TO THAT CERTAIN CER-
19 TIFICATE OF COMPLIANCE RECORDED DE-
20 CEMBER 5, 2001 AS INSTRUMENT NO. 01-
21 105584 OF OFFICIAL RECORDS.

22 (4) RULES OF CONSTRUCTION.—Nothing in
23 this section shall—

24 (A) enlarge, impair, or otherwise affect any
25 right or claim of the Tribe to any land or inter-

1 est in land that is in existence before the date
2 of the enactment of this Act;

3 (B) affect any water right of the Tribe in
4 existence before the date of the enactment of
5 this Act; or

6 (C) terminate or limit any access in any
7 way to any right-of-way or right-of-use issued,
8 granted, or permitted before the date of the en-
9 actment of this Act.

10 (5) RESTRICTED USE OF TRANSFERRED
11 LANDS.—The Tribe may not conduct, on the land
12 described in paragraph (3) taken into trust for the
13 Tribe pursuant to this section, gaming activities—

14 (A) as a matter of claimed inherent au-
15 thority; or

16 (B) under any Federal law, including the
17 Indian Gaming Regulatory Act (25 U.S.C.
18 2701 et seq.) and regulations promulgated by
19 the Secretary or the National Indian Gaming
20 Commission under that Act.

21 (6) DEFINITIONS.—For the purposes of this
22 subsection:

23 (A) SECRETARY.—The term “Secretary”
24 means the Secretary of the Interior.

1 (B) **TRIBE.**—The term “Tribe” means the
2 Santa Ynez Band of Chumash Mission Indians.

3 **SEC. 2877. REPORT ON LEAD SERVICE LINES AT MILITARY**
4 **INSTALLATIONS.**

5 Not later than January 1, 2021, the Secretary of De-
6 fense shall submit to the congressional defense committees
7 a report that contains the following:

8 (1) The number of military installations at
9 which lead service lines are connected to schools,
10 childcare centers and facilities, buildings, and other
11 facilities of the installation as the Secretary deter-
12 mines appropriate.

13 (2) The total number of members of the Armed
14 Forces affected by the presence of lead service lines
15 at military installations.

16 (3) Of the total number of members under
17 paragraph (2), the number of such members with
18 dependents.

19 (4) Actions, if any, undertaken by the Secretary
20 to inform individuals affected by the presence of lead
21 service lines at military installations of such pres-
22 ence.

23 (5) Recommendations for legislative action re-
24 lating to the replacement of lead service lines at
25 military installations.

1 **SEC. 2878. RENAMING OF LEJEUNE HIGH SCHOOL IN**
2 **HONOR OF CONGRESSMAN WALTER B. JONES.**

3 (a) RENAMING.—The Lejeune High School at Camp
4 Lejeune, North Carolina, shall hereafter be known and
5 designated as the “Walter B. Jones Camp Lejeune High
6 School”.

7 (b) REFERENCES.—Any reference in any law, map,
8 regulation, map, document, paper, other record of the
9 United States to the facility referred to in subsection (a)
10 shall be considered to be a reference to the Walter B.
11 Jones Camp Lejeune High School.

12 **SEC. 2879. OPERATION, MAINTENANCE, AND PRESERVA-**
13 **TION OF MARE ISLAND NAVAL CEMETERY,**
14 **VALLEJO, CALIFORNIA.**

15 (a) AUTHORITY TO ASSIST OPERATION, MAINTENANCE, AND PRESERVATION ACTIVITIES.—The Secretary
16 of Defense may provide not more than \$250,000 per fiscal
17 year to aid in the operation, maintenance, and preserva-
18 tion of the Mare Island Naval Cemetery in Vallejo, Cali-
19 fornia (in this section referred to as the “Cemetery”) if,
20 within one year after the date of the enactment of this
21 Act—

23 (1) the city of Vallejo, California, enters into an
24 agreement with a nonprofit historical preservation
25 organization (in this section referred to as the “or-
26 ganization”) to manage the day-to-day operation,

1 maintenance, and preservation activities of the Cem-
2 etery; and

3 (2) the organization enters into a memorandum
4 of agreement with the Secretary that outlines the or-
5 ganization's plan and commitment to preserve the
6 Cemetery in perpetuity.

7 (b) RESTRICTION ON USE OF ASSISTANCE.—Assist-
8 ance provided under subsection (a) shall only be used by
9 the organization—

10 (1) for the direct operation, maintenance, and
11 preservation of the Cemetery; and

12 (2) to conduct an annual audit and prepare an
13 annual report of the organization's activities.

14 (c) REDUCTION IN ASSISTANCE.—The Secretary of
15 Defense may reduce the amount of assistance provided
16 under subsection (a) for a fiscal year, or forgo the provi-
17 sion of assistance for a fiscal year, whenever the Secretary
18 determines that the organization has enough operational
19 funds to function for at least a two-year period.

20 (d) ANNUAL AUDIT AND REPORT.—As a condition
21 of receiving assistance under subsection (a), the organiza-
22 tion shall submit to the Secretary of Defense an annual
23 report containing an audit of the organization's financial
24 revenues and expenditures for the previous year and de-
25 scribing how funds were used.

1 (e) OTHER FUND-RAISING.—Nothing in this section
2 shall be construed to preclude the organization from rais-
3 ing additional funds to supplement the organization’s ac-
4 tivities.

5 **SEC. 2880. RESTRICTIONS ON REHABILITATION OF OVER-**
6 **THE-HORIZON BACKSCATTER RADAR SYSTEM**
7 **RECEIVING STATION, MODOC COUNTY, CALI-**
8 **FORNIA.**

9 (a) RESTRICTIONS.—Except as provided in sub-
10 section (b), the Secretary of the Air Force may not use
11 any funds or resources of the Department of the Air Force
12 to carry out the rehabilitation of the obsolete Over-the-
13 Horizon Backscatter Radar System receiving station lo-
14 cated in Modoc National Forest in the State of California.

15 (b) EXCEPTION FOR REMOVAL OF PERIMETER
16 FENCE.—Notwithstanding subsection (a), the Secretary
17 of the Air Force may use funds and resources of the De-
18 partment of the Air Force—

19 (1) to remove the perimeter fence, which was
20 treated with an arsenic-based weatherproof coating,
21 surrounding the Over-the-Horizon Backscatter
22 Radar System receiving station referred to in such
23 subsection; and

24 (2) to carry out the mitigation of soil contami-
25 nation associated with such fence.

(c) SUNSET.—The restrictions in subsection (a) shall terminate on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2021.

TITLE XXIX—OVERSEAS CONTINGENCY OPERATIONS MILITARY CONSTRUCTION

SEC. 2901. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) AUTHORIZATION.—Subject to subsection (b), 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:

Army: Outside the United States

Country	Location	Amount
Cuba	Guantanamo Bay Naval Station	\$33,800,000
Unspecified Europe	European Deterrence Initiative: Various Locations.	\$98,342,000

(b) REPORT REQUIRED AS CONDITION OF AUTHORIZATION.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the congressional defense committees a report containing a plan to carry out each military construction project authorized in the final item in the table in subsection (a) for an unspecified location for the European Deterrence Initiative. The plan shall include a Department of Defense Form 1391 for each proposed project. The Sec-

1 retary may not commence a project until the report has
2 been submitted.

3 **SEC. 2902. AUTHORIZED NAVY CONSTRUCTION AND LAND**
4 **ACQUISITION PROJECTS.**

5 (a) AUTHORIZATION.—Subject to subsection (b), the
6 Secretary of the Navy may acquire real property and carry
7 out the military construction projects for the installations
8 outside the United States, and in the amounts, set forth
9 in the following table:

Navy: Outside the United States

Country	Location	Amount
Bahrain	SW Asia	\$53,360,000
Italy	Sigonella	\$77,400,000
Spain	Rota	\$69,570,000
Unspecified Europe	European Deterrence Initiative: Various Locations	\$56,246,000

10 (b) REPORT REQUIRED AS CONDITION OF AUTHOR-
11 IZATION.—Not later than 90 days after the date of the
12 enactment of this Act, the Secretary of the Navy shall sub-
13 mit to the congressional defense committees a report con-
14 taining a plan to carry out each military construction
15 project authorized in the final item in the table in sub-
16 section (a) for an unspecified location for the European
17 Deterrence Initiative. The plan shall include a Department
18 of Defense Form 1391 for each proposed project. The Sec-
19 retary may not commence a project until the report has
20 been submitted.

1 **SEC. 2903. AUTHORIZED AIR FORCE CONSTRUCTION AND**
 2 **LAND ACQUISITION PROJECTS.**

3 (a) AUTHORIZATION.—Subject to subsection (b), the
 4 Secretary of the Air Force may acquire real property and
 5 carry out the military construction projects for the instal-
 6 lations outside the United States, and in the amounts, set
 7 forth in the following table:

Air Force: Outside the United States

Country	Location	Amount
Iceland	Keflavik	\$57,000,000
Jordan	Azraq	\$66,000,000
Spain	Moron	\$8,500,000
Unspecified Europe	European Deterrence Initiative: Various	\$231,246,000

8 (b) REPORT REQUIRED AS CONDITION OF AUTHOR-
 9 IZATION.—Not later than 90 days after the date of the
 10 enactment of this Act, the Secretary of the Air Force shall
 11 submit to the congressional defense committees a report
 12 containing a plan to carry out each military construction
 13 project authorized in the final item in the table in sub-
 14 section (a) for an unspecified location for the European
 15 Deterrence Initiative. The plan shall include a Department
 16 of Defense Form 1391 for each proposed project. The Sec-
 17 retary may not commence a project until the report has
 18 been submitted.

19 **SEC. 2904. AUTHORIZED DEFENSE AGENCIES CONSTRUC-**
 20 **TION AND LAND ACQUISITION PROJECTS.**

21 The Secretary of Defense may acquire real property
 22 and carry out the military construction project for the in-

1 stallation outside the United States, and in the amount,
 2 set forth in the following table:

Defense Agencies: Outside the United States

Country	Location	Amount
Germany	Germersheim	\$46,000,000

3 **SEC. 2905. AUTHORIZATION OF APPROPRIATIONS.**

4 Funds are hereby authorized to be appropriated for
 5 fiscal years beginning after September 30, 2019, for the
 6 military construction projects outside the United States
 7 authorized by this title as specified in the funding table
 8 in section 4602.

9 **TITLE XXX—AUTHORIZATION OF**
 10 **EMERGENCY MILITARY CON-**
 11 **STRUCTION**

12 **SEC. 3001. AUTHORIZATION OF EMERGENCY NAVY CON-**
 13 **STRUCTION AND LAND ACQUISITION**
 14 **PROJECTS.**

15 (a) NAVY AUTHORIZATION.—Subject to subsection
 16 (c), pursuant to section 2802 of title 10, United States
 17 Code, the following real property acquisition and military
 18 construction projects, including planning and design re-
 19 lated to military construction projects, in the following
 20 amounts, are authorized:

Navy Authorization

State or Location	Installation or Location	Project	Amount
North Carolina	Camp Lejeune ...	Various construction	\$967,210,000

Navy Authorization—Continued

State or Location	Installation or Location	Project	Amount
Unspecified World-wide	Marine Corps Air Station Cherry Point	Various Construction	\$175,456,000
	Unspecified Worldwide Locations	Planning and Design	\$68,282,000

1 (b) AUTHORIZED NAVY CONSTRUCTION
2 PROJECTS.—In addition to the projects authorized under
3 subsection (a) and subject to subsection (c), pursuant to
4 section 2802 of title 10, United States Code, the Secretary
5 of Defense may carry out military construction projects,
6 including planning and design related to military construc-
7 tion projects, at facilities damaged by earthquakes or
8 other natural disasters in 2019, in the amount of
9 \$100,000,000.

10 (c) REPORT REQUIRED AS A CONDITION OF AUTHOR-
11 IZATION.—Not later than 90 days after the date of the
12 enactment of this Act, the Secretary of Defense shall sub-
13 mit to the Committees on Armed Services of the House
14 of Representatives and the Senate a report containing a
15 plan to carry out the military construction projects author-
16 ized by this section. The plan shall include an explanation
17 of how each military construction project will incorporate
18 mitigation measures that reduce the threat from natural
19 disasters, including a list of any areas in which there is
20 a variance from the local building requirements and an

1 explanation of the reason for the variance. The plan shall
2 also include a Department of Defense Form 1391 for each
3 proposed project. The Secretary may not commence a
4 project until the report required from the Secretary has
5 been submitted.

6 (d) REVISION OF FUNDING.—

7 (1) INCREASE.—Notwithstanding the amounts
8 set forth in the funding tables in division D, the
9 amount authorized to be appropriated in section
10 3001(b) for military construction projects carried
11 out under this section, as specified in the cor-
12 responding funding table in section 4601, is hereby
13 increased by \$100,000,000, to be available for the
14 purpose specified in subsection (b).

15 (2) OFFSET.—Notwithstanding the amounts set
16 forth in the funding tables in division D, the amount
17 authorized to be appropriated in section 2403 for
18 Defense Agencies planning and design at various
19 worldwide locations, as specified in the cor-
20 responding funding table in section 4601, is hereby
21 reduced by \$40,000,000.

22 (3) OFFSET.—Notwithstanding the amounts set
23 forth in the funding tables in division D, the amount
24 authorized to be appropriated in section 2403 for
25 Defense Agencies unspecified minor construction at

1 various worldwide locations, as specified in the cor-
2 responding funding table in section 4601, is hereby
3 reduced by \$10,000,000.

4 (4) OFFSET.—Notwithstanding the amounts set
5 forth in the funding tables in division D, the amount
6 authorized to be appropriated in section 2304 for
7 Air Force planning and design at various worldwide
8 locations, as specified in the corresponding funding
9 table in section 4601, is hereby reduced by
10 \$20,000,000.

11 (5) OFFSET.—Notwithstanding the amounts set
12 forth in the funding tables in division D, the amount
13 authorized to be appropriated in section 2103 for
14 Army planning and design at various worldwide lo-
15 cations, as specified in the corresponding funding
16 table in section 4601, is hereby reduced by
17 \$20,000,000.

18 (6) OFFSET.—Notwithstanding the amounts set
19 forth in the funding tables in division D, the amount
20 authorized to be appropriated in section 2204 for
21 Navy planning and design at various worldwide loca-
22 tions, as specified in the corresponding funding table
23 in section 4601, is hereby reduced by \$10,000,000.

1 **SEC. 3002. AUTHORIZATION OF EMERGENCY AIR FORCE**
2 **CONSTRUCTION AND LAND ACQUISITION**
3 **PROJECTS.**

4 (a) AIR FORCE AUTHORIZATION.—Subject to sub-
5 section (b), pursuant to section 2802 of title 10, United
6 States Code, the following real property acquisition and
7 military construction projects, in the following amounts,
8 are authorized:

Air Force Authorization

State	Installation or Location	Project	Amount
Florida	Tyndall Air Force Base	Various Construction	\$735,752,000
Nebraska	Offutt Air Force Base	Various Construction	\$300,000,000

9 (b) REPORT REQUIRED AS CONDITION OF AUTHOR-
10 IZATION.—Not later than 90 days after the date of the
11 enactment of this Act, the Secretary of the Air Force shall
12 submit to the Committees on Armed Services of the House
13 of Representatives and the Senate a report containing a
14 plan to carry out the military construction projects author-
15 ized by this section. The plan shall include an explanation
16 of how each military construction project will incorporate
17 mitigation measures that reduce the threat from extreme
18 weather events, mean sea level fluctuation, flooding, and
19 any other known environmental threat to resilience, in-
20 cluding a list of any areas in which there is a variance
21 from the local building requirements and an explanation

1 of the reason for the variance. The plan shall also include
 2 a Department of Defense Form 1391 for each proposed
 3 project. The Secretary may not commence a project until
 4 the report required from the Secretary has been sub-
 5 mitted.

6 **SEC. 3003. AUTHORIZATION OF EMERGENCY ARMY NA-**
 7 **TIONAL GUARD AND ARMY RESERVE CON-**
 8 **STRUCTION AND LAND ACQUISITION**
 9 **PROJECTS.**

10 (a) ARMY NATIONAL GUARD AUTHORIZATION.—Pur-
 11 suant to section 2802 of title 10, United States Code, the
 12 following real property acquisition and military construc-
 13 tion projects, in the following amounts, are authorized:

Army National Guard Authorization

State	Installation or Location	Project	Amount
Florida	Panama City	National Guard Readiness Center	\$25,000,000
North Caro- lina	Military Training Area Fort Fisher	General Purpose Administrative Building	\$25,000,000

14 (b) ARMY RESERVE AUTHORIZATION.—Pursuant to
 15 section 2805 of title 10, United States Code, unspecified
 16 minor construction, in the amount set forth in the fol-
 17 lowing table, is authorized:

Army Reserve Authorization

Country	Installation or Location	Project	Amount
Unspecified World-wide	Unspecified Worldwide Locations	Unspecified Minor Construction	\$3,300,000

1 **DIVISION C—DEPARTMENT OF**
2 **ENERGY NATIONAL SECURITY**
3 **AUTHORIZATIONS AND**
4 **OTHER AUTHORIZATIONS**
5 **TITLE XXXI—DEPARTMENT OF**
6 **ENERGY NATIONAL SECURITY**
7 **PROGRAMS**
8 **Subtitle A—National Security**
9 **Programs and Authorizations**

10 **SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRA-**
11 **TION.**

12 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
13 are hereby authorized to be appropriated to the Depart-
14 ment of Energy for fiscal year 2020 for the activities of
15 the National Nuclear Security Administration in carrying
16 out programs as specified in the funding table in section
17 4701.

18 (b) AUTHORIZATION OF NEW PLANT PROJECTS.—
19 From funds referred to in subsection (a) that are available
20 for carrying out plant projects, the Secretary of Energy

1 may carry out new plant projects for the National Nuclear
2 Security Administration as follows:

3 Project 15–D–301, High Explosive Science and
4 Engineering Facility, Pantex Plant, Amarillo, Texas,
5 \$123,000,000.

6 Project 15–D–611, Emergency Operations Cen-
7 ter, Sandia National Laboratories, Albuquerque,
8 New Mexico, \$4,000,000.

9 Project 15–D–612, Emergency Operations Cen-
10 ter, Lawrence Livermore National Laboratory,
11 Livermore, California, \$5,000,000.

12 Project 18–D–150, Surplus Plutonium Disposi-
13 tion, Savannah River Site, Aiken, South Carolina,
14 \$79,000,000.

15 Project 18–D–650, Tritium Finishing Facility,
16 Savannah River Site, Aiken, South Carolina,
17 \$27,000,000.

18 Project 19–D–670, 138k Power Transmission
19 System Replacement, Nevada National Security Site,
20 Mercury, Nevada, \$6,000,000.

21 Project 20–D–931, KL Fuel Development Lab-
22 oratory, Knolls Atomic Power Laboratory, Schenec-
23 tady, New York, \$23,700,000.

1 **SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.**

2 Funds are hereby authorized to be appropriated to
3 the Department of Energy for fiscal year 2020 for defense
4 environmental cleanup activities in carrying out programs
5 as specified in the funding table in section 4701.

6 **SEC. 3103. OTHER DEFENSE ACTIVITIES.**

7 Funds are hereby authorized to be appropriated to
8 the Department of Energy for fiscal year 2020 for other
9 defense activities in carrying out programs as specified in
10 the funding table in section 4701.

11 **SEC. 3104. NUCLEAR ENERGY.**

12 Funds are hereby authorized to be appropriated to
13 the Department of Energy for fiscal year 2020 for nuclear
14 energy as specified in the funding table in section 4701.

15 **Subtitle B—Program Authoriza-**
16 **tions, Restrictions, Limitations,**
17 **and Other Matters**

18 **SEC. 3111. PERSONNEL LEVELS OF THE OFFICE OF THE AD-**
19 **MINISTRATOR FOR NUCLEAR SECURITY.**

20 (a) PERSONNEL LEVELS.—

21 (1) INCREASE.—Subsection (a) of section
22 3241A of the National Nuclear Security Administra-
23 tion Act (50 U.S.C. 2441a) is amended by striking
24 “1,690” both places it appears and inserting
25 “1,890”.

1 (2) TECHNICAL AMENDMENTS.—Such sub-
2 section is further amended—

3 (A) in paragraph (1), by striking “By Oc-
4 tober 1, 2015, the” and inserting “The”; and

5 (B) in paragraph (2), by striking “2016”
6 and inserting “2020”.

7 (b) REPORTS ON SERVICE SUPPORT CONTRACTS.—
8 Subsection (f) of such section is amended—

9 (1) in the matter preceding paragraph (1), by
10 striking “as of the date of the report” and inserting
11 “for the most recent fiscal year for which data is
12 available”; and

13 (2) by striking paragraph (5) and inserting the
14 following new paragraphs:

15 “(5) With respect to each contract identified
16 under paragraph (2)—

17 “(A) identification of each appropriations
18 account that supports the contract; and

19 “(B) the amount obligated under the con-
20 tract during the fiscal year, listed by each such
21 account.

22 “(6) With respect to each appropriations ac-
23 count identified under paragraph (5)(A), the total
24 amount obligated for contracts identified under
25 paragraph (2).”.

1 **SEC. 3112. OFFICE OF COST ESTIMATING AND PROGRAM**
2 **EVALUATION.**

3 (a) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that Congress is concerned that the staffing levels
5 of the Office of Cost Estimating and Program Evaluation
6 of the National Nuclear Security Administration have
7 been persistently below the authorized level.

8 (b) REPORTING.—Section 3221(b)(1) of the National
9 Nuclear Security Administration Act (50 U.S.C.
10 2411(b)(1)) is amended by adding at the end the following
11 new sentence: “The Director shall report directly to the
12 Administrator.”.

13 (c) BRIEFING.—Not later than 180 days after the
14 date of the enactment of this Act, the Administrator for
15 Nuclear Security shall provide to the congressional defense
16 committees a briefing on the plan of the Administrator
17 to fully staff the Office of Cost Estimating and Program
18 Evaluation of the National Nuclear Security Administra-
19 tion pursuant to section 3221(f) of the National Nuclear
20 Security Administration Act (50 U.S.C. 2411(f)).

21 **SEC. 3113. CLARIFICATION OF CERTAIN STOCKPILE RE-**
22 **SPONSIVENESS PROGRAM OBJECTIVES.**

23 Section 4220(c) of the Atomic Energy Defense Act
24 (50 U.S.C. 2538b(c)) is amended—

25 (1) in paragraph (3), by striking “capabilities
26 required, including prototypes” and inserting “capa-

1 bilities as required, such as through the use of pro-
2 totypes”; and

3 (2) in paragraph (6)—

4 (A) by striking “in consultation with the
5 Director of National Intelligence” and inserting
6 “in coordination with the Director of National
7 Intelligence”; and

8 (B) by inserting “if needed to meet intel-
9 ligence requirements” after “foreign countries”.

10 **SEC. 3114. MODIFICATION TO PLUTONIUM PIT PRODUC-**
11 **TION CAPACITY.**

12 (a) FINDING AND SENSE OF CONGRESS.—

13 (1) FINDING.—Congress finds that a recent
14 study by the Institute of Defense Analyses notes, “a
15 key milestone will be achieving the Plutonium
16 Sustainment Program goal of 30 pits per year at
17 Los Alamos National Laboratory”.

18 (2) SENSE OF CONGRESS.—It is the sense of
19 Congress that the National Nuclear Security Admin-
20 istration should prioritize achieving production of 30
21 pits per year at Los Alamos National Laboratory
22 and ensure that efforts to design and construct a
23 second site do not divert resources, including per-
24 sonnel and funding, from Los Alamos National Lab-
25 oratory.

1 (b) 2027 REQUIREMENT.—Section 4219 of the
 2 Atomic Energy Defense Act (50 U.S.C. 2538a) is amend-
 3 ed—

4 (1) in subsection (a)—

5 (A) in paragraph (3), by inserting “and”
 6 after the semicolon;

7 (B) in paragraph (4), by striking “; and”
 8 and inserting a period; and

9 (C) by striking paragraph (5);

10 (2) by striking subsection (b); and

11 (3) by redesignating subsections (c) and (d) as
 12 subsections (b) and (c), respectively.

13 (c) CONFORMING AMENDMENT.—Subsection (b) of
 14 such section, as redesignated by subsection (b), is amend-
 15 ed by striking “(or, if the authority under subsection (b)
 16 is exercised, 2029)”.

17 **SEC. 3115. ANNUAL CERTIFICATION OF SHIPMENTS TO**
 18 **WASTE ISOLATION PILOT PLANT.**

19 Section 3115(a) of the National Defense Authoriza-
 20 tion Act for Fiscal Year 2017 (Public Law 114–328; 130
 21 Stat. 2759), as amended by section 3137 of the John S.
 22 McCain National Defense Authorization Act for Fiscal
 23 Year 2019 (Public Law 115–232; 132 Stat. 2303), is fur-
 24 ther amended, in the matter preceding paragraph (1), by

1 striking “three-year period” and inserting “10-year pe-
2 riod”.

3 **SEC. 3116. REPEAL OF LIMITATION ON AVAILABILITY OF**
4 **FUNDS FOR ACCELERATION OF NUCLEAR**
5 **WEAPONS DISMANTLEMENT.**

6 Section 3125 of the National Defense Authorization
7 Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat.
8 2766) is repealed.

9 **SEC. 3117. ELIMINATION OF LIMITATION ON AVAILABILITY**
10 **OF FUNDS RELATING TO SUBMISSION OF AN-**
11 **NUAL REPORTS ON UNFUNDED PRIORITIES.**

12 Section 4716 of the Atomic Energy Defense Act (50
13 U.S.C. 2756) is amended—

14 (1) by striking subsection (c); and

15 (2) by redesignating subsection (d) as sub-
16 section (c).

17 **SEC. 3118. PROGRAM FOR RESEARCH AND DEVELOPMENT**
18 **OF ADVANCED NAVAL NUCLEAR FUEL SYS-**
19 **TEM BASED ON LOW-ENRICHED URANIUM.**

20 (a) ESTABLISHMENT.—Not later than 60 days after
21 the date of the enactment of this Act, the Administrator
22 for Nuclear Security shall establish a program to assess
23 the viability of using low-enriched uranium in naval nu-
24 clear propulsion reactors, including such reactors located

1 on aircraft carriers and submarines, that meet the require-
2 ments of the Navy.

3 (b) ACTIVITIES.—In carrying out the program under
4 subsection (a), the Administrator shall carry out activities
5 to develop an advanced naval nuclear fuel system based
6 on low-enriched uranium, including activities relating to—

7 (1) down-blending of high-enriched uranium
8 into low-enriched uranium;

9 (2) manufacturing of candidate advanced low-
10 enriched uranium fuels;

11 (3) irradiation tests and post-irradiation exam-
12 ination of these fuels; and

13 (4) modification or procurement of equipment
14 and infrastructure relating to such activities.

15 (c) REPORT.—Not later than 120 days after the date
16 of the enactment of this Act, the Administrator shall sub-
17 mit to the congressional defense committees a plan out-
18 lining the activities the Administrator will carry out under
19 the program established under subsection (a), including
20 the funding requirements associated with developing a
21 low-enriched uranium fuel.

22 **SEC. 3119. REPLACEMENT OF W78 WARHEAD.**

23 (a) ANALYSIS OF ALTERNATIVES.—

24 (1) IN GENERAL.—The Administrator for Nu-
25 clear Security shall conduct an analysis of alter-

1 natives with respect to replacing the W78 warhead.
2 Such analysis shall describe the technical risks and
3 costs for each option to replace the W78 warhead.

4 (2) REVIEW.—The Director for Cost Esti-
5 mating and Program Evaluation of the National Nu-
6 clear Security Administration shall review the anal-
7 ysis of alternatives under paragraph (1).

8 (3) REPORT.—Not later than 150 days after
9 the date of the enactment of this Act, the Adminis-
10 trator shall submit to the congressional defense com-
11 mittees a report on the replacement of the W78 war-
12 head. Such report shall include the analysis of alter-
13 natives under paragraph (1) and the review under
14 paragraph (2).

15 (b) LIMITATION.—Of the funds authorized to be ap-
16 propriated by this Act or otherwise made available for fis-
17 cal year 2020 for the National Nuclear Security Adminis-
18 tration for the modernization of the W78 warhead, not
19 more than 75 percent may be obligated or expended until
20 the date on which the report is submitted under subsection
21 (a)(3).

22 (c) INDEPENDENT STUDY.—

23 (1) IN GENERAL.—The Administrator shall
24 seek to enter into an arrangement with the private
25 scientific advisory group known as JASON to con-

1 duct a study of the plan of the Administrator to re-
2 place the W78 warhead. Such study shall include—

3 (A) an assessment of the risks to certifi-
4 cation; and

5 (B) the need for planned upgrades to such
6 warhead.

7 (2) SUBMISSION.—Not later than 150 days
8 after the date of the enactment of this Act, the Ad-
9 ministrator shall submit to the congressional defense
10 committees the study under paragraph (1), without
11 change.

12 **SEC. 3120. NATIONAL LABORATORY JOBS ACCESS PRO-**
13 **GRAM.**

14 (a) IN GENERAL.—Not later than 180 days after the
15 date of enactment of this Act, the Secretary may establish
16 a program known as the “Department of Energy National
17 Lab Jobs ACCESS Program”, under which the Secretary
18 may award, on a competitive basis, 5-year grants to eligi-
19 ble entities described in subsection (c) for the Federal
20 share of the costs of technical, skills-based
21 preapprenticeship and apprenticeship programs that pro-
22 vide employer-driven or recognized postsecondary creden-
23 tials during the grant period.

1 (b) REQUIREMENTS.—A program funded by a grant
2 awarded under this section shall develop and deliver cus-
3 tomized and competency-based training that—

4 (1) leads to recognized postsecondary creden-
5 tials for secondary school and postsecondary stu-
6 dents;

7 (2) is focused on skills and qualifications need-
8 ed, as determined by the Department of Energy in
9 consultation with the national laboratories, to meet
10 the immediate and on-going needs of traditional and
11 emerging technician positions (including machinists
12 and cyber security technicians) at the National Lab-
13 oratories and covered facilities of the National Nu-
14 clear Security Administration;

15 (3) creates an apprenticeship or
16 preapprenticeship program in consultation with a
17 National Laboratory or covered facility of the Na-
18 tional Nuclear Security Administration; and

19 (4) creates an apprenticeship or
20 preapprenticeship program registered with and ap-
21 proved by the Secretary of Labor or a State Appren-
22 ticeship Agency.

23 (c) ELIGIBLE ENTITIES.—An entity that is eligible
24 to receive a grant under this section shall be a workforce

1 intermediary or an eligible sponsor of a preapprenticeship
2 or an apprenticeship program that—

3 (1) demonstrates experience in implementing
4 and providing career planning and career pathways
5 towards apprenticeship or preapprenticeship pro-
6 grams;

7 (2)(A) has a relationship with a National Lab-
8 oratory or covered facility of the National Nuclear
9 Security Administration;

10 (B) has knowledge of technician workforce
11 needs of such laboratory or facility and the associ-
12 ated security requirements of such laboratory or fa-
13 cility; and

14 (C) is eligible to enter into an agreement with
15 such laboratory or facility that would be paid for in
16 part or entirely from grant funds received under this
17 section;

18 (3) demonstrates the ability to recruit and sup-
19 port individuals who plan to work in relevant techni-
20 cian positions upon the successful completion of such
21 programs;

22 (4) provides students who complete such pro-
23 grams with a recognized postsecondary credential,
24 such as a journeyman craft license or an industry-
25 recognized certification;

1 (5) uses a customized training curriculum that
2 is specifically aligned with employers, utilizing work-
3 place learning advisors and on-the-job training to
4 the greatest extent possible; and

5 (6) demonstrates successful outcomes con-
6 necting graduates of such programs to careers rel-
7 evant to such programs.

8 (d) APPLICATIONS.—An eligible entity seeking a
9 grant under this section shall submit to the Secretary an
10 application at such time, in such manner, and containing
11 such information as the Secretary may require.

12 (e) PRIORITY.—In selecting eligible entities to receive
13 grants under this section, the Secretary shall prioritize an
14 eligible entity that—

15 (1) is a member of an industry or sector part-
16 nership;

17 (2) provides the training described in subsection

18 (b)—

19 (A) at an institution of higher education
20 (such as a community college) that includes
21 basic science, technology, and mathematics edu-
22 cation in the curriculum;

23 (B) through an apprenticeship program
24 that was registered with the Department of
25 Labor or a State Apprenticeship Agency before

1 the date on which the eligible entity applies for
2 the grant under subsection (d); or

3 (C) with respect to a preapprenticeship
4 program, at a local educational agency, a sec-
5 ondary school, a provider of adult education, an
6 area career and technical education school, or
7 an appropriate community facility;

8 (3) works with the Secretary of Defense, Sec-
9 retary of Veteran Affairs, or veterans organizations
10 to transition members of the Armed Forces and vet-
11 erans to apprenticeship or preapprenticeship pro-
12 grams in a relevant sector;

13 (4) plans to use the grant to carry out the
14 training described in subsection (b) with an entity
15 that receives State funding or is operated by a State
16 agency; and

17 (5) plans to use the grant to carry out the
18 training described in subsection (b) for—

19 (A) young adults ages 16 to 29, inclusive;

20 or

21 (B) individuals with barriers to employ-
22 ment.

23 (f) ADDITIONAL CONSIDERATION.—In making grants
24 under this section, the Secretary shall consider regional
25 diversity.

1 (g) LIMITATION ON APPLICATIONS.—An eligible enti-
2 ty may not submit, either individually or as part of a joint
3 application, more than 1 application for a grant under this
4 section during any 1 fiscal year.

5 (h) LIMITATIONS ON AMOUNT OF GRANT.—The
6 amount of a grant provided under this section for any 24-
7 month period of the 5-year grant period shall not exceed
8 \$500,000.

9 (i) NON-FEDERAL SHARE.—The non-Federal share
10 of the cost of a customized training program carried out
11 using a grant under this section shall be not less than
12 25 percent of the total cost of the program.

13 (j) TECHNICAL ASSISTANCE.—The Secretary may
14 provide technical assistance to eligible entities described
15 in subsection (c) to leverage the existing job training and
16 education programs of the Department of Labor and other
17 relevant programs at appropriate Federal agencies.

18 (k) REPORT.—

19 (1) IN GENERAL.—Not less than once every 2
20 years, the Secretary of Labor shall submit to Con-
21 gress, and make publicly available on the website of
22 the Department of Labor, a report on the program
23 established under this section, including—

24 (A) a description of—

1 (i) any entity that receives a grant
2 under this section;

3 (ii) any activity carried out using the
4 grants under this section; and

5 (iii) best practices used to leverage the
6 investment of the Federal Government
7 under this section; and

8 (B) an assessment of the results achieved
9 by the program established under this section,
10 including the rate of employment for partici-
11 pants after completing a job training and edu-
12 cation program carried out using a grant under
13 this section.

14 (2) PROVISION OF INFORMATION.—The Sec-
15 retary of Energy shall provide such information as
16 necessary to the Secretary of Labor for purposes of
17 the report under paragraph (1).

18 (3) PERFORMANCE REPORTS.—Not later than
19 one year after the start of a new apprenticeship or
20 preapprenticeship program established under this
21 section, and annually thereafter, the entity carrying
22 out the programs shall submit to the Secretary of
23 Labor a report on the effectiveness of the program
24 based on the accountability measures described in
25 clauses (i) and (ii) of section 116(b)(2)(A) of the

1 Workforce Innovation and Opportunity Act (29
2 U.S.C. 3141(b)(2)(A)).

3 (l) DEFINITIONS.—In this section:

4 (1) ESEA TERMS.—The terms “local edu-
5 cational agency” and “secondary school” have the
6 meanings given the terms in section 8101 of the Ele-
7 mentary and Secondary Education Act of 1965 (20
8 U.S.C. 7801).

9 (2) WIOA TERMS.—The terms “career plan-
10 ning”, “community-based organization”, “cus-
11 tomized training”, “economic development agency”,
12 “individual with a barrier to employment”, “indus-
13 try or sector partnership”, “on-the-job training”,
14 “recognized postsecondary credential”, and “work-
15 place learning advisor” have the meanings given
16 such terms in section 3 of the Workforce Innovation
17 and Opportunity Act (29 U.S.C. 3102).

18 (3) APPRENTICESHIP.—The term “apprentice-
19 ship” means an apprenticeship registered under the
20 Act of August 16, 1937 (commonly known as the
21 “National Apprenticeship Act”; 50 Stat. 664, chap-
22 ter 663; 29 U.S.C. 50 et seq.).

23 (4) AREA CAREER AND TECHNICAL EDUCATION
24 SCHOOL.—The term “area career and technical edu-
25 cation school” has the meaning given the term in

1 section 3 of the Carl D. Perkins Career and Tech-
2 nical Education Act of 2006 (20 U.S.C. 2302).

3 (5) COMMUNITY COLLEGE.—The term “commu-
4 nity college” has the meaning given the term “junior
5 or community college” in section 312(f) of the High-
6 er Education Act of 1965 (20 U.S.C. 1058(f)).

7 (6) COVERED FACILITY OF THE NATIONAL NU-
8 CLEAR SECURITY ADMINISTRATION.—The term
9 “covered facility of the National Nuclear Security
10 Administration” means a national security labora-
11 tory or a nuclear weapons production facility as such
12 terms are defined in section 4002 of the Atomic En-
13 ergy Defense Act (50 U.S.C. 2501).

14 (7) ELIGIBLE SPONSOR.—The term “eligible
15 sponsor” means a public organization or an organi-
16 zation described in section 501(c) of the Internal
17 Revenue Code of 1986 and exempt from tax under
18 section 501(a) of that Code, that—

19 (A) with respect to an apprenticeship pro-
20 gram, administers such program through a
21 partnership that may include—

22 (i) an industry or sector partnership;

23 (ii) an employer or industry associa-
24 tion;

25 (iii) a labor-management organization;

1 (iv) a local workforce development
2 board or State workforce development
3 board;

4 (v) a 2- or 4-year institution of higher
5 education that offers an educational pro-
6 gram leading to an associate's or bach-
7 elor's degree in conjunction with a certifi-
8 cate of completion of apprenticeship;

9 (vi) the Armed Forces (including the
10 National Guard and Reserves);

11 (vii) a community-based organization;

12 or

13 (viii) an economic development agen-
14 cy; and

15 (B) with respect to a preapprenticeship
16 program, is a local educational agency, a sec-
17 ondary school, an area career and technical
18 education school, a provider of adult education,
19 a State workforce development board, a local
20 workforce development board, or a community-
21 based organization, that administers such pro-
22 gram with any required coordination and nec-
23 essary approvals from the Secretary of Labor or
24 a State department of labor.

1 (8) INSTITUTION OF HIGHER EDUCATION.—The
2 term “institution of higher education” has the
3 meaning given the term in section 101 of the Higher
4 Education Act of 1965 (20 U.S.C. 1001).

5 (9) LOCAL WORKFORCE DEVELOPMENT
6 BOARD.—The term “local workforce development
7 board” has the meaning given the term “local
8 board” in section 3 of the Workforce Innovation and
9 Opportunity Act (29 U.S.C. 3102).

10 (10) NATIONAL LABORATORY.—The term “Na-
11 tional Laboratory” has the meaning given the term
12 in section 2 of the Energy Policy Act of 2005 (42
13 U.S.C. 15801).

14 (11) PROVIDER OF ADULT EDUCATION.—The
15 term “provider of adult education” has the meaning
16 given that term in section 203 of the Adult Edu-
17 cation and Literacy Act (29 U.S.C. 3272).

18 (12) RELATED INSTRUCTION.—The term “re-
19 lated instruction” means an organized and system-
20 atic form of instruction designed to provide an ap-
21 prentice with the knowledge of the technical subjects
22 related to the occupation of the apprentice.

23 (13) SECRETARY.—The term “Secretary”
24 means the Secretary of Energy, in consultation with

1 the Secretary of Labor, except as otherwise specified
2 in this Act.

3 (14) STATE WORKFORCE DEVELOPMENT
4 BOARD.—The term “State workforce development
5 board” has the meaning given the term “State
6 board” in section 3 of the Workforce Innovation and
7 Opportunity Act (29 U.S.C. 3102).

8 (15) WORKFORCE INTERMEDIARY.—The term
9 “workforce intermediary”—

10 (A) means an organization that proactively
11 addresses workforce needs using a dual cus-
12 tomer approach, which considers the needs of
13 both employees and employers; and

14 (B) may include a community organiza-
15 tion, an employer organization, a community
16 college, a temporary staffing agency, a State
17 workforce development board, a local workforce
18 development board, or a labor organization.

19 **SEC. 3121. INDEPENDENT REVIEW OF PLANS AND CAPA-**
20 **BILITIES FOR NUCLEAR VERIFICATION, DE-**
21 **TECTION, AND MONITORING OF NUCLEAR**
22 **WEAPONS AND FISSILE MATERIAL.**

23 (a) PLAN.—Not later than 30 days after the date of
24 the enactment of this Act, the Secretary of Energy, in con-
25 sultation with the Secretary of Defense, shall seek to enter

1 into a contract with the National Academies of Sciences
2 to conduct an independent review and assessment of a
3 plan for nuclear detection and verification and monitoring
4 of nuclear weapons and fissile material.

5 (b) ELEMENTS.—The review under subsection (a)
6 shall include the following:

7 (1) Recommendations for a national research
8 infrastructure for enhanced nuclear verification, de-
9 tection, and monitoring, with respect to policy, oper-
10 ations, and research, development, testing, and eval-
11 uation, including—

12 (A) an evaluation of current national re-
13 search enterprise for such nuclear verification,
14 detection, and monitoring;

15 (B) a plan for maximizing a national re-
16 search enterprise to prevent the proliferation of
17 nuclear weapons and fissile material;

18 (C) integration of roles, responsibilities,
19 and planning for such verification, detection,
20 and monitoring within the Federal Government;
21 and

22 (D) a mechanism for the Department of
23 Energy to consult across the intelligence com-
24 munity when setting the research agenda to en-
25 sure that goals and priorities are aligned.

1 (2) Recommendations for international engage-
2 ment for building cooperation and transparency, in-
3 cluding bilateral and multilateral efforts, to improve
4 inspections, detection, and monitoring, and to create
5 incentives for cooperation and transparency.

6 (3) Recommendations for—

7 (A) research and development efforts to
8 improve monitoring, detection, and in-field in-
9 spection and analysis capabilities, including per-
10 sistent surveillance, remote monitoring, and
11 rapid analysis of large data sets, including
12 open-source data; and

13 (B) measures to coordinate technical and
14 operational requirements early in the process.

15 (4) Recommendations for improved coordination
16 between departments and agencies of the Federal
17 Government and the military departments, national
18 laboratories, commercial industry, and academia.

19 (5) Recommendations for leveraging commercial
20 capability, such as remote sensing.

21 (c) SUBMISSION AND BRIEFING.—Not later than 270
22 days after the date of the enactment of this Act, the Sec-
23 retary of Energy shall—

1 (1) submit to the congressional defense commit-
2 tees a report containing the review under subsection
3 (a); and

4 (2) provide to such committees a briefing on
5 such review.

6 (d) FORM.—The review under subsection (a) and the
7 report under subsection (c) shall be submitted in unclassi-
8 fied form, but may include a classified annex, consistent
9 with the protection of intelligence sources and methods.

10 **SEC. 3122. FUNDING FOR LOW-ENRICHED URANIUM RE-**
11 **SEARCH AND DEVELOPMENT.**

12 (a) INCREASE.—Notwithstanding the amounts set
13 forth in the funding tables in division D, the amount au-
14 thorized to be appropriated by this title for defense nu-
15 clear nonproliferation, as specified in the corresponding
16 funding table in section 4701, for low-enriched uranium
17 research and development is hereby increased by
18 \$20,000,000.

19 (b) OFFSET.—Notwithstanding the amounts set forth
20 in the funding tables in division D, the amount authorized
21 to be appropriated by this title for atomic energy defense
22 activities, as specified in the corresponding funding table
23 in section 4701, for Federal salaries and expenses is here-
24 by reduced by \$20,000,000.

1 **SEC. 3123. AVAILABILITY OF AMOUNTS FOR**
2 **DENUCLEARIZATION OF DEMOCRATIC PEO-**
3 **PLE'S REPUBLIC OF NORTH KOREA.**

4 (a) IN GENERAL.—The amount authorized to be ap-
5 propriated by section 3101 and available as specified in
6 the funding table in section 4701 for defense nuclear non-
7 proliferation is hereby increased by \$10,000,000, with the
8 amount of the increase to be available to develop and pre-
9 pare to implement a comprehensive, long-term monitoring
10 and verification program for activities related to the
11 phased denuclearization of the Democratic People's Re-
12 public of North Korea, in coordination with relevant inter-
13 national partners and organizations.

14 (b) OFFSET.—The amount authorized to be appro-
15 priated by this title and available as specified in the fund-
16 ing table in section 4701 for weapons activities for stock-
17 pile services, production support is hereby reduced by
18 \$10,000,000.

19 **SEC. 3124. ACCOUNTING PRACTICES OF NATIONAL NU-**
20 **CLEAR SECURITY ADMINISTRATION FACILI-**
21 **TIES.**

22 (a) SENSE OF CONGRESS.—It is the sense of Con-
23 gress that the Secretary of Energy should ensure that
24 each laboratory operating contractor or plant or site man-
25 ager of National Nuclear Security Administration sites ap-
26 plies generally accepted and consistent accounting best

1 practices for laboratory, plant, or site directed research
2 and development.

3 (b) REPORT REQUIRED.—Not later than 210 days
4 after the date of the enactment of this Act, the Adminis-
5 trator for Nuclear Security shall submit to the congres-
6 sional defense committees a report that assesses the costs,
7 benefits, risks, and other effects of the pilot program
8 under section 3119 of the National Defense Authorization
9 Act for Fiscal Year 2017 (Public Law 114–328; 50 U.S.C.
10 2791 note).

11 **SEC. 3125. FUNDING FOR INERTIAL CONFINEMENT FUSION**
12 **IGNITION AND HIGH YIELD PROGRAM.**

13 (a) INCREASE.—Notwithstanding the amounts set
14 forth in the funding tables in division D, the amount au-
15 thorized to be appropriated by this title for Weapons Ac-
16 tivities, as specified in the corresponding funding table in
17 section 4701, for the Inertial Confinement Fusion Ignition
18 and High Yield program, facility operations and target
19 production, is hereby increased by \$5,000,000.

20 (b) OFFSET.—Notwithstanding the amounts set forth
21 in the funding tables in division D, the amount authorized
22 to be appropriated by this title for Weapons Activities, as
23 specified in the corresponding funding table in section
24 4701, for Stockpile Services, management, technology,
25 and production, is hereby reduced by \$5,000,000.

1 **SEC. 3126. IMPROVEMENTS TO ENERGY EMPLOYEES OCCU-**
2 **PATIONAL ILLNESS COMPENSATION PRO-**
3 **GRAM ACT OF 2000.**

4 (a) OFFICE OF OMBUDSMAN.—Section 3686 of the
5 Energy Employees Occupational Illness Compensation
6 Program Act of 2000 (42 U.S.C. 7385s–15) is amended—

7 (1) in subsection (c)—

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

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

12 “(2) To provide guidance and assistance to
13 claimants.”; and

14 (2) in subsection (h), by striking “2019” and
15 inserting “2020”.

16 (b) ADVISORY BOARD ON TOXIC SUBSTANCES AND
17 WORKER HEALTH.—Section 3687 of the Energy Employ-
18 ees Occupational Illness Compensation Program Act of
19 2000 (42 U.S.C. 7385s–16) is amended—

20 (1) in subsection (b)(1)—

21 (A) in subparagraph (C), by striking “;
22 and” and inserting a semicolon;

23 (B) in subparagraph (D), by striking “;
24 and” and inserting a semicolon; and

25 (C) by adding after subparagraph (D) the
26 following:

1 “(E) the claims adjudication process gen-
2 erally, including review of procedure manual
3 changes prior to incorporation into the manual
4 and claims for medical benefits; and

5 “(F) such other matters as the Secretary
6 considers appropriate; and”;

7 (2) in subsection (g)—

8 (A) by striking “The Secretary of Energy
9 shall” and inserting “The Secretary of Energy
10 and the Secretary of Labor shall each”; and

11 (B) by adding at the end the following new
12 sentence: “The Secretary of Labor shall make
13 available to the Board the program’s medical
14 director, toxicologist, industrial hygienist and
15 program’s support contractors as requested by
16 the Board.”;

17 (3) by redesignating subsections (h) and (i) as
18 subsections (i) and (j), respectively; and

19 (4) by inserting after subsection (g) the fol-
20 lowing:

21 “(h) RESPONSE TO RECOMMENDATIONS.—Not later
22 than 60 days after submission to the Secretary of Labor
23 of the Board’s recommendations, the Secretary shall re-
24 spond to the Board in writing, and post on the public

1 Internet website of the Department of Labor, a response
2 to the recommendations that—

3 “(1) includes a statement of whether the Sec-
4 retary accepts or rejects the Board’s recommenda-
5 tions;

6 “(2) if the Secretary accepts the board’s rec-
7 ommendations, describes the timeline for when those
8 recommendations will be implemented; and

9 “(3) if the Secretary does not accept the rec-
10 ommendations, describes the reasons the Secretary
11 does not agree and provide all scientific research to
12 the Board supporting that decision.”.

13 **SEC. 3127. CIVIL PENALTIES FOR VIOLATIONS OF CERTAIN**
14 **WHISTLEBLOWER PROTECTIONS.**

15 (a) IN GENERAL.—Section 234A of the Atomic En-
16 ergy Act of 1954 (42 U.S.C. 2282a) is amended—

17 (1) in the heading, by inserting “**AND WHIS-**
18 **TLEBLOWER**” after “**SAFETY**”;

19 (2) in subsection a.—

20 (A) by inserting “, or who violates any ap-
21 plicable rule, regulation or order related to
22 whistleblower protections,” before “shall be sub-
23 ject to a civil penalty”; and

24 (B) by adding at the end the following new
25 sentence: “The Secretary of Energy may carry

1 out this section with respect to the National
2 Nuclear Security Administration by acting
3 through the Administrator for Nuclear Secu-
4 rity.”; and

5 (3) by adding at the end the following new sub-
6 section:

7 “e. In this section, the term ‘whistleblower protec-
8 tions’ means the protections for contractors from reprisals
9 pursuant to section 4712 of title 41, United States Code,
10 section 211 of the Energy Reorganization Act of 1974 (42
11 U.S.C. 5851), or other provisions of Federal law affording
12 such protections.”.

13 **SEC. 3128. LIMITATION RELATING TO RECLASSIFICATION**
14 **OF HIGH-LEVEL WASTE.**

15 (a) LIMITATION.—None of the funds authorized to
16 be appropriated by this Act or otherwise made available
17 for fiscal year 2020 for the Department of Energy may
18 be obligated or expended by the Secretary of Energy to
19 apply the interpretation of high-level radioactive waste de-
20 scribed in the notice published by the Secretary titled
21 “Supplemental Notice Concerning U.S. Department of
22 Energy Interpretation of High-Level Radioactive Waste”
23 (84 Fed. Reg. 26835), or successor notice, with respect
24 to such waste located in the State of Washington.

1 (b) RULE OF CONSTRUCTION.—Nothing in sub-
2 section (a) may be construed as an affirmation of the in-
3 terpretation of high-level radioactive waste of the Sec-
4 retary of Energy described in such subsection.

5 **TITLE XXXII—DEFENSE NU-**
6 **CLEAR FACILITIES SAFETY**
7 **BOARD**

8 **SEC. 3201. AUTHORIZATION.**

9 There are authorized to be appropriated for fiscal
10 year 2020, \$29,450,000 for the operation of the Defense
11 Nuclear Facilities Safety Board under chapter 21 of the
12 Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

13 **SEC. 3202. IMPROVEMENTS TO DEFENSE NUCLEAR FACILI-**
14 **TIES SAFETY BOARD.**

15 (a) STAFF.—

16 (1) SENSE OF CONGRESS.—It is the sense of
17 Congress that the Defense Nuclear Facilities Safety
18 Board is not adequately staffed, particularly given
19 the ongoing increase in defense nuclear activities
20 during the decade following the date of the enact-
21 ment of this Act.

22 (2) EXECUTIVE DIRECTOR OF OPERATIONS.—

23 (A) ESTABLISHMENT OF POSITION.—Sub-
24 section (b) of section 313 of the Atomic Energy

1 Act of 1954 (42 U.S.C. 2286b) is amended by
2 adding at the end the following new paragraph:

3 “(3)(A) The Board shall have an Executive Director
4 of Operations who shall be appointed under section
5 311(c)(7).

6 “(B) The Executive Director of Operations shall re-
7 port to the Chairman.

8 “(C) The Executive Director of Operations shall be
9 the senior employee of the Board responsible for—

10 “(i) general administration and technical mat-
11 ters;

12 “(ii) ensuring that the members of the Board
13 are fully and currently informed with respect to mat-
14 ters for which the members are responsible; and

15 “(iii) the functions delegated by the Chairman
16 pursuant to section 311(c)(3)(B).”.

17 (B) DELEGATION OF FUNCTIONS.—Para-
18 graph (3) of section 311(c) of such Act (42
19 U.S.C. 2286(c)) is amended—

20 (i) by striking “The Chairman” and
21 inserting “(A) The Chairman”; and

22 (ii) by adding at the end the following
23 new subparagraph:

24 “(B) In carrying out subparagraph (A), the Chair-
25 man shall delegate to the Executive Director of Operations

1 established under section 313(b)(3) the following func-
2 tions:

3 “(i) Administrative functions of the Board.

4 “(ii) Appointment and supervision of employees
5 of the Board not specified under paragraph (7).

6 “(iii) Distribution of business among the em-
7 ployees and administrative units and offices of the
8 Board.

9 “(iv) Preparation of—

10 “(I) proposals for the reorganization of the
11 administrative units or offices of the Board;

12 “(II) the budget estimate for the Board;
13 and

14 “(III) the proposed distribution of funds
15 according to purposes approved by the Board.”.

16 (3) APPOINTMENT AND REMOVAL POWERS.—

17 Paragraph (7) of such section 311(c) is amended to
18 read as follows:

19 “(7)(A) The Chairman, subject to the approval of the
20 Board, shall appoint the senior employees described in
21 subparagraph (C). Any member of the Board may propose
22 to the Chairman an individual to be so appointed.

23 “(B) The Chairman, subject to the approval of the
24 Board, may remove a senior employee described in sub-

1 paragraph (C). Any member of the Board may propose
2 to the Chairman an individual to be so removed.

3 “(C) The senior employees described in this subpara-
4 graph are the following senior employees of the Board:

5 “(i) The Executive Director of Operations es-
6 tablished under section 313(b)(3).

7 “(ii) The general counsel.”.

8 (4) FULL-TIME EQUIVALENT PERSONNEL LEV-
9 ELS.—Section 313(b)(1)(A) of such Act (42 U.S.C.
10 2286b(b)(1)(A)) is amended by striking “but not”
11 and all that follows through the semicolon and in-
12 serting “but not fewer than the equivalent of 110
13 full-time employees and not more than the equiva-
14 lent of 130 full-time employees;”.

15 (b) PUBLIC HEALTH AND SAFETY.—Section 312(a)
16 of such Act (42 U.S.C. 2286a(a)) is amended by inserting
17 before the period at the end the following: “, including
18 with respect to the health and safety of employees and
19 contractors at such facilities”.

20 (c) ACCESS TO FACILITIES, PERSONNEL, AND INFOR-
21 MATION.—Section 314 of such Act (42 U.S.C. 2286c) is
22 amended—

23 (1) in subsection (a)—

1 (A) by striking “The Secretary of Energy”
2 and inserting “Except as specifically provided
3 by this section, the Secretary of Energy”;

4 (B) by striking “ready access” both places
5 it appears and inserting “prompt and unfet-
6 tered access”; and

7 (C) by adding at the end the following new
8 sentence: “The access provided to facilities, per-
9 sonnel, and information under this subsection
10 shall be provided without regard to the hazard
11 or risk category assigned to a facility by the
12 Secretary.”; and

13 (2) by striking subsection (b) and inserting the
14 following new subsections:

15 “(b) AUTHORITY OF SECRETARY DENY INFORMA-
16 TION.—The Secretary may only deny access to informa-
17 tion pursuant to subsection (a)—

18 “(1) to any person who—

19 “(A) has not been granted an appropriate
20 security clearance or access authorization by
21 the Secretary; or

22 “(B) does not need such access in connec-
23 tion with the duties of such person; or

1 “(2) if such denial is authorized by a provision
2 of Federal law that specifically limits the right of
3 the Board to access such information.

4 “(c) APPLICATION OF NONDISCLOSURE PROTEC-
5 TIONS BY BOARD.—The Board may not publicly disclose
6 information provided under this section if such informa-
7 tion is otherwise protected from disclosure by law, includ-
8 ing deliberative process information.”.

9 **TITLE XXXIV—NAVAL**
10 **PETROLEUM RESERVES**

11 **SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.**

12 (a) AMOUNT.—There are hereby authorized to be ap-
13 propriated to the Secretary of Energy \$14,000,000 for fis-
14 cal year 2020 for the purpose of carrying out activities
15 under chapter 869 of title 10, United States Code, relating
16 to the naval petroleum reserves.

17 (b) PERIOD OF AVAILABILITY.—Funds appropriated
18 pursuant to the authorization of appropriations in sub-
19 section (a) shall remain available until expended.

**TITLE XXXV—MARITIME
MATTERS**

**Subtitle A—Maritime
Administration**

**SEC. 3501. AUTHORIZATION OF THE MARITIME ADMINIS-
TRATION.**

There are authorized to be appropriated to the Department of Transportation for fiscal year 2020, 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, \$81,944,000, of which—

(A) \$77,944,000 shall be for Academy operations; and

(B) \$4,000,000 shall remain available until expended for capital asset management at the Academy.

(2) For expenses necessary to support the State maritime academies, \$38,480,000, of which—

(A) \$2,400,000 shall remain available until September 30, 2020, for the Student Incentive Program;

1 (B) \$30,080,000 shall remain available
2 until expended for maintenance and repair of
3 State maritime academy training vessels; and

4 (C) \$6,000,000 shall remain available until
5 expended for direct payments to such acad-
6 emies.

7 (3) For expenses necessary to support the Na-
8 tional Security Multi-Mission Vessel Program,
9 \$300,000,000, which shall remain available until ex-
10 pended.

11 (4) For expenses necessary to support Maritime
12 Administration operations and programs,
13 \$53,273,000.

14 (5) For expenses necessary to dispose of vessels
15 in the National Defense Reserve Fleet, \$5,000,000,
16 which shall remain available until expended.

17 (6) For expenses necessary to maintain and
18 preserve a United States flag merchant marine to
19 serve the national security needs of the United
20 States under chapter 531 of title 46, United States
21 Code, \$300,000,000.

22 (7) For expenses necessary for the loan guar-
23 antee program authorized under chapter 537 of title
24 46, United States Code, \$33,000,000, of which—

1 (A) \$30,000,000 may be used for the cost
2 (as defined in section 502(5) of the Federal
3 Credit Reform Act of 1990 (2 U.S.C. 661a(5)))
4 of loan guarantees under the program; and

5 (B) \$3,000,000 may be used for adminis-
6 trative expenses relating to loan guarantee com-
7 mitments under the program.

8 (8) For expenses necessary to provide small
9 shipyards and maritime communities grants under
10 section 54101 of title 46, United States Code,
11 \$35,000,000.

12 **SEC. 3502. REAUTHORIZATION OF MARITIME SECURITY**
13 **PROGRAM.**

14 (a) AWARD OF OPERATING AGREEMENTS.—Section
15 53103 of title 46, United States Code, is amended by
16 striking “2025” each place it appears and inserting
17 “2035”.

18 (b) EFFECTIVENESS OF OPERATING AGREE-
19 MENTS.—Section 53104(a) of title 46, United States
20 Code, is amended by striking “2025” and inserting
21 “2035”.

22 (c) PAYMENTS.—Section 53106(a)(1) of title 46,
23 United States Code, is amended—

24 (1) in subparagraph (B), by striking “and”;

1 (2) in subparagraph (C), by striking
2 “\$3,700,000 for each of fiscal years 2022, 2023,
3 2024, and 2025.” and inserting “\$5,300,000 for
4 each of fiscal years 2022, 2023, 2024, and 2025;
5 and”; and

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

8 “(D) \$5,800,000 for each of fiscal years
9 2026, 2027, and 2028;

10 “(E) \$6,300,000 for each of fiscal years
11 2029, 2030, and 2031; and

12 “(F) \$6,800,000 for each of fiscal years
13 2032, 2033, 2034, and 2035.”.

14 (d) AUTHORIZATION OF APPROPRIATIONS.—Section
15 53111 of title 46, United States Code, is amended—

16 (1) in paragraph (2), by striking “and”;

17 (2) in paragraph (3), by striking
18 “\$222,000,000 for each fiscal year thereafter
19 through fiscal year 2025.” and inserting
20 “\$318,000,000 for each of fiscal years 2022, 2023,
21 2024, and 2025;”; and

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

24 “(4) \$348,000,000 for each of fiscal years
25 2026, 2027, and 2028;

1 “(5) \$378,000,000 for each of fiscal years
2 2029, 2030, and 2031; and

3 “(6) \$408,000,000 for each of fiscal years
4 2032, 2033, 2034, and 2035.”.

5 **SEC. 3503. MARITIME OCCUPATIONAL SAFETY AND HEALTH**
6 **ADVISORY COMMITTEE.**

7 Section 7 of the Occupational Safety and Health Act
8 of 1970 (29 U.S.C. 656) is amended by adding at the end
9 the following:

10 “(d) There is established a Maritime Occupational
11 Safety and Health Advisory Committee, which shall be a
12 continuing body and shall provide advice to the Secretary
13 in formulating maritime industry standards and regarding
14 matters pertaining to the administration of this Act re-
15 lated to the maritime industry. The composition of such
16 advisory committee shall be consistent with the advisory
17 committees established under subsection (b). A member
18 of the advisory committee who is otherwise qualified may
19 continue to serve until a successor is appointed. The Sec-
20 retary may promulgate or amend regulations as necessary
21 to implement this subsection.”.

22 **SEC. 3504. MILITARY TO MARINER PROGRAM.**

23 (a) CREDENTIALING SUPPORT.—Not later than one
24 year after the date of the enactment of this Act, the Sec-
25 retary of Defense and the Secretary of the Department

1 in which the Coast Guard operates, in coordination with
2 one another and with the United States Committee on the
3 Marine Transportation System, and in consultation with
4 the Merchant Marine Personnel Advisory Committee, shall
5 identify all training and experience within each of the
6 Armed Forces that may qualify for merchant mariner
7 credentialing, and submit a list of all identified training
8 and experience to the United States Coast Guard National
9 Maritime Center for a determination of whether such
10 training and experience counts for credentialing purposes.

11 (b) REVIEW OF APPLICABLE SERVICE.—The United
12 States Coast Guard Commandant shall make a determina-
13 tion of whether training and experience counts for
14 credentialing purposes, as described in subsection (a), not
15 later than 6 months after the date on which the United
16 States Coast Guard National Maritime Center receives a
17 submission under subsection (a) identifying a training or
18 experience and requesting such a determination.

19 (c) FEES AND SERVICES.—The Secretary of Defense
20 and the Secretary of the Department in which the Coast
21 Guard operates, with respect to the applicable services in
22 their respective departments, shall—

23 (1) take all necessary and appropriate actions
24 to provide for the waiver of fees through the Na-
25 tional Maritime Center license evaluation, issuance,

1 and examination for members of the Armed Forces
2 on active duty, if a waiver is authorized and appro-
3 priate, and, if a waiver is not granted, take all nec-
4 essary and appropriate actions to provide for the
5 payment of fees for members of the Armed Forces
6 on active duty by the applicable service to the fullest
7 extent permitted by law;

8 (2) direct the Armed Forces to take all nec-
9 essary and appropriate actions to provide for Trans-
10 portation Worker Identification Credential cards for
11 members of the Armed Forces on active duty pur-
12 suing or possessing a mariner credential, such as im-
13 plementation of an equal exchange process for active
14 duty service members at no or minimal cost;

15 (3) ensure that members of the Armed Forces
16 who are to be discharged or released from active
17 duty and who request certification or verification of
18 sea service be provided such certification or
19 verification no later than one month after discharge
20 or release;

21 (4) ensure the Armed Forces have developed, or
22 continue to operate, as appropriate, the online re-
23 source known as Credentialing Opportunities On-
24 Line to support separating members of the Armed

1 Forces who are seeking information and assistance
2 on merchant mariner credentialing; and

3 (5) not later than one year after the date of en-
4 actment of this section, take all necessary and ap-
5 propriate actions to review and implement service-re-
6 lated medical certifications to merchant mariner cre-
7 dential requirements.

8 (d) ADVANCING MILITARY TO MARINER WITHIN THE
9 EMPLOYER AGENCIES.—

10 (1) IN GENERAL.—The Secretary of Defense
11 and the Secretary of the Department in which the
12 Coast Guard operates shall have direct hiring au-
13 thority to employ separated members of the Armed
14 Forces with valid merchant mariner licenses or sea
15 service experience in support of United States na-
16 tional maritime needs, including the Army Corps of
17 Engineers.

18 (2) APPOINTMENTS OF RETIRED MEMBERS OF
19 THE ARMED FORCES.—Except in the case of posi-
20 tions in the Senior Executive Service, the require-
21 ments of section 3326(b) of title 5, United States
22 Code, shall not apply with respect to the hiring of
23 a separated member of the Armed Forces under
24 paragraph (1).

1 (e) SEPARATED MEMBER OF THE ARMED FORCES.—

2 In this section, the term “separated member of the Armed
3 Forces” means an individual who—

4 (1) is retiring or is retired as a member of the
5 Armed Forces;

6 (2) is voluntarily separating or voluntarily sepa-
7 rated from the Armed Forces at the end of enlist-
8 ment or service obligation; or

9 (3) is administratively separating or has admin-
10 istratively separated from the Armed Forces with an
11 honorable or general discharge characterization.

12 **Subtitle B—Tanker Security Fleet**

13 **SEC. 3511. TANKER SECURITY FLEET.**

14 (a) IN GENERAL.—Subtitle VII of title 46, United
15 States Code, is amended by adding at the end the fol-
16 lowing:

17 **“CHAPTER 707—TANKER SECURITY FLEET**

“70701. Definitions.

“70702. Establishment of the Tanker Security Fleet.

“70703. Vessel standards.

“70704. Award of operating agreements.

“70705. Effectiveness of operating agreements.

“70706. Obligations and rights under operating agreements.

“70707. Payments.

“70708. National security requirements.

“70709. Regulatory relief.

“70710. Special rule regarding age of participating Fleet vessels.

“70711. Regulations.

“70712. Authorization of appropriations.

“70713. Acquisition of Fleet vessels.

18 **“§ 70701. Definitions**

19 “In this chapter:

1 “(1) FOREIGN COMMERCE.—The term ‘foreign
2 commerce’ means—

3 “(A) commerce or trade between the
4 United States, its territories or possessions, or
5 the District of Columbia, and a foreign country;
6 and

7 “(B) commerce or trade between foreign
8 countries including trade between foreign ports
9 in accordance with normal commercial bulk
10 shipping practices in such a manner as will per-
11 mit vessels of the United States freely to com-
12 pete with foreign-flag liquid bulk carrying ves-
13 sels in their operation or in competing charters,
14 subject to rules and regulations promulgated by
15 the Secretary of Transportation pursuant to
16 this chapter or subtitle.

17 “(2) PARTICIPATING FLEET VESSEL.—The
18 term ‘participating Fleet vessel’ means any tank ves-
19 sel covered by an operating agreement under this
20 chapter on or after January 1, 2021.

21 “(3) PERSON.—The term ‘person’ includes cor-
22 porations, partnerships, and associations existing
23 under, or authorized by, laws of the United States,
24 or any State, territory, district, or possession there-
25 of, or any foreign country.

1 “(4) TANK VESSEL.—The term ‘tank vessel’
2 has the meaning that term has under section 2101
3 of this title.

4 “(5) UNITED STATES CITIZEN TRUST.—The
5 term ‘United States citizen trust’—

6 “(A) means a trust for which—

7 “(i) each of the trustees is a citizen of
8 the United States; and

9 “(ii) the application for documenta-
10 tion of the vessel under chapter 121 of this
11 title includes an affidavit of each trustee
12 stating that the trustee is not aware of any
13 reason involving a beneficiary of the trust
14 that is not a citizen of the United States,
15 or involving any other person who is not a
16 citizen of the United States, as a result of
17 which the beneficiary or other person
18 would hold more than 25 percent of the
19 aggregate power to influence or limit the
20 exercise of the authority of the trustee with
21 respect to matters involving any ownership
22 or operation of the vessel that may ad-
23 versely affect the interests of the United
24 States;

1 “(B) does not include a trust for which
2 any person that is not a citizen of the United
3 States has authority to direct, or participate in
4 directing, a trustee for a trust in matters in-
5 volving any ownership or operation of the vessel
6 that may adversely affect the interests of the
7 United States or in removing a trustee without
8 cause, either directly or indirectly through the
9 control of another person, unless the trust in-
10 strument provides that persons who are not citi-
11 zens of the United States may not hold more
12 than 25 percent of the aggregate authority to
13 so direct or remove a trustee; and

14 “(C) may include a trust for which a per-
15 son who is not a citizen of the United States
16 holds more than 25 percent of the beneficial in-
17 terest in the trust.

18 **“§ 70702. Establishment of the Tanker Security Fleet**

19 “(a) IN GENERAL.—The Secretary of Transpor-
20 tation, in consultation with the Secretary of Defense, shall
21 establish a fleet of active, commercially viable, militarily
22 useful, privately owned product tankers to meet national
23 defense and other security requirements and maintain a
24 United States presence in international commercial ship-
25 ping. The fleet shall consist of privately owned vessels of

1 the United States for which there are in effect operating
2 agreements under this chapter, and shall be known as the
3 ‘Tanker Security Fleet’ (hereinafter in this chapter re-
4 ferred to as the ‘Fleet’).

5 “(b) VESSEL ELIGIBILITY.—A vessel is eligible to be
6 included in the Fleet if the vessel—

7 “(1) meets the requirements under paragraph
8 (1), (2), (3), or (4) of subsection (c);

9 “(2) is operated (or in the case of a vessel to
10 be constructed, will be operated) in providing trans-
11 portation in United States foreign commerce;

12 “(3) is self-propelled;

13 “(4) is not more than ten years of age on the
14 date the vessel is first included in the Fleet and not
15 more than 25 years of age at any time during which
16 the vessel is included in the Fleet;

17 “(5) is determined by the Secretary of Defense
18 to be suitable for use by the United States for na-
19 tional defense or military purposes in time of war or
20 national emergency;

21 “(6) is commercially viable, as determined by
22 the Secretary of Transportation; and

23 “(7) is—

24 “(A) a vessel of the United States; or

1 “(B) not a vessel of the United States,
2 but—

3 “(i) the owner of the vessel has dem-
4 onstrated an intent to have the vessel doc-
5 umented under chapter 121 of this title if
6 it is included in the Fleet; and

7 “(ii) at the time an operating agree-
8 ment is entered into under this chapter,
9 the vessel is eligible for documentation
10 under chapter 121 of this title.

11 “(c) REQUIREMENTS REGARDING CITIZENSHIP OF
12 OWNERS, CHARTERERS, AND OPERATORS.—

13 “(1) VESSELS OWNED AND OPERATED BY SEC-
14 TION 50501 CITIZENS.—A vessel meets the require-
15 ments of this paragraph if, during the period of an
16 operating agreement under this chapter that applies
17 to the vessel, the vessel will be owned and operated
18 by one or more persons that are citizens of the
19 United States under section 50501 of this title.

20 “(2) VESSELS OWNED BY A SECTION 50501 CIT-
21 IZEN, OR UNITED STATES CITIZEN TRUST, AND
22 CHARTERED TO A DOCUMENTATION CITIZEN.—A
23 vessel meets the requirements of this paragraph if—

1 “(A) during the period of an operating
2 agreement under this chapter that applies to
3 the vessel, the vessel will be—

4 “(i) owned by a person that is a cit-
5 izen of the United States under section
6 50501 of this title or that is a United
7 States citizen trust; and

8 “(ii) demise chartered to a person—

9 “(I) that is eligible to document
10 the vessel under chapter 121 of this
11 title;

12 “(II) the chairman of the board
13 of directors, chief executive officer,
14 and a majority of the members of the
15 board of directors of which are citi-
16 zens of the United States under sec-
17 tion 50501 of this title, and are ap-
18 pointed and subjected to removal only
19 upon approval by the Secretary; and

20 “(III) that certifies to the Sec-
21 retary that there are no treaties, stat-
22 utes, regulations, or other laws that
23 would prohibit the owner or operator
24 for the vessel from performing its ob-

1 ligations under an operating agree-
2 ment under this chapter;

3 “(B) in the case of a vessel that will be de-
4 mise chartered to a person that is owned or
5 controlled by another person that is not a cit-
6 izen of the United States under section 50501
7 of this title, the other person enters into an
8 agreement with the Secretary not to influence
9 the operation of the vessel in a manner that will
10 adversely affect the interests of the United
11 States; and

12 “(C) the Secretary of Transportation and
13 the Secretary of Defense notify the Committee
14 on Armed Services and the Committee on Com-
15 merce, Science, and Transportation of the Sen-
16 ate and the Committee on Armed Services and
17 the Committee on Transportation and Infra-
18 structure of the House of Representatives that
19 the Secretaries concur with the certification re-
20 quired under subparagraph (A)(ii)(III), and
21 have reviewed and agree that there are no legal,
22 operational, or other impediments that would
23 prohibit the owner or operator for the vessel
24 from performing its obligations under an oper-
25 ating agreement under this chapter.

1 “(3) VESSELS OWNED AND OPERATED BY A DE-
2 FENSE OWNER OR OPERATOR.—A vessel meets the
3 requirements of this paragraph if—

4 “(A) during the period of an operating
5 agreement under this chapter that applies to
6 the vessel, the vessel will be owned and oper-
7 ated by a person that—

8 “(i) is eligible to document a vessel
9 under chapter 121 of this title;

10 “(ii) operates or manages other ves-
11 sels of the United States for the Secretary
12 of Defense, or charters other vessels to the
13 Secretary of Defense;

14 “(iii) has entered into a special secu-
15 rity agreement for the purpose of this
16 paragraph with the Secretary of Defense;

17 “(iv) makes the certification described
18 in paragraph (2)(A)(ii)(III); and

19 “(v) in the case of a vessel described
20 in paragraph (2)(B), enters into an agree-
21 ment referred to in that subparagraph; and

22 “(B) the Secretary of Transportation and
23 the Secretary of Defense notify the Committee
24 on Armed Services and the Committee on Com-
25 merce, Science, and Transportation of the Sen-

1 ate and the Committee on Armed Services and
2 the Committee on Transportation and Infra-
3 structure of the House of Representatives that
4 they concur with the certification required
5 under subparagraph (A)(iv), and have reviewed
6 and agree that there are no legal, operational,
7 or other impediments that would prohibit the
8 owner or operator for the vessel from per-
9 forming its obligations under an operating
10 agreement under this chapter.

11 “(4) VESSELS OWNED BY DOCUMENTATION
12 CITIZENS AND CHARTERED TO SECTION 50501 CITI-
13 ZENS.—A vessel meets the requirements of this
14 paragraph if, during the period of an operating
15 agreement under this chapter, the vessel will be—

16 “(A) owned by a person who is eligible to
17 document a vessel under chapter 121 of this
18 title; and

19 “(B) demise chartered to a person that is
20 a citizen of the United States under section
21 50501 of this title.

22 “(d) REQUEST BY SECRETARY OF DEFENSE.—The
23 Secretary of Defense shall request that the Commandant
24 of the Coast Guard issue any waiver under section 501

1 of this title that the Secretary of Defense determines is
2 necessary for purposes of this chapter.

3 “(e) VESSEL STANDARDS.—

4 “(1) CERTIFICATE OF INSPECTION.—A vessel
5 used to provide oceangoing transportation that the
6 Commandant of the Coast Guard determines meets
7 the criteria of subsection (b) but which, on the date
8 of enactment of this section, is not documented
9 under chapter 121 of this title, shall be eligible for
10 a certificate of inspection if the Commandant of the
11 Coast Guard determines that—

12 “(A) the vessel is classed by and designed
13 in accordance with the rules of the American
14 Bureau of Shipping, or another classification
15 society accepted by the Commandant of the
16 Coast Guard;

17 “(B) the vessel complies with applicable
18 international agreements and associated guide-
19 lines, as determined by the country in which the
20 vessel was documented immediately before be-
21 coming documented under chapter 121 of this
22 title; and

23 “(C) the country has not been identified by
24 the Commandant of the Coast Guard as inad-

1 equately enforcing international vessel regula-
2 tions as to that vessel.

3 “(2) RELIANCE ON CLASSIFICATION SOCIETY.—

4 “(A) IN GENERAL.—The Commandant of
5 the Coast Guard may rely on a certification
6 from the American Bureau of Shipping or, sub-
7 ject to subparagraph (B), another classification
8 society accepted by the Commandant of the
9 Coast Guard, to establish that a vessel is in
10 compliance with the requirements of paragraph
11 (1).

12 “(B) FOREIGN CLASSIFICATION SOCI-
13 ETY.—The Secretary may accept certification
14 from a foreign classification society under sub-
15 paragraph (A) only—

16 “(i) to the extent that the government
17 of the foreign country in which the society
18 is headquartered provides access on a re-
19 ciprocal basis to the American Bureau of
20 Shipping; and

21 “(ii) if the foreign classification soci-
22 ety has offices and maintains records in
23 the United States.

1 **“§ 70703. Vessel standards**

2 “(a) CERTIFICATE OF INSPECTION.—A vessel used to
3 provide transportation service as a common carrier that
4 the Secretary of Transportation determines meets the cri-
5 teria of section 53102(b) of this title, which on the date
6 of enactment of this section is not a documented vessel
7 (as that term is defined in section 106 of this title), shall
8 be eligible for a certificate of inspection if the Secretary
9 determines that—

10 “(1) the vessel is classed by and designed in ac-
11 cordance with the rules of the American Bureau of
12 Shipping or another classification society accepted
13 by the Secretary;

14 “(2) the vessel complies with applicable inter-
15 national agreements and associated guidelines, as
16 determined by the country in which the vessel was
17 documented immediately before becoming a docu-
18 mented vessel (as defined in that section); and

19 “(3) that country has not been identified by the
20 Secretary as inadequately enforcing international
21 vessel regulations as to that vessel.

22 “(b) CONTINUED ELIGIBILITY FOR CERTIFICATE.—
23 Subsection (a) does not apply to any vessel that has failed
24 to comply with the applicable international agreements
25 and association guidelines referred to in subsection (a)(2).

26 “(c) RELIANCE ON CLASSIFICATION SOCIETY.—

1 “(1) IN GENERAL.—The Secretary may rely on
2 a certification from the American Bureau of Ship-
3 ping or, subject to paragraph (2), another classifica-
4 tion society accepted by the Secretary, to establish
5 that a vessel is in compliance with the requirements
6 of subsections (a) and (b).

7 “(2) FOREIGN CLASSIFICATION SOCIETY.—The
8 Secretary may accept certification from a foreign
9 classification society under paragraph (1) only—

10 “(A) to the extent that the government of
11 the foreign country in which the society is
12 headquartered provides access on a reciprocal
13 basis to the American Bureau of Shipping; and

14 “(B) if the foreign classification society
15 has offices and maintains records in the United
16 States.

17 **“§ 70704. Award of operating agreements**

18 “(a) IN GENERAL.—The Secretary of Transportation
19 shall require, as a condition of including any vessel in the
20 Fleet, that the owner or operator of the vessel enter into
21 an operating agreement with the Secretary under this sec-
22 tion.

23 “(b) PROCEDURE FOR APPLICATIONS.—

24 “(1) PARTICIPATING FLEET VESSELS.—

1 “(A) IN GENERAL.—The Secretary of
2 Transportation shall accept an application for
3 an operating agreement for a participating
4 Fleet vessel under the priority under paragraph
5 (2) only from a person that has authority to
6 enter into an operating agreement under this
7 chapter.

8 “(B) VESSEL UNDER DEMISE CHARTER.—
9 For purposes of subparagraph (A), in the case
10 of a vessel that is subject to a demise charter
11 that terminates by its own terms on September
12 30, 2035 (without giving effect to any extension
13 provided therein for completion of a voyage or
14 to effect the actual redelivery of the vessel), or
15 that is terminable at the will of the owner of
16 the vessel after such date, only the owner of the
17 vessel shall be treated as having the authority
18 referred to in subparagraph (A).

19 “(C) VESSEL OWNED BY A UNITED STATES
20 CITIZEN TRUST.—For purposes of subpara-
21 graph (B), in the case of a vessel owned by a
22 United States citizen trust, the term ‘owner of
23 the vessel’ includes the beneficial owner of the
24 vessel with respect to such trust.

1 “(2) DISCRETION WITHIN PRIORITY.—The Sec-
2 retary of Transportation—

3 “(A) may award operating agreements
4 under paragraph (1) according to such prior-
5 ities as the Secretary considers appropriate; and

6 “(B) shall award operating agreements
7 within any such priority—

8 “(i) in accordance with operational re-
9 quirements specified by the Secretary of
10 Defense;

11 “(ii) in the case of operating agree-
12 ments awarded under subparagraph (B) of
13 paragraph (1), according to applicants’
14 records of owning and operating vessels;
15 and

16 “(iii) subject to approval of the Sec-
17 retary of Defense.

18 “(c) LIMITATION.—For any fiscal year, the Secretary
19 may not award operating agreements under this chapter
20 that require payments under section 70707 of this title
21 for more than 10 vessels.

22 **“§ 70705. Effectiveness of operating agreements**

23 “(a) IN GENERAL.—Subject to the availability of ap-
24 propriations for such purpose, the Secretary of Transpor-
25 tation may enter into an operating agreement under this

1 chapter for fiscal year 2021 and any subsequent fiscal
2 year. Each such agreement may be renewed annually for
3 up to seven years.

4 “(b) VESSELS UNDER CHARTER TO THE UNITED
5 STATES.—The owner or operator of a vessel under charter
6 to the United States is eligible to receive payments pursu-
7 ant to any operating agreement that covers such vessel.

8 “(c) TERMINATION.—

9 “(1) TERMINATION BY SECRETARY FOR LACK
10 OF OWNER OR OPERATOR COMPLIANCE.—If the
11 owner or operator with respect to an operating
12 agreement materially fails to comply with the terms
13 of the agreement—

14 “(A) the Secretary shall notify the owner
15 or operator and provide a reasonable oppor-
16 tunity to comply with the operating agreement;
17 and

18 “(B) the Secretary shall terminate the op-
19 erating agreement if the owner or operator fails
20 to achieve such compliance.

21 “(2) TERMINATION BY OWNER OR OPER-
22 ATOR.—

23 “(A) IN GENERAL.—If an owner or oper-
24 ator provides notice of the intent to terminate
25 an operating agreement under this chapter on

1 a date specified by not later than 60 days prior
2 to such date, such agreement shall terminate on
3 the date specified by the owner or operator.

4 “(B) REPLACEMENT.—An operating agree-
5 ment with respect to a vessel shall terminate on
6 the date that is three years after the date on
7 which the vessel begins operating under the
8 agreement, if—

9 “(i) the owner or operator notifies the
10 Secretary, by not later than two years
11 after the date the vessel begins operating
12 under the agreement, that the owner or op-
13 erator intends to terminate the agreement
14 under this subparagraph; and

15 “(ii) the Secretary of Transportation,
16 in coordination with the Secretary of De-
17 fense, determines that—

18 “(I) an application for an oper-
19 ating agreement under this chapter
20 has been received for a replacement
21 vessel that is acceptable to the Secre-
22 taries; and

23 “(II) during the period of an op-
24 erating agreement under this chapter

1 that applies to the replacement vessel,
2 the replacement vessel will be—

3 “(aa) owned and operated
4 by one or more persons that are
5 citizens of the United States
6 under section 50501 of this title;
7 or

8 “(bb) owned by a person
9 who is eligible to document the
10 vessel under chapter 121 of this
11 title, and operated by a person
12 that is a citizen of the United
13 States under section 50501 of
14 this title.

15 “(d) NONRENEWAL FOR LACK OF FUNDS.—

16 “(1) IN GENERAL.—If sufficient funds are not
17 made available to carry out an operating agreement
18 under this chapter—

19 “(A) the Secretary of Transportation shall
20 submit to the Committee on Armed Services
21 and the Committee on Commerce, Science, and
22 Transportation of the Senate and the Com-
23 mittee on Armed Services and the Committee
24 on Transportation and Infrastructure of the
25 House of Representatives notice that such

1 agreement shall be not renewed effective on the
2 60th day of the fiscal year, unless such funds
3 are made available before such day; and

4 “(B) effective on the 60th day of such fis-
5 cal year, terminate such agreement and provide
6 notice of such termination to the owner or oper-
7 ator of the vessel covered by the agreement.

8 “(2) RELEASE OF VESSELS FROM OBLIGA-
9 TIONS.—If an operating agreement for a vessel
10 under this chapter is not renewed pursuant to para-
11 graph (1), then the owner or operator of the vessel
12 is released from any further obligation under the op-
13 erating agreement as of the date of such termination
14 or nonrenewal.

15 “(3) FOREIGN TRANSFER AND REGISTRA-
16 TION.—The owner or operator of a vessel covered by
17 an operating agreement under this chapter may
18 transfer and register such vessel under a foreign
19 registry that is acceptable to the Secretary and the
20 Secretary of Defense, notwithstanding section 70701
21 of this title.

22 “(4) REQUISITION.—If chapter 563 of this title
23 is applicable to a vessel after registration, then the
24 vessel is available to be requisitioned by the Sec-
25 retary pursuant to chapter 563 of this title.

1 **“§ 70706. Obligations and rights under operating**
2 **agreements**

3 “(a) OPERATION OF VESSEL.—An operating agree-
4 ment under this chapter shall require that, during the pe-
5 riod the vessel covered by the agreement is operating
6 under the agreement the vessel shall—

7 “(1) be operated in the United States foreign
8 commerce, mixed United States foreign commerce
9 and domestic trade allowed under a registry endorse-
10 ment issued under section 12111 of this title, for-
11 eign-to-foreign commerce, or under a charter to the
12 United States;

13 “(2) not be operated in the coastwise trade ex-
14 cept as described in paragraph (1); and

15 “(3) be documented under chapter 121 of this
16 title.

17 “(b) OPERATING AGREEMENT IS AN OBLIGATION OF
18 THE UNITED STATES GOVERNMENT.—An operating
19 agreement under this chapter constitutes a contractual ob-
20 ligation of the United States Government to pay the
21 amounts provided for in the agreement to the extent of
22 actual appropriations.

23 “(c) OBLIGATIONS OF OWNER OR OPERATOR.—

24 “(1) IN GENERAL.—The owner or operator of a
25 vessel covered by an operating agreement under this
26 chapter shall agree, as a condition of such agree-

1 ment, to remain obligated to carry out the require-
2 ments described in paragraph (2) until the termi-
3 nation date specified in the agreement, even in the
4 case of early termination of the agreement under
5 section 70705(c) of this title. This subsection shall
6 not apply in the case of an operating agreement ter-
7 minated for lack of funds under section 70705(d) of
8 this title.

9 “(2) REQUIREMENTS.—The requirements de-
10 scribed in this paragraph are the following:

11 “(A) To continue the documentation of the
12 vessel under chapter 121 of this title.

13 “(B) To be bound by the requirements of
14 section 70708 of this title.

15 “(C) That all terms and conditions of an
16 emergency preparedness agreement entered into
17 under section 70708 of this title shall remain in
18 effect, except that the terms of such emergency
19 preparedness agreement may be modified by the
20 mutual consent of the owner or operator, the
21 Secretary and the Secretary of Defense as pro-
22 vided in such section.

23 “(d) TRANSFER OF OPERATING AGREEMENTS.—The
24 owner or operator of a vessel covered by an operating
25 agreement under this chapter may transfer that agree-

1 ment (including all rights and obligations under the agree-
2 ment) to any person that is eligible to enter into that oper-
3 ating agreement under this chapter, if the transfer is ap-
4 proved by the Secretary of Transportation and the Sec-
5 retary of Defense.

6 “(e) REPLACEMENT OF VESSELS COVERED BY
7 AGREEMENTS.—A owner or operator may replace a vessel
8 covered by an operating agreement with another vessel
9 that is eligible to be included in the Fleet under section
10 70702(b), if the Secretary of Transportation, in coordina-
11 tion with the Secretary of Defense, approves the replace-
12 ment of the vessel. In selecting a replacement vessel, the
13 owner or operator shall give primary consideration to—
14 “(1) the commercial viability of the vessel;
15 “(2) the utility of the vessel with respect to the
16 operating requirements of the owner or operator;
17 and
18 “(3) ensuring that the commercial and military
19 utility of any replacement vessel is not less than that
20 of the initial vessel.

21 **“§ 70707. Payments**

22 “(a) ANNUAL PAYMENT.—Subject to the availability
23 of appropriations for such purpose and the other provi-
24 sions of this chapter, the Secretary shall pay to the owner
25 or operator of a vessel covered by an operating agreement

1 under this chapter an amount equal to \$6,000,000 for
2 each vessel covered by the agreement for each fiscal year
3 that the vessel is covered by the agreement. Such amount
4 shall be paid in equal monthly installments on the last day
5 of each month. The amount payable under this subsection
6 may not be reduced except as provided by this section.

7 “(b) CERTIFICATION REQUIRED FOR PAYMENT.—As
8 a condition of receiving payment under this section for a
9 fiscal year for a vessel, the owner or operator for the vessel
10 shall certify, in accordance with regulations issued by the
11 Secretary, that the vessel has been and will be operated
12 in accordance with section 70706 of this title for at least
13 320 days during the fiscal year. Days during which the
14 vessel is drydocked, surveyed, inspected, or repaired shall
15 be considered days of operation for purposes of this sub-
16 section.

17 “(c) GENERAL LIMITATIONS.—The Secretary may
18 not make any payment under this chapter for a vessel with
19 respect to any days for which the vessel is—

20 “(1) not operated or maintained in accordance
21 with an operating agreement under this chapter; or

22 “(2) more than 25 years of age.

23 “(d) REDUCTIONS IN PAYMENTS.—With respect to
24 payments under this chapter for a vessel covered by an
25 operating agreement, the Secretary—

1 “(1) except as provided in paragraph (2), may
2 not reduce such a payment for the operation of the
3 vessel to carry military or other preference cargoes
4 under section 55302(a), 55304, 55305, or 55314 of
5 this title, section 2631 of title 10, or any other cargo
6 preference law of the United States;

7 “(2) may not make such a payment for any day
8 that the vessel is engaged in transporting more than
9 7,500 tons of civilian bulk preference cargoes pursu-
10 ant to section 55302(a), 55305, or 55314 of this
11 title, section 901(a) or (b) of the Merchant Marine
12 Act, 1936 (46 App. U.S.C. 1241(a), 1241(b), or
13 1241(f)), that is bulk cargo; and

14 “(3) shall make a pro rata reduction for each
15 day less than 320 in a fiscal year that the vessel is
16 not operated in accordance with section 70706 of
17 this title.

18 “(e) LIMITATIONS REGARDING NONCONTIGUOUS DO-
19 MESTIC TRADE.—

20 “(1) IN GENERAL.—No owner or operator shall
21 receive payments pursuant to this chapter during a
22 period in which it participates in noncontiguous do-
23 mestic trade.

24 “(2) LIMITATION ON APPLICATION.—Paragraph
25 (1) shall not apply to a owner or operator that is a

1 citizen of the United States within the meaning of
2 section 50501 of this title, applying the 75 percent
3 ownership requirement of that section.

4 “(3) PARTICIPATES IN A NONCONTIGUOUS
5 TRADE DEFINED.—In this subsection the term ‘par-
6 ticipates in a noncontiguous domestic trade’ means
7 directly or indirectly owns, charters, or operates a
8 vessel engaged in transportation of cargo between a
9 point in the contiguous 48 States and a point in
10 Alaska, Hawaii, or Puerto Rico, other than a point
11 in Alaska north of the Arctic Circle.

12 **“§ 70708. National security requirements**

13 “(a) EMERGENCY PREPAREDNESS AGREEMENT RE-
14 QUIRED.—The Secretary of Transportation, in coordina-
15 tion with the Secretary of Defense, shall establish an
16 emergency preparedness program under this section under
17 which the owner or operator of a vessel covered by an op-
18 erating agreement under this chapter shall agree, as a
19 condition of the operating agreement, to enter into an
20 emergency preparedness agreement with the Secretaries.
21 Each such emergency preparedness agreement shall be en-
22 tered into as promptly as practicable after the owner or
23 operator has entered into the operating agreement.

24 “(b) TERMS OF AGREEMENT.—The terms of an
25 agreement under this section—

1 “(1) shall provide that upon request by the Sec-
2 retary of Defense during time of war or national
3 emergency, or whenever determined by the Secretary
4 of Defense to be necessary for national security or
5 contingency operation (as that term is defined in
6 section 101 of title 10), the owner or operator shall
7 make available commercial transportation resources
8 (including services) described in subsection (d) to
9 the Secretary of Defense;

10 “(2) shall include such additional terms as may
11 be established by the Secretary of Transportation
12 and the Secretary of Defense; and

13 “(3) shall allow for the modification or addition
14 of terms upon agreement by the Secretary of Trans-
15 portation and the owner or operator and the ap-
16 proval by the Secretary of Defense.

17 “(c) PARTICIPATION AFTER EXPIRATION OF OPER-
18 ATING AGREEMENT.—Except as provided by section
19 70706 of this title, the Secretary may not require, through
20 an emergency preparedness agreement or an operating
21 agreement, that an owner or operator of a vessel covered
22 by an operating agreement continue to participate in an
23 emergency preparedness agreement after the operating
24 agreement has expired according to its terms or is other-
25 wise no longer in effect. After the expiration of an emer-

1 gency preparedness agreement, a owner or operator may
2 voluntarily continue to participate in the agreement.

3 “(d) RESOURCES MADE AVAILABLE.—The commer-
4 cial transportation resources to be made available under
5 an emergency preparedness agreement shall include ves-
6 sels or capacity in vessels, terminal facilities, management
7 services, and other related services, or any agreed portion
8 of such nonvessel resources for activation as the Secretary
9 of Defense may determine to be necessary, seeking to min-
10 imize disruption of the owner or operator’s service to com-
11 mercial customers.

12 “(e) COMPENSATION.—

13 “(1) IN GENERAL.—Each emergency prepared-
14 ness agreement under this section shall provide that
15 the Secretary of Defense shall pay fair and reason-
16 able compensation for all commercial transportation
17 resources provided pursuant to this section.

18 “(2) SPECIFIC REQUIREMENTS.—Compensation
19 under this subsection—

20 “(A) shall not be less than the owner or
21 operator’s commercial market charges for like
22 transportation resources;

23 “(B) shall be fair and reasonable consid-
24 ering all circumstances;

1 “(C) shall be provided from the time that
2 a vessel or resource is required by the Secretary
3 of Defense until the time it is redelivered to the
4 owner or operator and is available to reenter
5 commercial service; and

6 “(D) shall be in addition to and shall not
7 in any way reflect amounts payable under sec-
8 tion 70707 of this title.

9 “(f) TEMPORARY REPLACEMENT VESSELS.—Not-
10 withstanding section 55302(a), 55304, 55305, or 55314
11 of this title, section 2631 of title 10, or any other cargo
12 preference law of the United States—

13 “(1) an owner or operator may operate or em-
14 ploy in foreign commerce a foreign-flag vessel or for-
15 eign-flag vessel capacity as a temporary replacement
16 for a vessel of the United States or vessel of the
17 United States capacity that is activated by the Sec-
18 retary of Defense under an emergency preparedness
19 agreement or a primary Department of Defense sea-
20 lift readiness program; and

21 “(2) such replacement vessel or vessel capacity
22 shall be eligible during the replacement period to
23 transport preference cargoes subject to sections
24 55302(a), 55304, 55305, and 55314 of this title and

1 section 2631 of title 10 to the same extent as the
2 eligibility of the vessel or vessel capacity replaced.

3 “(g) REDELIVERY AND LIABILITY OF THE UNITED
4 STATES FOR DAMAGES.—

5 “(1) IN GENERAL.—All commercial transpor-
6 tation resources activated under an emergency pre-
7 paredness agreement shall, upon termination of the
8 period of activation, be redelivered to the owner or
9 operator in the same good order and condition as
10 when received, less ordinary wear and tear, or the
11 Secretary of Defense shall fully compensate the
12 owner or operator for any necessary repair or re-
13 placement.

14 “(2) LIMITATION ON UNITED STATES LIABIL-
15 ITY.—Except as may be expressly agreed in an
16 emergency preparedness agreement, or as otherwise
17 provided by law, the Government shall not be liable
18 for disruption of an owner or operator’s commercial
19 business or other consequential damages to an owner
20 or operator arising from the activation of commer-
21 cial transportation resources under an emergency
22 preparedness agreement.

23 **“§ 70709. Regulatory relief**

24 “(a) OPERATION IN FOREIGN COMMERCE.—An
25 owner or operator for a vessel included in an operating

1 agreement under this chapter may operate the vessel in
2 the foreign commerce of the United States without restric-
3 tion.

4 “(b) OTHER RESTRICTIONS.—The restrictions of sec-
5 tion 55305(a) of this title concerning the building, rebuild-
6 ing, or documentation of a vessel in a foreign country shall
7 not apply to a vessel for any day the operator of the vessel
8 is receiving payments for the operation of that vessel
9 under an operating agreement under this chapter.

10 “(c) TELECOMMUNICATIONS EQUIPMENT.—The tele-
11 communications and other electronic equipment on an ex-
12 isting vessel that is redocumented under the laws of the
13 United States for operation under an operating agreement
14 under this chapter shall be deemed to satisfy all Federal
15 Communications Commission equipment certification re-
16 quirements, if—

17 “(1) such equipment complies with all applica-
18 ble international agreements and associated guide-
19 lines as determined by the country in which the ves-
20 sel was documented immediately before becoming
21 documented under the laws of the United States;

22 “(2) that country has not been identified by the
23 Secretary as inadequately enforcing international
24 regulations as to that vessel; and

1 “(3) at the end of its useful life, such equip-
2 ment shall be replaced with equipment that meets
3 Federal Communications Commission equipment
4 certification standards.

5 **“§ 70710. Special rule regarding age of participating**
6 **Fleet vessels**

7 “Any age restriction under section 70702(b)(4) of
8 this title shall not apply to a participating Fleet vessel
9 during the 30-month period beginning on the date the ves-
10 sel begins operating under an operating agreement under
11 this chapter, if the Secretary of Transportation determines
12 that the owner or operator of the vessel has entered into
13 an arrangement to obtain and operate under the operating
14 agreement for the participating Fleet vessel a replacement
15 vessel that, upon commencement of such operation, will
16 be eligible to be included in the Fleet under section
17 70702(b) of this title.

18 **“§ 70711. Regulations**

19 “The Secretary of Transportation and the Secretary
20 of Defense may each prescribe rules as necessary to carry
21 out their respective responsibilities under this chapter.

22 **“§ 70712. Authorization of appropriations**

23 “There is authorized to be appropriated for payments
24 under section 70707, \$60,000,000 for each of fiscal years
25 2021 through 2035, to remain available until expended.

1 **“§ 70713. Acquisition of Fleet vessels**

2 “(a) IN GENERAL.—Upon replacement of a Fleet
3 Vessel under an operating agreement under this chapter,
4 and subject to agreement by the owner or operator of the
5 vessel, the Secretary of Transportation is authorized, sub-
6 ject to the concurrence of the Secretary of Defense, to ac-
7 quire the vessel being replaced for inclusion in the Na-
8 tional Defense Reserve Fleet.

9 “(b) REQUIREMENTS.—To be eligible for acquisition
10 by the Secretary of Transportation under this section a
11 vessel shall—

12 “(1) have been covered by an operating agree-
13 ment under this chapter for not less than three
14 years; and

15 “(2) meet recapitalization requirements for the
16 Ready Reserve Force.

17 “(c) FAIR MARKET VALUE.—A fair market value
18 shall be established by the Maritime Administration for
19 acquisition of an eligible vessel under this section.

20 “(d) APPROPRIATIONS.—Vessel acquisitions under
21 this section shall be subject to the availability of appro-
22 priations. Amounts made available to carry out this sec-
23 tion shall be derived from amounts authorized to be appro-
24 priated for the National Defense Reserve Fleet. Amounts
25 authorized to be appropriated to carry out the Maritime

1 Security Program may not be use to carry out this sec-
 2 tion.”.

3 (b) CLERICAL AMENDMENT.—The table of chapters
 4 for subtitle VII of title 46, United States Code, is amend-
 5 ed by adding at the end the following:

“707. Tanker Security Fleet 70701”.

6 (c) DEADLINE FOR ACCEPTING APPLICATIONS.—

7 (1) IN GENERAL.—The Secretary of Transpor-
 8 tation shall begin accepting applications for enroll-
 9 ment of vessels in the Tanker Security Fleet estab-
 10 lished under chapter 707 of title 46, United States
 11 Code, as added by subsection (a), by not later than
 12 30 days after the date of the enactment of this Act.

13 (2) APPROVAL.—Not later than 90 days after
 14 receipt of an application for the enrollment of a ves-
 15 sel in the Tanker Security Fleet, the Secretary, in
 16 coordination with the Secretary of Defense shall—

17 (A) approve the application and enter into
 18 an operating agreement with the applicant; or

19 (B) provide to the applicant a written ex-
 20 planation for the denial of the application.

21 **Subtitle C—Cable Security Fleet**

22 **SEC. 3521. ESTABLISHMENT OF CABLE SECURITY FLEET.**

23 (a) IN GENERAL.—Title 46, United States Code, is
 24 amended by inserting before chapter 533 the following
 25 new chapter:

1 **“CHAPTER 532—CABLE SECURITY FLEET**

“Sec.

“53201. Definitions.

“53202. Establishment of the Cable Security Fleet.

“53203. Award of operating agreements.

“53204. Effectiveness of operating agreements.

“53205. Obligations and rights under operating agreements.

“53206. Payments.

“53207. National security requirements.

“53208. Regulatory relief.

“53209. Authorization of appropriations.

2 **“§ 53201. Definitions**

3 “In this chapter:

4 “(1) CABLE SERVICES.—The term ‘cable serv-
5 ices’ means the installation, maintenance, or repair
6 of submarine cables and related equipment, and re-
7 lated cable vessel operations.

8 “(2) CABLE VESSEL.—The term ‘cable vessel’
9 means a vessel—

10 “(A) classed as a cable ship or cable vessel
11 by, and designed in accordance with the rules
12 of, the American Bureau of Shipping, or an-
13 other classification society accepted by the Sec-
14 retary; and

15 “(B) capable of installing, maintaining,
16 and repairing submarine cables.

17 “(3) CABLE FLEET.—The term ‘Cable Fleet’
18 means the Cable Security Fleet established under
19 section 53202(a).

1 “(4) CONTINGENCY AGREEMENT.—The term
2 ‘Contingency Agreement’ means the agreement re-
3 quired by section 53207.

4 “(5) CONTRACTOR.—The term ‘Contractor’
5 means an owner or operator of a vessel that enters
6 into an Operating Agreement for a cable vessel with
7 the Secretary under section 53203.

8 “(6) FISCAL YEAR.—The term ‘fiscal year’
9 means any annual period beginning on October 1
10 and ending on September 30.

11 “(7) OPERATING AGENCY.—The term ‘Oper-
12 ating Agency’ means that agency or component of
13 the Department of Defense so designated by the
14 Secretary of Defense under this chapter.

15 “(8) OPERATING AGREEMENT OR AGREE-
16 MENT.—The terms ‘Operating Agreement’ or
17 ‘Agreement’ mean the agreement required by section
18 53203.

19 “(9) PERSON.—The term ‘person’ includes cor-
20 porations, partnerships, and associations existing
21 under or authorized by the laws of the United
22 States, or any State, Territory, District, or posses-
23 sion thereof, or of any foreign country.

24 “(10) SECRETARY.—The term ‘Secretary’
25 means the Secretary of Transportation.

1 “(11) UNITED STATES.—The term ‘United
2 States’ includes the States, the District of Columbia,
3 the Commonwealth of Puerto Rico, the Northern
4 Mariana Islands, Guam, American Samoa, and the
5 Virgin Islands.

6 “(12) UNITED STATES CITIZEN TRUST.—

7 “(A) Subject to paragraph (C), the term
8 ‘United States citizen trust’ means a trust that
9 is qualified under this paragraph.

10 “(B) A trust is qualified under this para-
11 graph with respect to a vessel only if—

12 “(i) it was created under the laws of
13 a state of the United States;

14 “(ii) each of the trustees is a citizen
15 of the United States; and

16 “(iii) the application for documenta-
17 tion of the vessel under chapter 121 of this
18 title includes the affidavit of each trustee
19 stating that the trustee is not aware of any
20 reason involving a beneficiary of the trust
21 that is not a citizen of the United States,
22 or involving any other person that is not a
23 citizen of the United States, as a result of
24 which the beneficiary or other person
25 would hold more than 25 percent of the

1 aggregate power to influence, or limit the
2 exercise of the authority of, the trustee
3 with respect to matters involving any own-
4 ership or operation of the vessel that may
5 adversely affect the interests of the United
6 States.

7 “(C) If any person that is not a citizen of
8 the United States has authority to direct, or
9 participate in directing, the trustee for a trust
10 in matters involving any ownership or operation
11 of the vessel that may adversely affect the in-
12 terests of the United States or in removing a
13 trustee for a trust without cause, either directly
14 or indirectly through the control of another per-
15 son, the trust is not qualified under this para-
16 graph unless the trust instrument provides that
17 persons who are not citizens of the United
18 States may not hold more than 25 percent of
19 the aggregate authority to direct or remove a
20 trustee.

21 “(D) This paragraph shall not be consid-
22 ered to prohibit a person who is not a citizen
23 of the United States from holding more than 25
24 percent of the beneficial interest in a trust.

1 **“§ 53202. Establishment of the Cable Security Fleet**

2 “(a) IN GENERAL.—

3 “(1) The Secretary, in consultation with the
4 Operating Agency, shall establish a fleet of active,
5 commercially viable, cable vessels to meet national
6 security requirements. The fleet shall consist of pri-
7 vately owned, United States-documented cable ves-
8 sels for which there are in effect Operating Agree-
9 ments under this chapter, and shall be known as the
10 Cable Security Fleet.

11 “(2) The Fleet described under this section
12 shall include two vessels.

13 “(b) VESSEL ELIGIBILITY.—A cable vessel is eligible
14 to be included in the Fleet if—

15 “(1) the vessel meets the requirements of para-
16 graph (1), (2), (3), or (4) of subsection (c);

17 “(2) the vessel is operated (or in the case of a
18 vessel to be constructed, will be operated) in com-
19 mercial service providing cable services;

20 “(3) the vessel is 40 years of age or less on the
21 date the vessel is included in the Fleet;

22 “(4) the vessel is—

23 “(A) determined by the Operating Agency
24 to be suitable for engaging in cable services by
25 the United States in the interest of national se-
26 curity; and

1 “(B) determined by the Secretary to be
2 commercially viable, whether independently or
3 taking any payments which are the consequence
4 of participation in the Cable Fleet into account;
5 and

6 “(5) the vessel—

7 “(A) is a United States-documented vessel;
8 or

9 “(B) is not a United States-documented
10 vessel, but—

11 “(i) the owner of the vessel has dem-
12 onstrated an intent to have the vessel doc-
13 umented under chapter 121 of this title if
14 it is included in the Cable Fleet; and

15 “(ii) at the time an Operating Agree-
16 ment is entered into under this chapter,
17 the vessel is eligible for documentation
18 under chapter 121 of this title.

19 “(c) REQUIREMENTS REGARDING CITIZENSHIP OF
20 OWNERS AND OPERATORS.—

21 “(1) VESSELS OWNED AND OPERATED BY SEC-
22 TION 50501 CITIZENS.—A vessel meets the require-
23 ments of this paragraph if, during the period of an
24 Operating Agreement under this chapter that applies
25 to the vessel, the vessel will be owned and operated

1 by one or more persons that are citizens of the
2 United states under section 50501 of this title.

3 “(2) VESSELS OWNED BY A SECTION 50501 CIT-
4 IZEN, OR UNITED STATES CITIZEN TRUST, AND
5 CHARTERED TO A DOCUMENTATION CITIZEN.—A
6 vessel meets the requirements of this paragraph if—

7 “(A) during the period of an Operating
8 Agreement under this chapter that applies to
9 the vessel, the vessel will be—

10 “(i) owned by a person that is a cit-
11 izen of the United States under section
12 50501 of this title or that is a United
13 States citizen trust; and

14 “(ii) demise chartered to and operated
15 by a person—

16 “(I) that is eligible to document
17 the vessel under chapter 121 of this
18 title;

19 “(II) the chairman of the board
20 of directors, chief executive officer,
21 and a majority of the members of the
22 board of directors of which are citi-
23 zens of the United States under sec-
24 tion 50501 of this title, and are ap-

1 pointed and subject to removal only
2 upon approval by the Secretary; and

3 “(III) that certifies to the Sec-
4 retary that there are no treaties, stat-
5 utes, regulations, or other laws that
6 would prohibit the Contractor for the
7 vessel from performing its obligations
8 under an Operating Agreement under
9 this chapter;

10 “(B) in the case of a vessel that will be de-
11 mise chartered to a person that is owned or
12 controlled by another person that is not a cit-
13 izen of the United States under section 50501
14 of this title, the other person enters into an
15 agreement with the Secretary not to influence
16 the operation of the vessel in a manner that will
17 adversely affect the interests of the United
18 States; and

19 “(C) the Secretary and the Operating
20 Agency notify the Committee on Armed Serv-
21 ices and the Committee on Commerce, Science
22 and Transportation of the Senate, and the
23 Committee on Armed Services of the House of
24 Representatives that they concur, and have re-
25 viewed the certification required under subpara-

graph (A)(ii)(III) and determined that there are no legal, operational, or other impediments that would prohibit the Contractor for the vessel from performing its obligations under an Operating Agreement under this chapter.

“(3) VESSEL OWNED AND OPERATED BY A DEFENSE CONTRACTOR.—A vessel meets the requirements of this paragraph if—

“(A) during the period of an Operating Agreement under this chapter that applies to the vessel, the vessel will be owned and operated by a person that—

“(i) is eligible to document a vessel under chapter 121 of this title;

“(ii) operates or manages other United States-documented vessels for the Secretary of Defense, or charters other vessels to the Secretary of Defense;

“(iii) has entered into a special security agreement for purposes of this paragraph with the Secretary of Defense;

“(iv) makes the certification described in paragraph (2)(A)(ii)(III); and

1 “(v) in the case of a vessel described
2 in paragraph (2)(B), enters into an agree-
3 ment referred to in that paragraph; and

4 “(B) the Secretary and the Secretary of
5 Defense notify the Committee on Armed Serv-
6 ices and Committee on Commerce, Science, and
7 Transportation of the Senate and the Com-
8 mittee on Armed Services of the House of Rep-
9 resentatives that they have reviewed the certifi-
10 cation required by subparagraph (A)(iv) and de-
11 termined that there are no other legal, oper-
12 ational, or other impediments that would pro-
13 hibit the Contractor for the vessel from per-
14 forming its obligations under an Operating
15 Agreement under this chapter.

16 “(4) VESSEL OWNED BY A DOCUMENTATION
17 CITIZEN AND CHARTERED TO A SECTION 50501 CIT-
18 IZEN.—A vessel meets the requirements of this para-
19 graph if, during the period of an Operating Agree-
20 ment under this chapter that applies to the vessel,
21 the vessel will be—

22 “(A) owned by a person that is eligible to
23 document a vessel under chapter 121 of this
24 title; and

1 “(B) demise chartered to a person that is
2 a citizen of the United States under section
3 50501 of this title.

4 “(d) VESSEL STANDARDS.—

5 “(1) CERTIFICATE OF INSPECTION.—A cable
6 vessel which the Secretary of the Department in
7 which the Coast Guard is operating determines
8 meets the criteria of subsection (b) of this section
9 but which, on the date of enactment of the Act, is
10 not documented under chapter 121 of this title, shall
11 be eligible for a certificate of inspection if that Sec-
12 retary determines that—

13 “(A) the vessel is classed by, and designed
14 in accordance with the rules of, the American
15 Bureau of Shipping, or another classification
16 society accepted by that Secretary;

17 “(B) the vessel complies with applicable
18 international agreements and associated guide-
19 lines, as determined by the country in which the
20 vessel was documented immediately before be-
21 coming documented under chapter 121; and

22 “(C) that country has not been identified
23 by that Secretary as inadequately enforcing
24 international vessel regulations as to that ves-
25 sel.

1 “(2) CONTINUED ELIGIBILITY FOR CERTIFI-
2 CATE.—Paragraph (1) does not apply to a vessel
3 after any date on which the vessel fails to comply
4 with the applicable international agreements and as-
5 sociated guidelines referred to in paragraph (1)(B).

6 “(3) RELIANCE ON CLASSIFICATION SOCIETY.—

7 “(A) IN GENERAL.—The Secretary of the
8 Department in which the Coast Guard is oper-
9 ating may rely on a certification from the
10 American Bureau of Shipping or, subject to
11 subparagraph (B), another classification society
12 accepted by that Secretary to establish that a
13 vessel is in compliance with the requirements of
14 paragraphs (1) and (2).

15 “(B) FOREIGN CLASSIFICATION SOCI-
16 ETY.—The Secretary of the Department in
17 which the Coast Guard is operating may accept
18 certification from a foreign classification society
19 under subparagraph (A) only—

20 “(i) to the extent that the government
21 of the foreign country in which the society
22 is headquartered provides access on a re-
23 ciprocal basis to the American Bureau of
24 Shipping; and

1 “(ii) if the foreign classification soci-
2 ety has offices and maintains records in
3 the United States.

4 “(e) WAIVER OF AGE REGISTRATION.—The Sec-
5 retary, in conjunction with the Operating Agency, may
6 waive the application of the age restriction under sub-
7 section (b)(3) if they jointly determine that the waiver—

8 “(1) is in the national interest;

9 “(2) the subject cable vessel and any associated
10 operating network is and will continue to be eco-
11 nomically viable; and

12 “(3) is necessary due to the lack of availability
13 of other vessels and operators that comply with the
14 requirements of this chapter.

15 **“§ 53203. Award of operating agreements**

16 “(a) IN GENERAL.—The Secretary shall require, as
17 a condition of including any vessel in the Cable Fleet, that
18 the person that is the owner or operator of the vessel for
19 purposes of section 53202(c) enter into an Operating
20 Agreement with the Secretary under this section.

21 “(b) PROCEDURE FOR APPLICATIONS.—

22 “(1) ACCEPTANCE OF APPLICATIONS.—Begin-
23 ning no later than 60 days after the effective date
24 of this chapter, the Secretary shall accept applica-
25 tions for enrollment of vessels in the Cable Fleet.

1 “(2) ACTION ON APPLICATIONS.—Within 120
2 days after receipt of an application for enrollment of
3 a vessel in the Cable Fleet, the Secretary shall ap-
4 prove the application in conjunction with the Oper-
5 ating Agency, and shall enter into an Operating
6 Agreement with the applicant, or provide in writing
7 the reason for denial of that application.

8 “(c) PRIORITY FOR AWARDING AGREEMENTS.—Sub-
9 ject to the availability of appropriations, the Secretary
10 shall enter into Operating Agreements with those vessels
11 determined by the Operating Agency, in its sole discretion,
12 to best meet the national security requirements of the
13 United States. After consideration of national security re-
14 quirements, priority shall be given to an applicant that
15 is a United States citizen under section 50501 of this title.

16 **“§ 53204. Effectiveness of operating agreements**

17 “(a) EFFECTIVENESS GENERALLY.—The Secretary
18 may enter into an Operating Agreement under this chap-
19 ter for fiscal year 2021. Except as provided in subsection
20 (d), the agreement shall be effective only for one fiscal
21 year, but shall be renewable, subject to available appro-
22 priations, for each subsequent year.

23 “(b) VESSELS UNDER CHARTER TO THE UNITED
24 STATES.—Vessels under charter to the United States are

1 eligible to receive payments pursuant to their Operating
2 Agreements.

3 “(c) TERMINATION.—

4 “(1) TERMINATION BY THE SECRETARY.—If
5 the Contractor with respect to an Operating Agree-
6 ment materially fails to comply with the terms of the
7 Agreement—

8 “(A) the Secretary shall notify the Con-
9 tractor and provide a reasonable opportunity
10 for it to comply with the Operating Agreement;

11 “(B) the Secretary shall terminate the Op-
12 erating Agreement if the Contractor fails to
13 achieve such compliance; and

14 “(C) upon such termination, any funds ob-
15 ligated by the Agreement shall be available to
16 the Secretary to carry out this chapter.

17 “(2) EARLY TERMINATION BY A CON-
18 TRACTOR.—An Operating Agreement under this
19 chapter shall terminate on a date specified by the
20 Contractor if the Contractor notifies the Secretary,
21 not fewer than 60 days prior to the effective date of
22 the termination, that the Contractor intends to ter-
23 minate the Agreement.

24 “(d) NONRENEWAL FOR LACK OF FUNDS.—If, by the
25 first day of a fiscal year, sufficient funds have not been

1 appropriated under the authority provided by this chapter
2 for that fiscal year for all Operating Agreements, then the
3 Secretary shall notify the Committee on Armed Services
4 and the Committee on Commerce, Science, and Transpor-
5 tation of the Senate and the Committee on Armed Services
6 of the House of Representatives that Operating Agree-
7 ments authorized under this chapter for which sufficient
8 funds are not available will not be renewed for that fiscal
9 year if sufficient funds are not appropriated by the 60th
10 day of that fiscal year. If only partial funding is appro-
11 priated by the 60th day of such fiscal year, then the Sec-
12 retary, in consultation with the Operating Agency, shall
13 select the vessels to retain under Operating Agreements,
14 based on their determinations of which vessels are most
15 useful for national security. In the event that no funds
16 are appropriated, then no Operating Agreements shall be
17 renewed and each Contractor shall be released from its
18 obligations under the Operating Agreement. Final pay-
19 ments under an Operating Agreement that is not renewed
20 shall be made in accordance with section 53206. To the
21 extent that sufficient funds are appropriated in a subse-
22 quent fiscal year, an Operating Agreement that has not
23 been renewed pursuant to this subsection may be rein-
24 stated if mutually acceptable to the Secretary, in consulta-
25 tion with the Operating Agency, and the Contractor, pro-

1 vided the vessel remains eligible for participation pursuant
2 to section 53202, without regard to subsection 53202
3 (b)(3).

4 “(e) RELEASE OF VESSELS FROM OBLIGATIONS.—
5 If funds are not appropriated for payments under an Op-
6 erating Agreement under this chapter for any fiscal year
7 by the 60th day of a fiscal year, and the Secretary, in
8 consultation with the Operating Agency determines to not
9 renew a Contractor’s Operating Agreement for a vessel,
10 then—

11 “(1) each vessel covered by the Operating
12 Agreement that is not renewed is thereby released
13 from any further obligation under the Operating
14 Agreement;

15 “(2) the owner or operator of the vessel whose
16 Operating Agreement was not renewed may transfer
17 and register such vessel under a foreign registry that
18 is acceptable to the Secretary and the Operating
19 Agency, notwithstanding section 56101 of this title;
20 and

21 “(3) if chapter 563 of this title is applicable to
22 such vessel after registration, then the vessel is
23 available to be requisitioned by the Secretary pursu-
24 ant to chapter 563.

1 **“§ 53205. Obligations and rights under operating**
2 **agreements**

3 “(a) OPERATION OF VESSEL.—An Operating Agree-
4 ment under this chapter shall require that, during the pe-
5 riod the vessel is operating under the Agreement, the ves-
6 sel—

7 “(1) shall be operated in the trade for Cable
8 Services, or under a charter to the United States;
9 and

10 “(2) shall be documented under chapter 121 of
11 this title.

12 “(b) ANNUAL PAYMENTS BY THE SECRETARY.—

13 “(1) IN GENERAL.—An Operating Agreement
14 under this chapter shall require, subject to the avail-
15 ability of appropriations, that the Secretary make
16 payment to the Contractor in accordance with sec-
17 tion 53206.

18 “(2) OPERATING AGREEMENT IS AN OBLIGA-
19 TION OF THE UNITED STATES GOVERNMENT.—An
20 Operating Agreement under this chapter constitutes
21 a contractual obligation of the United States Gov-
22 ernment to pay the amounts provided for in the Op-
23 erating Agreement to the extent of actual appropria-
24 tions.

25 “(c) DOCUMENTATION REQUIREMENT.—Each vessel
26 covered by an Operating Agreement (including an Agree-

1 ment terminated under section 53204(c)(2)) shall remain
2 documented under chapter 121 of this title, until the date
3 the Operating Agreement would terminate according to its
4 own terms.

5 “(d) NATIONAL SECURITY REQUIREMENTS.—

6 “(1) IN GENERAL.—A Contractor with respect
7 to an Operating Agreement (including an Agreement
8 terminated under section 53204(c)(2)) shall continue
9 to be bound by the provisions of section 53207 until
10 the date the Operating Agreement would terminate
11 according to its terms.

12 “(2) CONTINGENCY AGREEMENT WITH OPER-
13 ATING AGENCY.—All terms and conditions of a Con-
14 tingency Agreement entered into under section
15 53207 shall remain in effect until a date the Oper-
16 ating Agreement would terminate according to its
17 terms, except that the terms of such Contingency
18 Agreement may be modified by the mutual consent
19 of the Contractor, and the Operating Agency.

20 “(e) TRANSFER OF OPERATING AGREEMENTS.—Op-
21 erating Agreements shall not be transferrable by the Con-
22 tractor.

23 “(f) REPLACEMENT VESSEL.—A Contractor may re-
24 place a vessel under an Operating Agreement with another
25 vessel that is eligible to be included in the Fleet under

1 section 53202(b), if the Secretary and the Operating
2 Agency jointly determine that the replacement vessel
3 meets national security requirements and approve the re-
4 placement.

5 **“§ 53206. Payments**

6 “(a) ANNUAL PAYMENT.—

7 “(1) IN GENERAL.—The Secretary, subject to
8 availability of appropriations and other provisions of
9 this section, shall pay to the Contractor for an oper-
10 ating agreement, for each vessel that is covered by
11 the operating agreement, an amount equal to
12 \$5,000,000 for each fiscal year 2021 through 2035.

13 “(2) TIMING.—This amount shall be paid in
14 equal monthly installments at the end of each
15 month. The amount shall not be reduced except as
16 provided by this section.

17 “(b) CERTIFICATION REQUIRED FOR PAYMENT.—As
18 a condition of receiving payment under this section for a
19 fiscal year for a vessel, the Contractor for the vessel shall
20 certify that the vessel has been and will be operated in
21 accordance with section 53205(a)(1) for 365 days in each
22 fiscal year. Up to thirty (30) days during which the vessel
23 is drydocked, surveyed, inspected, or repaired shall be con-
24 sidered days of operation for purposes of this subsection.

1 “(c) GENERAL LIMITATIONS.—The Secretary shall
2 not make any payment under this chapter for a vessel with
3 respect to any days for which the vessel is—

4 “(1) not operated or maintained in accordance
5 with an Operating Agreement under this chapter; or

6 “(2) more than 40 years of age.

7 “(d) REDUCTIONS IN PAYMENTS.—With respect to
8 payments under this chapter for a vessel covered by an
9 Operating Agreement, the Secretary shall make a pro rata
10 reduction for each day less than 365 in a fiscal year that
11 the vessel is not operated in accordance with section
12 53205(a)(1), with days during which the vessel is
13 drydocked or undergoing survey, inspection or repair to
14 be considered days on which the vessel is operated as pro-
15 vided in subsection (b).

16 **“§ 53207. National security requirements**

17 “(a) CONTINGENCY AGREEMENT REQUIRED.—The
18 Secretary shall include in each Operating Agreement
19 under this chapter a requirement that the Contractor
20 enter into a Contingency Agreement with the Operating
21 Agency. The Operating Agency shall negotiate and enter
22 into a Contingency Agreement with each Contractor as
23 promptly as practicable after the Contractor has entered
24 into an Operating Agreement under this chapter.

25 “(b) TERMS OF CONTINGENCY AGREEMENT.—

1 “(1) IN GENERAL.—A Contingency Agreement
2 under this section shall require that a Contractor for
3 a vessel covered by an Operating Agreement under
4 this chapter make the vessel, including all necessary
5 resources to engage in Cable Services required by
6 the Operating Agency, available upon request by the
7 Operating Agency.

8 “(2) TERMS.—

9 “(A) IN GENERAL.—The basic terms of a
10 Contingency Agreement shall be established
11 (subject to subparagraph (B)) by the Operating
12 Agency.

13 “(B) ADDITIONAL TERMS.—The Operating
14 Agency and a Contractor may agree to addi-
15 tional or modifying terms appropriate to the
16 Contractor’s circumstances.

17 “(c) DEFENSE MEASURES AGAINST UNAUTHORIZED
18 SEIZURES.—

19 “(1) The Contingency Agreement shall require
20 that any vessel operating under the direction of the
21 Operating Agency operating in area that is des-
22 ignated by the Coast Guard as an area of high risk
23 of piracy shall be equipped with, at a minimum, ap-
24 propriate non-lethal defense measures to protect the
25 vessel and crew from unauthorized seizure at sea.

1 “(2) The Secretary of Defense and the Sec-
2 retary of the department in which the Coast Guard
3 is operating shall jointly prescribe the non-lethal de-
4 fense measures that are required under this para-
5 graph.

6 “(d) PARTICIPATION AFTER EXPIRATION OF OPER-
7 ATING AGREEMENT.—Except as provided by section
8 53205(d), the Operating Agency may not require, through
9 a Contingency Agreement or an Operating Agreement,
10 that a Contractor continue to participate in a Contingency
11 Agreement after the Operating Agreement with the Con-
12 tractor has expired according to its terms or is otherwise
13 no longer in effect.

14 “(e) RESOURCES MADE AVAILABLE.—The resources
15 to be made available in addition to the vessel under a Con-
16 tingency Agreement shall include all equipment, personnel,
17 supplies, management services, and other related services
18 as the Operating Agency may determine to be necessary
19 to provide the Cable Services required by the Operating
20 Agency.

21 “(f) COMPENSATION.—

22 “(1) IN GENERAL.—The Operating Agency
23 shall include in each Contingency Agreement provi-
24 sions under which the Operating Agency shall pay
25 fair and reasonable compensation for use of the ves-

1 sel and all Cable Services provided pursuant to this
2 section and the Contingency Agreement.

3 “(2) SPECIFIC REQUIREMENTS.—Compensation
4 under this subsection—

5 “(A) shall be at the rate specified in the
6 Contingency Agreement;

7 “(B) shall be provided from the time that
8 a vessel is required by the Operating Agency
9 under the Contingency Agreement until the
10 time it is made available by the Operating
11 Agency available to reenter commercial service;
12 and

13 “(C) shall be in addition to and shall not
14 in any way reflect amounts payable under sec-
15 tion 53206.

16 “(g) LIABILITY OF THE UNITED STATES FOR DAM-
17 AGES.—

18 “(1) LIMITATION ON THE LIABILITY OF THE
19 U.S.—Except as otherwise provided by law, the Gov-
20 ernment shall not be liable for disruption of a Con-
21 tractor’s commercial business or other consequential
22 damages to a Contractor arising from the activation
23 of the Contingency Agreement.

24 “(2) AFFIRMATIVE DEFENSE.—In any action in
25 any Federal or State court for breach of third-party

1 contract, there shall be available as an affirmative
2 defense that the alleged breach of contract was
3 caused predominantly by action taken to carry out
4 a Contingent Agreement. Such defense shall not re-
5 lease the party asserting it from any obligation
6 under applicable law to mitigate damages to the
7 greatest extent possible.

8 **“§ 53208. Regulatory relief**

9 “(a) APPLICABILITY OF COASTWISE LAWS.—A vessel
10 covered by an Operating Agreement that is operating pur-
11 suant to a Contingency Agreement, shall not be subject
12 to the coastwise laws (46 U.S.C. 55101 et seq.).

13 “(b) TELECOMMUNICATIONS EQUIPMENT.—The tele-
14 communications and other electronic equipment on an ex-
15 isting vessel that is redocumented under the laws of the
16 United States for operation under an Operating Agree-
17 ment under this chapter shall be deemed to satisfy all Fed-
18 eral Communication Commission equipment certification
19 requirements, if—

20 “(1) such equipment complies with all applica-
21 ble international agreements and associated guide-
22 lines as determined by the country in which the ves-
23 sel was documented immediately before becoming
24 documented under the laws of the United States;

1 “(2) that country has not been identified by the
 2 Secretary of the Department in which the Coast
 3 Guard is operating as inadequately enforcing inter-
 4 national regulations as to that vessel; and

5 “(3) at the end of its useful life, such equip-
 6 ment shall be replaced with equipment that meets
 7 Federal Communication Commission equipment cer-
 8 tification standards.

9 **“§ 53209. Authorization of appropriations**

10 “There are authorized to be appropriated for pay-
 11 ments under section 53206, \$10,000,000 for each of the
 12 fiscal years 2021 through 2035.”.

13 (b) CONFORMING AMENDMENT.—The table of chap-
 14 ters at the beginning of subtitle V of title 46, United
 15 States Code, is amended by inserting before the item relat-
 16 ing to chapter 533 the following new item:

“532. Cable Security Fleet53201”.

1 **DIVISION D—FUNDING TABLES**

2 **SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TA-**
3 **BLES.**

4 (a) IN GENERAL.—Whenever a funding table in this
5 division specifies a dollar amount authorized for a project,
6 program, or activity, the obligation and expenditure of the
7 specified dollar amount for the project, program, or activ-
8 ity is hereby authorized, subject to the availability of ap-
9 propriations.

10 (b) MERIT-BASED DECISIONS.—A decision to com-
11 mit, obligate, or expend funds with or to a specific entity
12 on the basis of a dollar amount authorized pursuant to
13 subsection (a) shall—

14 (1) be based on merit-based selection proce-
15 dures in accordance with the requirements of sec-
16 tions 2304(k) and 2374 of title 10, United States
17 Code, or on competitive procedures; and

18 (2) comply with other applicable provisions of
19 law.

20 (c) RELATIONSHIP TO TRANSFER AND PROGRAM-
21 MING AUTHORITY.—An amount specified in the funding
22 tables in this division may be transferred or repro-
23 grammed under a transfer or reprogramming authority
24 provided by another provision of this Act or by other law.
25 The transfer or reprogramming of an amount specified in

1 such funding tables shall not count against a ceiling on
 2 such transfers or reprogrammings under section 1001 or
 3 section 1512 of this Act or any other provision of law,
 4 unless such transfer or reprogramming would move funds
 5 between appropriation accounts.

6 (d) APPLICABILITY TO CLASSIFIED ANNEX.—This
 7 section applies to any classified annex that accompanies
 8 this Act.

9 (e) ORAL AND WRITTEN COMMUNICATIONS.—No
 10 oral or written communication concerning any amount
 11 specified in the funding tables in this division shall super-
 12 sede the requirements of this section.

13 TITLE XLI—PROCUREMENT

14 SEC. 4101. PROCUREMENT.

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
AIRCRAFT PROCUREMENT, ARMY			
FIXED WING			
002	UTILITY F/W AIRCRAFT	16,000	0
	Early to need		[-16,000]
004	RQ-11 (RAVEN)	23,510	21,510
	Unit cost growth		[-2,000]
ROTARY			
005	TACTICAL UNMANNED AIRCRAFT SYSTEM (TUAS)	12,100	12,100
007	HELICOPTER, LIGHT UTILITY (LUH)		11,000
	Program increase for sustainment improvements		[11,000]
008	AH-64 APACHE BLOCK IIIA REMAN	806,849	786,009
	Unjustified cost growth		[-20,840]
009	AH-64 APACHE BLOCK IIIA REMAN	190,870	174,970
	Unjustified cost growth		[-15,900]
012	UH-60 BLACKHAWK M MODEL (MYP)	1,411,540	1,411,540
013	UH-60 BLACKHAWK M MODEL (MYP)	79,572	79,572
014	UH-60 BLACK HAWK L AND V MODELS	169,290	169,290
015	CH-47 HELICOPTER	140,290	131,290
	Unit cost growth		[-9,000]
016	CH-47 HELICOPTER	18,186	46,186
	Advanced procurement for CH-47F Block II		[28,000]
MODIFICATION OF AIRCRAFT			
019	UNIVERSAL GROUND CONTROL EQUIPMENT (UAS)	2,090	2,090
020	GRAY EAGLE MODS2	14,699	14,699
021	MULTI SENSOR ABN RECON (MIP)	35,189	35,189
022	AH-64 MODS	58,172	58,172
023	CH-47 CARGO HELICOPTER MODS (MYP)	11,785	6,785
	Unobligated balances		[-5,000]
024	GRCS SEMA MODS (MIP)	5,677	5,677
025	ARL SEMA MODS (MIP)	6,566	6,566
026	EMARSS SEMA MODS (MIP)	3,859	3,859
027	UTILITY/CARGO AIRPLANE MODS	15,476	13,476
	Unit cost discrepancy		[-2,000]
028	UTILITY HELICOPTER MODS	6,744	6,744

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
029	NETWORK AND MISSION PLAN	105,442	98,442
	Cost growth		[−7,000]
030	COMMS, NAV SURVEILLANCE	164,315	164,315
032	GATM ROLLUP	30,966	30,966
033	RQ-7 UAV MODS	8,983	38,983
	Program increase		[30,000]
034	UAS MODS	10,205	10,205
	GROUND SUPPORT AVIONICS		
035	AIRCRAFT SURVIVABILITY EQUIPMENT	52,297	52,297
036	SURVIVABILITY CM	8,388	8,388
037	CMWS	13,999	13,999
038	COMMON INFRARED COUNTERMEASURES (CIRCM)	168,784	168,784
	OTHER SUPPORT		
039	AVIONICS SUPPORT EQUIPMENT	1,777	1,777
040	COMMON GROUND EQUIPMENT	18,624	18,624
041	AIRCREW INTEGRATED SYSTEMS	48,255	48,255
042	AIR TRAFFIC CONTROL	32,738	32,738
044	LAUNCHER, 2.75 ROCKET	2,201	2,201
045	LAUNCHER GUIDED MISSILE: LONGBOW HELLFIRE XM2	991	991
	TOTAL AIRCRAFT PROCUREMENT, ARMY	3,696,429	3,687,689
	MISSILE PROCUREMENT, ARMY		
	SURFACE-TO-AIR MISSILE SYSTEM		
001	SYSTEM INTEGRATION AND TEST PROCUREMENT	113,857	113,857
002	M-SHORAD—PROCUREMENT	103,800	56,800
	Early to need		[−47,000]
003	MSE MISSILE	698,603	698,603
004	INDIRECT FIRE PROTECTION CAPABILITY INC 2-I	9,337	9,337
	AIR-TO-SURFACE MISSILE SYSTEM		
006	HELLFIRE SYS SUMMARY	193,284	173,284
	Unit cost growth		[−20,000]
007	JOINT AIR-TO-GROUND MSLS (JAGM)	233,353	198,353
	Contract and schedule delays		[−35,000]
	ANTI-TANK/ASSAULT MISSILE SYS		
008	JAVELIN (AAWS-M) SYSTEM SUMMARY	138,405	138,405
009	TOW 2 SYSTEM SUMMARY	114,340	110,340
	Unit cost growth		[−4,000]
010	TOW 2 SYSTEM SUMMARY	10,500	10,500
011	GUIDED MLRS ROCKET (GMLRS)	797,213	767,213
	Program adjustment		[−30,000]
012	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	27,555	27,555
014	ARMY TACTICAL MSL SYS (ATACMS)—SYS SUM	209,842	184,842
	Excess to need		[−25,000]
	MODIFICATIONS		
016	PATRIOT MODS	279,464	279,464
017	ATACMS MODS	85,320	80,320
	Unit cost growth		[−5,000]
018	GMLRS MOD	5,094	5,094
019	STINGER MODS	81,615	81,615
020	AVENGER MODS	14,107	14,107
021	ITAS/TOW MODS	3,469	3,469
022	MLRS MODS	39,019	39,019
023	HIMARS MODIFICATIONS	12,483	12,483
	SPARES AND REPAIR PARTS		
024	SPARES AND REPAIR PARTS	26,444	26,444
	SUPPORT EQUIPMENT & FACILITIES		
025	AIR DEFENSE TARGETS	10,593	10,593
	TOTAL MISSILE PROCUREMENT, ARMY	3,207,697	3,041,697
	PROCUREMENT OF W&TCV, ARMY		
	TRACKED COMBAT VEHICLES		
002	ARMORED MULTI PURPOSE VEHICLE (AMPV)	264,040	259,040
	Unit cost discrepancy		[−5,000]
	MODIFICATION OF TRACKED COMBAT VEHICLES		
003	STRYKER (MOD)	144,387	393,587
	Accelerate Stryker medium caliber weapon system—Army unfunded priority ...		[249,200]
004	STRYKER UPGRADE	550,000	550,000
005	BRADLEY PROGRAM (MOD)	638,781	573,781
	Program delay		[−65,000]
006	M109 FOV MODIFICATIONS	25,756	25,756
007	PALADIN INTEGRATED MANAGEMENT (PIM)	553,425	553,425
009	ASSAULT BRIDGE (MOD)	2,821	2,821
010	ASSAULT BREACHER VEHICLE	31,697	31,697
011	M88 FOV MODS	4,500	4,500
012	JOINT ASSAULT BRIDGE	205,517	205,517
013	M1 ABRAMS TANK (MOD)	348,800	408,800
	Vehicle protection system for one armored brigade		[60,000]
014	ABRAMS UPGRADE PROGRAM	1,752,784	1,752,784

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
WEAPONS & OTHER COMBAT VEHICLES			
016	MULTI-ROLE ANTI-ARMOR ANTI-PERSONNEL WEAPON S	19,420	19,420
017	GUN AUTOMATIC 30MM M230	20,000	20,000
019	MORTAR SYSTEMS	14,907	14,907
020	XM320 GRENADE LAUNCHER MODULE (GLM)	191	191
021	PRECISION SNIPER RIFLE	7,977	7,977
022	COMPACT SEMI-AUTOMATIC SNIPER SYSTEM	9,860	9,860
023	CARBINE	30,331	30,331
024	SMALL ARMS—FIRE CONTROL	8,060	60
	Late contract award		[-8,000]
025	COMMON REMOTELY OPERATED WEAPONS STATION	24,007	24,007
026	HANDGUN	6,174	6,174
MOD OF WEAPONS AND OTHER COMBAT VEH			
028	MK-19 GRENADE MACHINE GUN MODS	3,737	3,737
029	M777 MODS	2,367	2,367
030	M4 CARBINE MODS	17,595	17,595
033	M240 MEDIUM MACHINE GUN MODS	8,000	8,000
034	SNIPER RIFLES MODIFICATIONS	2,426	2,426
035	M119 MODIFICATIONS	6,269	6,269
036	MORTAR MODIFICATION	1,693	1,693
037	MODIFICATIONS LESS THAN \$5.0M (WOCV-WTCV)	4,327	4,327
SUPPORT EQUIPMENT & FACILITIES			
038	ITEMS LESS THAN \$5.0M (WOCV-WTCV)	3,066	3,066
039	PRODUCTION BASE SUPPORT (WOCV-WTCV)	2,651	2,651
	TOTAL PROCUREMENT OF W&TCV, ARMY	4,715,566	4,946,766
PROCUREMENT OF AMMUNITION, ARMY			
SMALL/MEDIUM CAL AMMUNITION			
001	CTG, 5.56MM, ALL TYPES	68,949	63,949
	Prior-year carryover		[-5,000]
002	CTG, 7.62MM, ALL TYPES	114,228	111,228
	Prior-year carryover		[-3,000]
003	CTG, HANDGUN, ALL TYPES	17,807	12,807
	Program adjustment		[-5,000]
004	CTG, .50 CAL, ALL TYPES	63,966	63,966
005	CTG, 20MM, ALL TYPES	35,920	27,920
	Unit cost growth		[-8,000]
006	CTG, 25MM, ALL TYPES	8,990	8,990
007	CTG, 30MM, ALL TYPES	68,813	57,229
	Prior-year carry over		[-1,134]
	Program adjustment		[-10,450]
008	CTG, 40MM, ALL TYPES	103,952	103,952
MORTAR AMMUNITION			
009	60MM MORTAR, ALL TYPES	50,580	49,580
	Unit cost discrepancy		[-1,000]
010	81MM MORTAR, ALL TYPES	59,373	44,673
	Contract delays		[-14,700]
011	120MM MORTAR, ALL TYPES	125,452	123,452
	Unit cost growth		[-2,000]
TANK AMMUNITION			
012	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	171,284	113,084
	Unit cost growth		[-58,200]
ARTILLERY AMMUNITION			
013	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES	44,675	44,675
014	ARTILLERY PROJECTILE, 155MM, ALL TYPES	266,037	266,037
015	PROJ 155MM EXTENDED RANGE M982	57,434	57,434
016	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	271,602	265,602
	Cost growth and unjustified product improvements		[-6,000]
MINES			
017	MINES & CLEARING CHARGES, ALL TYPES	55,433	39,433
	Contract delay		[-16,000]
ROCKETS			
018	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	74,878	74,878
019	ROCKET, HYDRA 70, ALL TYPES	175,994	165,994
	Excess support costs		[-10,000]
OTHER AMMUNITION			
020	CAD/PAD, ALL TYPES	7,595	7,595
021	DEMOLITION MUNITIONS, ALL TYPES	51,651	51,651
022	GRENADES, ALL TYPES	40,592	40,592
023	SIGNALS, ALL TYPES	18,609	18,609
024	SIMULATORS, ALL TYPES	16,054	16,054
MISCELLANEOUS			
025	AMMO COMPONENTS, ALL TYPES	5,261	5,261
026	NON-LETHAL AMMUNITION, ALL TYPES	715	715
027	ITEMS LESS THAN \$5 MILLION (AMMO)	9,213	9,213
028	AMMUNITION PECULIAR EQUIPMENT	10,044	10,044
029	FIRST DESTINATION TRANSPORTATION (AMMO)	18,492	18,492
030	CLOSEOUT LIABILITIES	99	99

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
	PRODUCTION BASE SUPPORT		
031	INDUSTRIAL FACILITIES	474,511	474,511
032	CONVENTIONAL MUNITIONS DEMILITARIZATION	202,512	202,512
033	ARMS INITIATIVE	3,833	3,833
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	2,694,548	2,554,064
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
001	TACTICAL TRAILERS/DOLLY SETS	12,993	12,993
002	SEMITRAILERS, FLATBED:	102,386	102,386
003	AMBULANCE, 4 LITTER, 5/4 TON, 4X4	127,271	127,271
004	GROUND MOBILITY VEHICLES (GMV)	37,038	35,038
	Unit cost growth		[-2,000]
006	JOINT LIGHT TACTICAL VEHICLE	996,007	976,507
	Army requested transfer to RDTE, A line 169		[-4,500]
	Simulator delay		[-15,000]
007	TRUCK, DUMP, 20T (CCE)	10,838	10,838
008	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	72,057	138,057
	Program increase		[66,000]
009	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP	28,048	28,048
010	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	9,969	9,969
011	PLS ESP	6,280	6,280
012	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV	30,841	131,841
	Program increase		[101,000]
013	HMMWV RECAPITALIZATION PROGRAM	5,734	5,734
014	TACTICAL WHEELED VEHICLE PROTECTION KITS	45,113	45,113
015	MODIFICATION OF IN SVC EQUIP	58,946	58,946
	NON-TACTICAL VEHICLES		
017	HEAVY ARMORED VEHICLE	791	791
018	PASSENGER CARRYING VEHICLES	1,416	1,416
019	NONTACTICAL VEHICLES, OTHER	29,891	29,891
	COMM—JOINT COMMUNICATIONS		
021	SIGNAL MODERNIZATION PROGRAM	153,933	148,933
	Excess funding for spares		[-5,000]
022	TACTICAL NETWORK TECHNOLOGY MOD IN SVC	387,439	411,439
	ITN-M for one armored brigade combat team		[24,000]
023	SITUATION INFORMATION TRANSPORT	46,693	46,693
025	JCSE EQUIPMENT (USRDECOM)	5,075	5,075
	COMM—SATELLITE COMMUNICATIONS		
028	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	101,189	101,189
029	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	77,141	77,141
030	SHF TERM	16,054	16,054
031	ASSURED POSITIONING, NAVIGATION AND TIMING	41,074	24,914
	Contract delays		[-28,760]
	Program cancellation		[-7,400]
	Program increase		[20,000]
032	SMART-T (SPACE)	10,515	10,515
033	GLOBAL BRDCST SVC—GBS	11,800	11,800
034	ENROUTE MISSION COMMAND (EMC)	8,609	8,609
	COMM—C3 SYSTEM		
038	COE TACTICAL SERVER INFRASTRUCTURE (TSI)	77,533	77,533
	COMM—COMBAT COMMUNICATIONS		
039	HANDHELD MANPACK SMALL FORM FIT (HMS)	468,026	468,026
	Program delay		[-25,000]
	SFAB technology refresh		[25,000]
040	RADIO TERMINAL SET, MIDS LVT(2)	23,778	23,778
044	SPIDER FAMILY OF NETWORKED MUNITIONS INCR	10,930	10,930
046	UNIFIED COMMAND SUITE	9,291	8,291
	Excess program management costs		[-1,000]
047	COTS COMMUNICATIONS EQUIPMENT	55,630	55,630
048	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE	16,590	16,590
049	ARMY COMMUNICATIONS & ELECTRONICS	43,457	43,457
	COMM—INTELLIGENCE COMM		
051	CI AUTOMATION ARCHITECTURE (MIP)	10,470	10,470
052	DEFENSE MILITARY DECEPTION INITIATIVE	3,704	3,704
	INFORMATION SECURITY		
053	FAMILY OF BIOMETRICS	1,000	1,000
054	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	3,600	3,600
055	COMMUNICATIONS SECURITY (COMSEC)	160,899	141,899
	Unit cost growth		[-19,000]
056	DEFENSIVE CYBER OPERATIONS	61,962	61,962
057	INSIDER THREAT PROGRAM—UNIT ACTIVITY MONITO	756	756
058	PERSISTENT CYBER TRAINING ENVIRONMENT	3,000	3,000
	COMM—LONG HAUL COMMUNICATIONS		
059	BASE SUPPORT COMMUNICATIONS	31,770	26,770
	Insufficient budget justification		[-5,000]
	COMM—BASE COMMUNICATIONS		
060	INFORMATION SYSTEMS	159,009	139,009

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
	Unjustified growth		[-15,000]
	Unjustified growth in SRM HW		[-5,000]
061	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM	4,854	4,854
062	HOME STATION MISSION COMMAND CENTERS (HSMCC)	47,174	47,174
063	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	297,994	247,994
	Insufficient budget justification		[-50,000]
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
066	JTT/CIBS-M (MIP)	7,686	7,686
068	DCGS-A (MIP)	180,350	180,350
070	TROJAN (MIP)	17,368	17,368
071	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	59,052	59,052
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
077	LIGHTWEIGHT COUNTER MORTAR RADAR	5,400	5,400
078	EW PLANNING & MANAGEMENT TOOLS (EWPMT)	7,568	7,568
079	AIR VIGILANCE (AV) (MIP)	8,953	8,953
081	MULTI-FUNCTION ELECTRONIC WARFARE (MFEW) SYST	6,420	6,420
083	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	501	501
084	CI MODERNIZATION (MIP)	121	121
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
085	SENTINEL MODS	115,210	114,210
	Excess support costs		[-1,000]
086	NIGHT VISION DEVICES	236,604	160,604
	Insufficient justification (IVAS)		[-76,000]
088	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	22,623	22,623
090	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	29,127	29,127
091	FAMILY OF WEAPON SIGHTS (FWS)	120,883	81,541
	Excess unit cost growth		[-39,342]
094	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	265,667	240,167
	Program adjustment		[-25,500]
095	JOINT EFFECTS TARGETING SYSTEM (JETS)	69,720	44,720
	Program delay		[-25,000]
096	MOD OF IN-SVC EQUIP (LLDR)	6,044	6,044
097	COMPUTER BALLISTICS: LHMBX XM32	3,268	3,268
098	MORTAR FIRE CONTROL SYSTEM	13,199	13,199
099	MORTAR FIRE CONTROL SYSTEMS MODIFICATIONS	10,000	10,000
100	COUNTERFIRE RADARS	16,416	16,416
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
102	FIRE SUPPORT C2 FAMILY	13,197	13,197
103	AIR & MSL DEFENSE PLANNING & CONTROL SYS	24,730	24,730
104	LAMD BATTLE COMMAND SYSTEM	29,629	29,629
105	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	6,774	6,774
106	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	24,448	24,448
107	MANEUVER CONTROL SYSTEM (MCS)	260	260
108	GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A)	17,962	17,962
109	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPP)	18,674	18,674
110	RECONNAISSANCE AND SURVEYING INSTRUMENT SET	11,000	11,000
111	MOD OF IN-SVC EQUIPMENT (ENFIRE)	7,317	15,317
	Program increase—land surveying systems		[8,000]
	ELECT EQUIP—AUTOMATION		
112	ARMY TRAINING MODERNIZATION	14,578	14,578
113	AUTOMATED DATA PROCESSING EQUIP	139,342	129,342
	Program decrease		[-5,000]
	Unjustified growth		[-5,000]
114	GENERAL FUND ENTERPRISE BUSINESS SYSTEMS FAM	15,802	15,802
115	HIGH PERF COMPUTING MOD PGM (HPCMP)	67,610	67,610
116	CONTRACT WRITING SYSTEM	15,000	15,000
117	CSS COMMUNICATIONS	24,700	24,700
118	RESERVE COMPONENT AUTOMATION SYS (RCAS)	27,879	27,879
	ELECT EQUIP—AUDIO VISUAL SYS (A/V)		
120	ITEMS LESS THAN \$5M (SURVEYING EQUIPMENT)	5,000	5,000
	ELECT EQUIP—SUPPORT		
122	BCT EMERGING TECHNOLOGIES	22,302	22,302
	CLASSIFIED PROGRAMS		
122A	CLASSIFIED PROGRAMS	11,910	11,910
	CHEMICAL DEFENSIVE EQUIPMENT		
126	CBRN DEFENSE	25,828	25,828
127	SMOKE & OBSCURANT FAMILY: SOF (NON AAO ITEM)	5,050	5,050
	BRIDGING EQUIPMENT		
128	TACTICAL BRIDGING	59,821	57,821
	Contract delays		[-2,000]
129	TACTICAL BRIDGE, FLOAT-RIBBON	57,661	57,661
130	BRIDGE SUPPLEMENTAL SET	17,966	17,966
131	COMMON BRIDGE TRANSPORTER (CBT) RECAP	43,155	43,155
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
132	HANDHELD STANDOFF MINEFIELD DETECTION SYS-HST	7,570	7,570
133	GRND STANDOFF MINE DETECTN SYSM (GSTAMIDS)	37,025	37,025
135	HUSKY MOUNTED DETECTION SYSTEM (HMDS)	83,082	54,082
	Unjustified unit cost growth		[-29,000]

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
136	ROBOTIC COMBAT SUPPORT SYSTEM (RCSS)	2,000	2,000
137	EOD ROBOTICS SYSTEMS RECAPITALIZATION	23,115	23,115
138	ROBOTICS AND APPLIQUE SYSTEMS	101,056	101,056
140	RENDER SAFE SETS KITS OUTFITS	18,684	18,684
142	FAMILY OF BOATS AND MOTORS	8,245	6,245
	Unit cost growth		[-2,000]
	COMBAT SERVICE SUPPORT EQUIPMENT		
143	HEATERS AND ECUS	7,336	7,336
145	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	4,281	4,281
146	GROUND SOLDIER SYSTEM	111,955	111,955
147	MOBILE SOLDIER POWER	31,364	29,364
	Unit cost growth		[-2,000]
149	FIELD FEEDING EQUIPMENT	1,673	1,673
150	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	43,622	43,622
151	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS	11,451	11,451
152	ITEMS LESS THAN \$5M (ENG SPT)	5,167	5,167
	PETROLEUM EQUIPMENT		
154	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	74,867	74,867
	MEDICAL EQUIPMENT		
155	COMBAT SUPPORT MEDICAL	68,225	68,225
	MAINTENANCE EQUIPMENT		
156	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	55,053	55,053
157	ITEMS LESS THAN \$5.0M (MAINT EQ)	5,608	5,608
	CONSTRUCTION EQUIPMENT		
161	HYDRAULIC EXCAVATOR	500	500
162	TRACTOR, FULL TRACKED	4,835	4,835
163	ALL TERRAIN CRANES	23,936	23,936
164	HIGH MOBILITY ENGINEER EXCAVATOR (HME)	27,188	27,188
166	CONST EQUIP ESP	34,790	34,790
167	ITEMS LESS THAN \$5.0M (CONST EQUIP)	4,381	4,381
	RAIL FLOAT CONTAINERIZATION EQUIPMENT		
168	ARMY WATERCRAFT ESP	35,194	35,194
169	MANEUVER SUPPORT VESSEL (MSV)	14,185	14,185
170	ITEMS LESS THAN \$5.0M (FLOAT/RAIL)	6,920	6,920
	GENERATORS		
171	GENERATORS AND ASSOCIATED EQUIP	58,566	58,566
172	TACTICAL ELECTRIC POWER RECAPITALIZATION	14,814	14,814
	MATERIAL HANDLING EQUIPMENT		
173	FAMILY OF FORKLIFTS	14,864	14,864
	TRAINING EQUIPMENT		
174	COMBAT TRAINING CENTERS SUPPORT	123,411	123,411
175	TRAINING DEVICES, NONSYSTEM	220,707	220,707
176	SYNTHETIC TRAINING ENVIRONMENT (STE)	20,749	15,749
	Program adjustment		[-5,000]
178	AVIATION COMBINED ARMS TACTICAL TRAINER	4,840	4,840
179	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	15,463	15,463
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
180	CALIBRATION SETS EQUIPMENT	3,030	3,030
181	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	76,980	76,980
182	TEST EQUIPMENT MODERNIZATION (TEMOD)	16,415	13,415
	Historical underexecution		[-3,000]
	OTHER SUPPORT EQUIPMENT		
184	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	9,877	9,877
185	PHYSICAL SECURITY SYSTEMS (OPA3)	82,158	82,158
186	BASE LEVEL COMMON EQUIPMENT	15,340	15,340
187	MODIFICATION OF IN-SVC EQUIPMENT (OPA-3)	50,458	50,458
189	BUILDING, PRE-FAB, RELOCATABLE	14,400	14,400
190	SPECIAL EQUIPMENT FOR USER TESTING	9,821	9,821
	OPA2		
192	INITIAL SPARES—C&E	9,757	9,757
	TOTAL OTHER PROCUREMENT, ARMY	7,451,301	7,292,799
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
001	F/A-18E/F (FIGHTER) HORNET	1,748,934	1,730,934
	ECO and ancillary equipment excess growth		[-18,000]
002	F/A-18E/F (FIGHTER) HORNET	55,128	51,128
	Excess engine cost growth		[-4,000]
003	JOINT STRIKE FIGHTER CV	2,272,301	2,162,301
	Target cost savings		[-110,000]
004	JOINT STRIKE FIGHTER CV	339,053	339,053
005	JSF STOVL	1,342,035	1,256,035
	Target cost savings		[-86,000]
006	JSF STOVL	291,804	291,804
007	CH-53K (HEAVY LIFT)	807,876	807,876
008	CH-53K (HEAVY LIFT)	215,014	215,014
009	V-22 (MEDIUM LIFT)	966,666	1,184,766
	Program increase		[248,100]

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
	Support cost growth		[-30,000]
010	V-22 (MEDIUM LIFT)	27,104	27,104
011	H-1 UPGRADES (UH-1Y/AH-1Z)	62,003	62,003
013	MH-60R (MYP)	894	894
014	P-8A POSEIDON	1,206,701	1,636,601
	Contract negotiations savings		[-42,900]
	Line shutdown costs early to need		[-68,400]
	Navy unfunded priority		[541,200]
016	E-2D ADV HAWKEYE	744,484	896,784
	GFE excess cost growth		[-3,500]
	Navy unfunded priority		[173,000]
	NRE excess cost growth		[-17,200]
017	E-2D ADV HAWKEYE	190,204	190,204
	TRAINER AIRCRAFT		
019	ADVANCED HELICOPTER TRAINING SYSTEM	261,160	261,160
	OTHER AIRCRAFT		
020	KC-130J	240,840	221,840
	Unit cost growth		[-19,000]
021	KC-130J	66,061	66,061
022	F-5	39,676	39,676
023	MQ-4 TRITON	473,134	448,134
	PGSE excess cost growth		[-25,000]
024	MQ-4 TRITON	20,139	20,139
025	MQ-8 UAV	44,957	44,957
026	STUASLO UAV	43,819	43,819
028	VH-92A EXECUTIVE HELO	658,067	658,067
	MODIFICATION OF AIRCRAFT		
029	AEA SYSTEMS	44,470	44,470
030	AV-8 SERIES	39,472	39,472
031	ADVERSARY	3,415	3,415
032	F-18 SERIES	1,207,089	1,138,089
	Accelerate RWR modernization		[10,000]
	Early to need		[-79,000]
033	H-53 SERIES	68,385	68,385
034	MH-60 SERIES	149,797	152,297
	Demonstrate alternative low frequency active sonars		[2,500]
035	H-1 SERIES	114,059	114,059
036	EP-3 SERIES	8,655	8,655
038	E-2 SERIES	117,059	117,059
039	TRAINER A/C SERIES	5,616	5,616
040	C-2A	15,747	15,747
041	C-130 SERIES	122,671	122,671
042	FEWSG	509	509
043	CARGO/TRANSPORT A/C SERIES	8,767	8,767
044	E-6 SERIES	169,827	169,827
045	EXECUTIVE HELICOPTERS SERIES	8,933	8,933
047	T-45 SERIES	186,022	184,314
	NRE previously funded		[-1,708]
048	POWER PLANT CHANGES	16,136	16,136
049	JPATS SERIES	21,824	21,824
050	AVIATION LIFE SUPPORT MODS	39,762	39,762
051	COMMON ECM EQUIPMENT	162,839	159,565
	Program decrease		[-3,274]
052	COMMON AVIONICS CHANGES	102,107	75,107
	Computing and displays concurrency and equipment growth early to need		[-27,000]
053	COMMON DEFENSIVE WEAPON SYSTEM	2,100	2,100
054	ID SYSTEMS	41,437	33,637
	Unjustified unit cost growth		[-7,800]
055	P-8 SERIES	107,539	107,539
056	MAGTF EW FOR AVIATION	26,536	26,536
057	MQ-8 SERIES	34,686	34,686
058	V-22 (TILT/ROTOR ACFT) OSPREY	325,367	325,367
059	NEXT GENERATION JAMMER (NGJ)	6,223	6,223
060	F-35 STOVL SERIES	65,585	65,585
061	F-35 CV SERIES	15,358	15,358
062	QRC	165,016	146,558
	Program decrease		[-18,458]
063	MQ-4 SERIES	27,994	27,994
064	RQ-21 SERIES	66,282	66,282
	AIRCRAFT SPARES AND REPAIR PARTS		
067	SPARES AND REPAIR PARTS	2,166,788	2,102,788
	MQ-4 Triton spares excess growth		[-64,000]
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
068	COMMON GROUND EQUIPMENT	491,025	470,025
	Other flight ground training previously funded		[-21,000]
069	AIRCRAFT INDUSTRIAL FACILITIES	71,335	71,335
070	WAR CONSUMABLES	41,086	32,086
	BRU-61 previously funded		[-9,000]

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
072	SPECIAL SUPPORT EQUIPMENT	135,740	115,740
	Program decrease		[-20,000]
073	FIRST DESTINATION TRANSPORTATION	892	892
	TOTAL AIRCRAFT PROCUREMENT, NAVY	18,522,204	18,821,764
	WEAPONS PROCUREMENT, NAVY		
	MODIFICATION OF MISSILES		
001	TRIDENT II MODS	1,177,251	1,157,651
	W76-2 low-yield deployment		[-19,600]
	SUPPORT EQUIPMENT & FACILITIES		
002	MISSILE INDUSTRIAL FACILITIES	7,142	7,142
	STRATEGIC MISSILES		
003	TOMAHAWK	386,730	386,730
	TACTICAL MISSILES		
004	AMRAAM	224,502	191,502
	Unit cost growth		[-33,000]
005	SIDEWINDER	119,456	119,456
007	STANDARD MISSILE	404,523	379,523
	SM-6 multi-year procurement savings		[-25,000]
008	STANDARD MISSILE	96,085	96,085
009	SMALL DIAMETER BOMB II	118,466	118,466
010	RAM	106,765	106,765
012	HELLFIRE	1,525	1,525
015	AERIAL TARGETS	145,880	145,880
016	DRONES AND DECOYS	20,000	20,000
017	OTHER MISSILE SUPPORT	3,388	3,388
018	LRASM	143,200	168,200
	Navy unfunded priority		[25,000]
019	LCS OTH MISSILE	38,137	38,137
	MODIFICATION OF MISSILES		
020	ESSM	128,059	118,059
	Production support excess to need		[-10,000]
021	HARPOON MODS	25,447	25,447
022	HARM MODS	183,740	183,740
023	STANDARD MISSILES MODS	22,500	22,500
	SUPPORT EQUIPMENT & FACILITIES		
024	WEAPONS INDUSTRIAL FACILITIES	1,958	1,958
025	FLEET SATELLITE COMM FOLLOW-ON	67,380	67,380
	ORDNANCE SUPPORT EQUIPMENT		
027	ORDNANCE SUPPORT EQUIPMENT	109,427	109,427
	TORPEDOES AND RELATED EQUIP		
028	SSTD	5,561	5,561
029	MK-48 TORPEDO	114,000	130,000
	Program increase		[16,000]
030	ASW TARGETS	15,095	15,095
	MOD OF TORPEDOES AND RELATED EQUIP		
031	MK-54 TORPEDO MODS	119,453	111,453
	HAAWC cost growth		[-8,000]
032	MK-48 TORPEDO ADCAP MODS	39,508	39,508
033	QUICKSTRIKE MINE	5,183	5,183
	SUPPORT EQUIPMENT		
034	TORPEDO SUPPORT EQUIPMENT	79,028	79,028
035	ASW RANGE SUPPORT	3,890	3,890
	DESTINATION TRANSPORTATION		
036	FIRST DESTINATION TRANSPORTATION	3,803	3,803
	GUNS AND GUN MOUNTS		
037	SMALL ARMS AND WEAPONS	14,797	14,797
	MODIFICATION OF GUNS AND GUN MOUNTS		
038	CIWS MODS	44,126	0
	Unjustified OCO request		[-44,126]
039	COAST GUARD WEAPONS	44,980	44,980
040	GUN MOUNT MODS	66,376	66,376
041	LCS MODULE WEAPONS	14,585	0
	Program decrease		[-14,585]
043	AIRBORNE MINE NEUTRALIZATION SYSTEMS	7,160	7,160
	SPARES AND REPAIR PARTS		
045	SPARES AND REPAIR PARTS	126,138	126,138
	TOTAL WEAPONS PROCUREMENT, NAVY	4,235,244	4,121,933
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
001	GENERAL PURPOSE BOMBS	36,028	20,028
	Fuze contract delay and unit cost growth		[-16,000]
002	JDAM	70,413	62,913
	JDAM tail kit unit cost growth		[-7,500]
003	AIRBORNE ROCKETS, ALL TYPES	31,756	22,256
	Unit cost growth		[-9,500]
004	MACHINE GUN AMMUNITION	4,793	4,793

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
005	PRACTICE BOMBS	34,708	27,208
	Q1300 LGTR unit cost growth		[-7,500]
006	CARTRIDGES & CART ACTUATED DEVICES	45,738	38,738
	Contract and schedule delays		[-7,000]
007	AIR EXPENDABLE COUNTERMEASURES	77,301	67,801
	Unit cost growth		[-9,500]
008	JATOS	7,262	7,262
009	5 INCH/54 GUN AMMUNITION	22,594	22,594
010	INTERMEDIATE CALIBER GUN AMMUNITION	37,193	37,193
011	OTHER SHIP GUN AMMUNITION	39,491	29,491
	CART 20MM contract award delay		[-10,000]
012	SMALL ARMS & LANDING PARTY AMMO	47,896	47,896
013	PYROTECHNIC AND DEMOLITION	10,621	10,621
015	AMMUNITION LESS THAN \$5 MILLION	2,386	2,386
	MARINE CORPS AMMUNITION		
016	MORTARS	55,543	50,543
	Prior year underexecution		[-5,000]
017	DIRECT SUPPORT MUNITIONS	131,765	131,765
018	INFANTRY WEAPONS AMMUNITION	78,056	74,556
	Underexecution and schedule delays		[-3,500]
019	COMBAT SUPPORT MUNITIONS	40,048	34,048
	Unit cost growth		[-6,000]
020	AMMO MODERNIZATION	14,325	14,325
021	ARTILLERY MUNITIONS	188,876	167,476
	DA 54 contract delay		[-21,400]
022	ITEMS LESS THAN \$5 MILLION	4,521	4,521
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	981,314	878,414
	SHIPBUILDING AND CONVERSION, NAVY		
	FLEET BALLISTIC MISSILE SHIPS		
001	OHIO REPLACEMENT SUBMARINE	1,698,907	1,823,907
	Submarine supplier development		[125,000]
	OTHER WARSHIPS		
002	CARRIER REPLACEMENT PROGRAM	2,347,000	1,952,000
	Basic construction/conversion excess cost growth		[-302,000]
	Propulsion equipment excess cost growth		[-93,000]
003	VIRGINIA CLASS SUBMARINE	7,155,946	6,605,946
	Block V MYP savings redirected to fund USS Boise, USS Hartford, and USS Columbus availabilities.		[-550,000]
004	VIRGINIA CLASS SUBMARINE	2,769,552	2,769,552
005	CVN REFUELING OVERHAULS	647,926	453,926
	CVN-74 RCOH basic construction/conversion excess cost growth		[-165,000]
	CVN-74 RCOH ordnance excess cost growth		[-46,000]
	CVN-75 RCOH restoration		[17,000]
007	DDG 1000	155,944	155,944
008	DDG-51	5,099,295	5,013,295
	Basic ship construction excess cost growth		[-86,000]
009	DDG-51	224,028	224,028
011	FFG-FRIGATE	1,281,177	1,266,177
	Change order early to need		[-15,000]
	AMPHIBIOUS SHIPS		
012	LPD FLIGHT II		100,000
	Transfer from line 13		[100,000]
013	LPD FLIGHT II	247,100	147,100
	Transfer to line 12		[-100,000]
017	EXPEDITIONARY FAST TRANSPORT (EPF)		49,000
	Medical transport modification for EPF-14 Navy unfunded priority		[49,000]
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST		
018	TAO FLEET OILER	981,215	607,215
	Full funding early to need		[-447,000]
	Transfer from Line 19		[73,000]
019	TAO FLEET OILER	73,000	0
	Transfer to Line 18		[-73,000]
020	TOWING, SALVAGE, AND RESCUE SHIP (ATS)	150,282	150,282
022	LCU 1700	85,670	85,670
023	OUTFITTING	754,679	643,554
	ESB-9 Outfitting early to need		[-11,125]
	Excess cost growth		[-100,000]
024	SHIP TO SHORE CONNECTOR		84,800
	Program increase		[130,000]
	Program decrease		[-45,200]
025	SERVICE CRAFT	56,289	56,289
028	COMPLETION OF PY SHIPBUILDING PROGRAMS	55,700	25,700
	ESB change order prior year carryover		[-30,000]
	TOTAL SHIPBUILDING AND CONVERSION, NAVY	23,783,710	22,214,385
	OTHER PROCUREMENT, NAVY		
	SHIP PROPULSION EQUIPMENT		

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
001	SURFACE POWER EQUIPMENT	14,490	14,490
	GENERATORS		
002	SURFACE COMBATANT HM&E	31,583	23,503
	Excess cost growth		[-8,080]
	NAVIGATION EQUIPMENT		
003	OTHER NAVIGATION EQUIPMENT	77,404	60,830
	Excess cost growth		[-16,574]
	OTHER SHIPBOARD EQUIPMENT		
004	SUB PERISCOPE, IMAGING AND SUPT EQUIP PROG	160,803	160,803
005	DDG MOD	566,140	566,140
006	FIREFIGHTING EQUIPMENT	18,223	18,223
007	COMMAND AND CONTROL SWITCHBOARD	2,086	2,086
008	LHA/LHD MIDLIFE	95,651	64,651
	Excess cost growth		[-31,000]
009	POLLUTION CONTROL EQUIPMENT	23,910	23,910
010	SUBMARINE SUPPORT EQUIPMENT	44,895	25,300
	Acoustic superiority early to need		[-11,855]
	Excess cost growth		[-7,740]
011	VIRGINIA CLASS SUPPORT EQUIPMENT	28,465	28,465
012	LCS CLASS SUPPORT EQUIPMENT	19,426	19,426
013	SUBMARINE BATTERIES	26,290	26,290
014	LPD CLASS SUPPORT EQUIPMENT	46,945	46,945
015	DDG 1000 CLASS SUPPORT EQUIPMENT	9,930	9,930
016	STRATEGIC PLATFORM SUPPORT EQUIP	14,331	14,331
017	DSSP EQUIPMENT	2,909	2,909
018	CG MODERNIZATION	193,990	193,990
019	LCAC	3,392	3,392
020	UNDERWATER EOD PROGRAMS	71,240	71,240
021	ITEMS LESS THAN \$5 MILLION	102,543	102,543
022	CHEMICAL WARFARE DETECTORS	2,961	2,961
023	SUBMARINE LIFE SUPPORT SYSTEM	6,635	6,635
	REACTOR PLANT EQUIPMENT		
024	REACTOR POWER UNITS	5,340	5,340
025	REACTOR COMPONENTS	465,726	465,726
	OCEAN ENGINEERING		
026	DIVING AND SALVAGE EQUIPMENT	11,854	10,706
	Excess cost growth		[-1,148]
	SMALL BOATS		
027	STANDARD BOATS	79,102	73,967
	Excess cost growth		[-5,135]
	PRODUCTION FACILITIES EQUIPMENT		
028	OPERATING FORCES IPE	202,238	202,238
	OTHER SHIP SUPPORT		
029	LCS COMMON MISSION MODULES EQUIPMENT	51,553	33,237
	Excess cost growth		[-18,316]
030	LCS MCM MISSION MODULES	197,129	77,129
	Excess cost growth		[-120,000]
031	LCS ASW MISSION MODULES	27,754	25,254
	Demonstrate alternate low frequency active sonar		[2,500]
	Excess cost growth		[-5,000]
032	LCS SUW MISSION MODULES	26,566	14,566
	Excess cost growth		[-12,000]
033	LCS IN-SERVICE MODERNIZATION	84,972	84,972
034	SMALL & MEDIUM UUV	40,547	10,601
	Early to need		[-29,946]
	LOGISTIC SUPPORT		
035	LSD MIDLIFE & MODERNIZATION	40,269	40,269
	SHIP SONARS		
036	SPQ-9B RADAR	26,195	26,195
037	AN/SQQ-89 SURF ASW COMBAT SYSTEM	125,237	125,237
038	SSN ACOUSTIC EQUIPMENT	366,968	354,968
	Low cost conformal array contract delay		[-12,000]
039	UNDERSEA WARFARE SUPPORT EQUIPMENT	8,967	8,967
	ASW ELECTRONIC EQUIPMENT		
040	SUBMARINE ACOUSTIC WARFARE SYSTEM	23,545	23,545
041	SSTD	12,439	12,439
042	FIXED SURVEILLANCE SYSTEM	128,441	128,441
043	SURTASS	21,923	21,923
	ELECTRONIC WARFARE EQUIPMENT		
044	AN/SLQ-32	420,154	420,154
	RECONNAISSANCE EQUIPMENT		
045	SHIPBOARD IW EXPLOIT	194,758	194,758
046	AUTOMATED IDENTIFICATION SYSTEM (AIS)	5,368	5,368
	OTHER SHIP ELECTRONIC EQUIPMENT		
047	COOPERATIVE ENGAGEMENT CAPABILITY	35,128	35,128
048	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	15,154	15,154
049	ATDLS	52,753	52,753
050	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	3,390	3,390

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
051	MINESWEEPING SYSTEM REPLACEMENT	19,448	19,448
052	SHALLOW WATER MCM	8,730	8,730
053	NAVSTAR GPS RECEIVERS (SPACE)	32,674	32,674
054	AMERICAN FORCES RADIO AND TV SERVICE	2,617	2,617
055	STRATEGIC PLATFORM SUPPORT EQUIP	7,973	7,973
	AVIATION ELECTRONIC EQUIPMENT		
056	ASHORE ATC EQUIPMENT	72,406	72,406
057	AFLOAT ATC EQUIPMENT	67,410	67,410
058	ID SYSTEMS	26,059	15,464
	OE-120/UPX antenna insufficient budget justification		[-10,595]
059	JOINT PRECISION APPROACH AND LANDING SYSTEM	92,695	61,348
	Early to need		[-31,347]
060	NAVAL MISSION PLANNING SYSTEMS	15,296	15,296
	OTHER SHORE ELECTRONIC EQUIPMENT		
061	TACTICAL/MOBILE C4I SYSTEMS	36,226	36,226
062	DCGS-N	21,788	21,788
063	CANES	426,654	396,654
	Program decrease		[-30,000]
064	RADIAC	6,450	6,450
065	CANES-INTELL	52,713	52,713
066	GPETE	13,028	13,028
067	MASF	5,193	5,193
068	INTEG COMBAT SYSTEM TEST FACILITY	6,028	6,028
069	EMI CONTROL INSTRUMENTATION	4,209	4,209
070	ITEMS LESS THAN \$5 MILLION	168,436	151,593
	Excess cost growth		[-16,843]
	SHIPBOARD COMMUNICATIONS		
071	SHIPBOARD TACTICAL COMMUNICATIONS	55,853	55,853
072	SHIP COMMUNICATIONS AUTOMATION	137,861	117,861
	STACC cost growth		[-20,000]
073	COMMUNICATIONS ITEMS UNDER \$5M	35,093	35,093
	SUBMARINE COMMUNICATIONS		
074	SUBMARINE BROADCAST SUPPORT	50,833	50,833
075	SUBMARINE COMMUNICATION EQUIPMENT	69,643	60,643
	Buoy shape improvement unjustified request		[-9,000]
	SATELLITE COMMUNICATIONS		
076	SATELLITE COMMUNICATIONS SYSTEMS	45,841	45,841
077	NAVY MULTIBAND TERMINAL (NMT)	88,021	88,021
	SHORE COMMUNICATIONS		
078	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	4,293	4,293
	CRYPTOGRAPHIC EQUIPMENT		
079	INFO SYSTEMS SECURITY PROGRAM (ISSP)	166,540	166,540
080	MIO INTEL EXPLOITATION TEAM	968	968
	CRYPTOLOGIC EQUIPMENT		
081	CRYPTOLOGIC COMMUNICATIONS EQUIP	13,090	13,090
	OTHER ELECTRONIC SUPPORT		
083	COAST GUARD EQUIPMENT	61,370	61,370
	SONOBUOYS		
085	SONOBUOYS—ALL TYPES	260,644	296,344
	Navy unfunded priority		[35,700]
	AIRCRAFT SUPPORT EQUIPMENT		
086	MINOTAUR	5,000	5,000
087	WEAPONS RANGE SUPPORT EQUIPMENT	101,843	94,843
	Excess cost growth		[-7,000]
088	AIRCRAFT SUPPORT EQUIPMENT	145,601	112,181
	Excess cost growth		[-20,000]
	Program decrease		[-13,420]
089	ADVANCED ARRESTING GEAR (AAG)	4,725	4,725
090	METEOROLOGICAL EQUIPMENT	14,687	14,687
092	LEGACY AIRBORNE MCM	19,250	19,250
093	LAMPS EQUIPMENT	792	792
094	AVIATION SUPPORT EQUIPMENT	55,415	52,415
	Contract delay		[-3,000]
095	UMCS-UNMAN CARRIER AVIATION(UCA)MISSION CNTRL	32,668	32,668
	SHIP GUN SYSTEM EQUIPMENT		
096	SHIP GUN SYSTEMS EQUIPMENT	5,451	5,451
	SHIP MISSILE SYSTEMS EQUIPMENT		
097	HARPOON SUPPORT EQUIPMENT	1,100	1,100
098	SHIP MISSILE SUPPORT EQUIPMENT	228,104	243,304
	Excess cost growth		[-25,000]
	Program increase		[40,200]
099	TOMAHAWK SUPPORT EQUIPMENT	78,593	78,593
	FBM SUPPORT EQUIPMENT		
100	STRATEGIC MISSILE SYSTEMS EQUIP	280,510	280,510
	ASW SUPPORT EQUIPMENT		
101	SSN COMBAT CONTROL SYSTEMS	148,547	138,547
	Excess cost growth		[-10,000]
102	ASW SUPPORT EQUIPMENT	21,130	21,130

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
	OTHER ORDNANCE SUPPORT EQUIPMENT		
103	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	15,244	15,244
104	ITEMS LESS THAN \$5 MILLION	5,071	5,071
	OTHER EXPENDABLE ORDNANCE		
105	ANTI-SHIP MISSILE DECOY SYSTEM	41,962	41,962
106	SUBMARINE TRAINING DEVICE MODS	75,057	75,057
107	SURFACE TRAINING EQUIPMENT	233,175	189,253
	LCS trainer equipment early to need		[−43,922]
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
108	PASSENGER CARRYING VEHICLES	4,562	4,562
109	GENERAL PURPOSE TRUCKS	10,974	10,974
110	CONSTRUCTION & MAINTENANCE EQUIP	43,191	43,191
111	FIRE FIGHTING EQUIPMENT	21,142	11,642
	Contract delays		[−9,500]
112	TACTICAL VEHICLES	33,432	32,032
	JLTV contract delay		[−1,400]
114	POLLUTION CONTROL EQUIPMENT	2,633	2,633
115	ITEMS UNDER \$5 MILLION	53,467	53,467
116	PHYSICAL SECURITY VEHICLES	1,173	1,173
	SUPPLY SUPPORT EQUIPMENT		
117	SUPPLY EQUIPMENT	16,730	16,730
118	FIRST DESTINATION TRANSPORTATION	5,389	5,389
119	SPECIAL PURPOSE SUPPLY SYSTEMS	654,674	654,674
	TRAINING DEVICES		
120	TRAINING SUPPORT EQUIPMENT	3,633	3,633
121	TRAINING AND EDUCATION EQUIPMENT	97,636	82,536
	Reduction in one Training Support Vessel		[−15,100]
	COMMAND SUPPORT EQUIPMENT		
122	COMMAND SUPPORT EQUIPMENT	66,102	50,102
	Prior year underexecution		[−16,000]
123	MEDICAL SUPPORT EQUIPMENT	3,633	3,633
125	NAVAL MIP SUPPORT EQUIPMENT	6,097	6,097
126	OPERATING FORCES SUPPORT EQUIPMENT	16,905	16,905
127	C4ISR EQUIPMENT	30,146	30,146
128	ENVIRONMENTAL SUPPORT EQUIPMENT	21,986	21,986
129	PHYSICAL SECURITY EQUIPMENT	160,046	160,046
130	ENTERPRISE INFORMATION TECHNOLOGY	56,899	56,899
	OTHER		
133	NEXT GENERATION ENTERPRISE SERVICE	122,832	122,832
	CLASSIFIED PROGRAMS		
133A	CLASSIFIED PROGRAMS	16,346	16,346
	SPARES AND REPAIR PARTS		
134	SPARES AND REPAIR PARTS	375,608	352,140
	JPALS spares early to need		[−8,137]
	LCS spares early to need		[−15,331]
	TOTAL OTHER PROCUREMENT, NAVY	9,652,956	9,146,967
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
001	AAV7A1 PIP	39,495	39,495
002	AMPHIBIOUS COMBAT VEHICLE 1.1	317,935	313,135
	Excess engineering change orders		[−4,800]
003	LAV PIP	60,734	60,734
	ARTILLERY AND OTHER WEAPONS		
004	155MM LIGHTWEIGHT TOWED HOWITZER	25,065	25,065
005	ARTILLERY WEAPONS SYSTEM	100,002	90,002
	Equipment previously funded and cost growth		[−10,000]
006	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION	31,945	31,945
	OTHER SUPPORT		
007	MODIFICATION KITS	22,760	22,760
	GUIDED MISSILES		
008	GROUND BASED AIR DEFENSE	175,998	175,998
009	ANTI-ARMOR MISSILE-JAVELIN	20,207	20,207
010	FAMILY ANTI-ARMOR WEAPON SYSTEMS (FOAAWS)	21,913	21,913
011	ANTI-ARMOR MISSILE-TOW	60,501	60,501
012	GUIDED MLRS ROCKET (GMLRS)	29,062	28,062
	Unit cost discrepancy		[−1,000]
	COMMAND AND CONTROL SYSTEMS		
013	COMMON AVIATION COMMAND AND CONTROL SYSTEM (C	37,203	32,203
	AN/MRQ-13 communications subsystems upgrades unjustified growth		[−5,000]
	REPAIR AND TEST EQUIPMENT		
014	REPAIR AND TEST EQUIPMENT	55,156	55,156
	OTHER SUPPORT (TEL)		
015	MODIFICATION KITS	4,945	4,945
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
016	ITEMS UNDER \$5 MILLION (COMM & ELEC)	112,124	83,124
	Unit cost growth		[−29,000]
017	AIR OPERATIONS C2 SYSTEMS	17,408	17,408

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
	RADAR + EQUIPMENT (NON-TEL)		
018	RADAR SYSTEMS	329	329
019	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	273,022	273,022
	INTELL/COMM EQUIPMENT (NON-TEL)		
021	GCSS-MC	4,484	4,484
022	FIRE SUPPORT SYSTEM	35,488	35,488
023	INTELLIGENCE SUPPORT EQUIPMENT	56,896	54,396
	Unjustified growth		[-2,500]
025	UNMANNED AIR SYSTEMS (INTEL)	34,711	34,711
026	DCGS-MC	32,562	32,562
	OTHER SUPPORT (NON-TEL)		
030	NEXT GENERATION ENTERPRISE NETWORK (NGEN)	114,901	114,901
031	COMMON COMPUTER RESOURCES	51,094	51,094
032	COMMAND POST SYSTEMS	108,897	108,897
033	RADIO SYSTEMS	227,320	212,320
	Cost growth and early to need		[-15,000]
034	COMM SWITCHING & CONTROL SYSTEMS	31,685	23,685
	ECP small form factor previously funded		[-8,000]
035	COMM & ELEC INFRASTRUCTURE SUPPORT	21,140	21,140
036	CYBERSPACE ACTIVITIES	27,632	27,632
	CLASSIFIED PROGRAMS		
036A	CLASSIFIED PROGRAMS	5,535	5,535
	ADMINISTRATIVE VEHICLES		
037	COMMERCIAL CARGO VEHICLES	28,913	28,913
	TACTICAL VEHICLES		
038	MOTOR TRANSPORT MODIFICATIONS	19,234	19,234
039	JOINT LIGHT TACTICAL VEHICLE	558,107	556,107
	ECP previously funded		[-2,000]
040	FAMILY OF TACTICAL TRAILERS	2,693	2,693
	ENGINEER AND OTHER EQUIPMENT		
041	ENVIRONMENTAL CONTROL EQUIP ASSORT	495	495
042	TACTICAL FUEL SYSTEMS	52	52
043	POWER EQUIPMENT ASSORTED	22,441	22,441
044	AMPHIBIOUS SUPPORT EQUIPMENT	7,101	7,101
045	EOD SYSTEMS	44,700	44,700
	MATERIALS HANDLING EQUIPMENT		
046	PHYSICAL SECURITY EQUIPMENT	15,404	15,404
	GENERAL PROPERTY		
047	FIELD MEDICAL EQUIPMENT	2,898	2,898
048	TRAINING DEVICES	149,567	126,567
	ODS unjustified request		[-23,000]
049	FAMILY OF CONSTRUCTION EQUIPMENT	35,622	35,622
050	ULTRA-LIGHT TACTICAL VEHICLE (ULTV)	647	647
	OTHER SUPPORT		
051	ITEMS LESS THAN \$5 MILLION	10,956	10,956
	SPARES AND REPAIR PARTS		
052	SPARES AND REPAIR PARTS	33,470	33,470
	TOTAL PROCUREMENT, MARINE CORPS	3,090,449	2,990,149
	AIRCRAFT PROCUREMENT, AIR FORCE		
	TACTICAL FORCES		
001	F-35	4,274,359	5,126,409
	Program increase		[1,042,800]
	Target cost savings		[-190,750]
002	F-35	655,500	655,500
003	F-15E	1,050,000	941,000
	Unjustified non-recurring engineering		[-109,000]
	TACTICAL AIRLIFT		
005	KC-46A MDAP	2,234,529	2,199,705
	Excess to need		[-34,824]
	OTHER AIRLIFT		
006	C-130J	12,156	404,156
	Program increase		[392,000]
008	MC-130J	871,207	871,207
009	MC-130J	40,000	40,000
	HELICOPTERS		
010	COMBAT RESCUE HELICOPTER	884,235	876,235
	Excess to need		[-8,000]
	MISSION SUPPORT AIRCRAFT		
011	C-37A	161,000	161,000
012	CIVIL AIR PATROL A/C	2,767	2,767
	OTHER AIRCRAFT		
014	TARGET DRONES	130,837	130,837
015	COMPASS CALL	114,095	114,095
017	MQ-9	189,205	313,005
	Program increase		[137,800]
	Unit cost growth		[-14,000]
	STRATEGIC AIRCRAFT		

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
019	B-2A	9,582	9,582
020	B-1B	22,111	22,111
021	B-52	69,648	69,648
022	LARGE AIRCRAFT INFRARED COUNTERMEASURES	43,758	43,758
	TACTICAL AIRCRAFT		
023	A-10	132,069	132,069
024	E-11 BACN/HAG	70,027	90,027
	Aircraft increase		[20,000]
025	F-15	481,073	480,443
	F-15C MUOS ahead of need		[-630]
026	F-16	234,782	234,782
028	F-22A	323,597	323,597
030	F-35 MODIFICATIONS	343,590	343,590
031	F-15 EPAW	149,047	25,047
	Prior-year carryover		[-124,000]
032	INCREMENT 3.2B	20,213	20,213
033	KC-46A MDAP	10,213	3,639
	Excess to need		[-6,574]
	AIRLIFT AIRCRAFT		
034	C-5	73,550	73,550
036	C-17A	60,244	60,244
037	C-21	216	216
038	C-32A	11,511	11,511
039	C-37A	435	435
	TRAINER AIRCRAFT		
040	GLIDER MODS	138	138
041	T-6	11,826	11,826
042	T-1	26,787	26,787
043	T-38	37,341	45,041
	T-38 A/B ejection seat safety		[7,700]
	OTHER AIRCRAFT		
044	U-2 MODS	86,896	119,896
	Increase for U-2 enhancements		[33,000]
045	KC-10A (ATCA)	2,108	2,108
046	C-12	3,021	3,021
047	VC-25A MOD	48,624	48,624
048	C-40	256	256
049	C-130	52,066	186,066
	3.5 Engine Enhancement Package		[79,000]
	NP-2000 prop blade upgrades		[55,000]
050	C-130J MODS	141,686	141,686
051	C-135	124,491	124,491
053	COMPASS CALL	110,754	110,754
054	COMBAT FLIGHT INSPECTION—CFIN	508	508
055	RC-135	227,673	227,673
056	E-3	216,299	216,299
057	E-4	58,477	58,477
058	E-8	28,778	56,778
	Increase for re-engining		[28,000]
059	AIRBORNE WARNING AND CNTRL SYS (AWACS) 40/45	36,000	36,000
060	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	7,910	7,910
061	H-1	3,817	3,817
062	H-60	20,879	20,879
063	RQ-4 MODS	1,704	1,704
064	HC/MC-130 MODIFICATIONS	51,482	51,482
065	OTHER AIRCRAFT	50,098	50,098
066	MQ-9 MODS	383,594	251,594
	Production rate adjustment of DAS-4 sensor		[-132,000]
068	CV-22 MODS	65,348	65,348
	AIRCRAFT SPARES AND REPAIR PARTS		
069	INITIAL SPARES/REPAIR PARTS	708,230	584,830
	Unjustified F-15C requirements		[-123,400]
	COMMON SUPPORT EQUIPMENT		
072	AIRCRAFT REPLACEMENT SUPPORT EQUIP	84,938	84,938
	POST PRODUCTION SUPPORT		
073	B-2A	1,403	1,403
074	B-2B	42,234	42,234
075	B-52	4,641	4,641
076	C-17A	124,805	124,805
079	F-15	2,589	2,589
081	F-16	15,348	14,748
	Line shutdown early to need		[-600]
084	RQ-4 POST PRODUCTION CHARGES	47,246	47,246
	INDUSTRIAL PREPAREDNESS		
086	INDUSTRIAL RESPONSIVENESS	17,705	17,705
	WAR CONSUMABLES		
087	WAR CONSUMABLES	32,102	32,102
	OTHER PRODUCTION CHARGES		

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
088	OTHER PRODUCTION CHARGES	1,194,728	1,106,728
	F-22 NGEN lab excess		[-72,000]
	RQ-4 delayed obligations		[-16,000]
	CLASSIFIED PROGRAMS		
090A	CLASSIFIED PROGRAMS	34,193	34,193
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	16,784,279	17,747,801
	MISSILE PROCUREMENT, AIR FORCE		
	MISSILE REPLACEMENT EQUIPMENT—BALLISTIC		
001	MISSILE REPLACEMENT EQ-BALLISTIC	55,888	55,888
	TACTICAL		
002	REPLAC EQUIP & WAR CONSUMABLES	9,100	9,100
003	JOINT AIR-TO-GROUND MUNITION	15,000	0
	Unjustified requirement (JAGM-F)		[-15,000]
004	JOINT AIR-SURFACE STANDOFF MISSILE	482,525	482,525
006	SIDEWINDER (AIM-9X)	160,408	160,408
007	AMRAAM	332,250	332,250
008	PREDATOR HELLFIRE MISSILE	118,860	111,160
	Unit cost savings		[-7,700]
009	SMALL DIAMETER BOMB	275,438	275,438
010	SMALL DIAMETER BOMB II	212,434	201,434
	Unit cost growth		[-11,000]
	INDUSTRIAL FACILITIES		
011	INDUSTRIAL PREPAREDNESS/POL PREVENTION	801	801
	CLASS IV		
012	ICBM FUZE MOD	5,000	5,000
013	ICBM FUZE MOD	14,497	14,497
014	MM III MODIFICATIONS	50,831	50,831
015	AGM-65D MAVERICK	294	294
016	AIR LAUNCH CRUISE MISSILE (ALCM)	77,387	77,387
	MISSILE SPARES AND REPAIR PARTS		
018	MSL SPARES/REPAIR PARTS (INITIAL)	1,910	1,910
019	REPLEN SPARES/REPAIR PARTS	82,490	82,490
	SPECIAL PROGRAMS		
023	SPECIAL UPDATE PROGRAMS	144,553	144,553
	CLASSIFIED PROGRAMS		
023A	CLASSIFIED PROGRAMS	849,521	849,521
	TOTAL MISSILE PROCUREMENT, AIR FORCE	2,889,187	2,855,487
	SPACE PROCUREMENT, AIR FORCE		
	SPACE PROGRAMS		
001	ADVANCED EHF	31,894	31,894
002	AF SATELLITE COMM SYSTEM	56,298	56,298
004	COUNTERSPACE SYSTEMS	5,700	5,700
005	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	34,020	24,020
	Unjustified growth		[-10,000]
007	GENERAL INFORMATION TECH—SPACE	3,244	3,244
008	GPSIII FOLLOW ON	414,625	414,625
009	GPS III SPACE SEGMENT	31,466	31,466
012	SPACEBORNE EQUIP (COMSEC)	32,031	32,031
013	MILSATCOM	11,096	11,096
015	EVOLVED EXPENDABLE LAUNCH VEH(SPACE)	1,237,635	1,237,635
016	SBIR HIGH (SPACE)	233,952	218,012
	Unjustified growth		[-15,940]
017	NUDET DETECTION SYSTEM	7,432	7,432
018	ROCKET SYSTEMS LAUNCH PROGRAM	11,473	11,473
019	SPACE FENCE	71,784	50,284
	Unjustified growth		[-21,500]
020	SPACE MODS	106,330	86,330
	Unjustified growth		[-20,000]
021	SPACELIFT RANGE SYSTEM SPACE	118,140	118,140
	SSPARES		
022	SPARES AND REPAIR PARTS	7,263	7,263
	TOTAL SPACE PROCUREMENT, AIR FORCE	2,414,383	2,346,943
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
001	ROCKETS	133,268	115,268
	APKWS Mk 66 rocket motor price adjustment		[-18,000]
	CARTRIDGES		
002	CARTRIDGES	140,449	140,449
	BOMBS		
003	PRACTICE BOMBS	29,313	29,313
004	GENERAL PURPOSE BOMBS	85,885	85,885
006	JOINT DIRECT ATTACK MUNITION	1,066,224	1,019,224
	LJDAM sensor cost adjustment		[-10,000]
	Tailkit unit cost adjustment		[-37,000]
007	B61	80,773	80,773

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
	OTHER ITEMS		
009	CAD/PAD	47,069	47,069
010	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	6,133	6,133
011	SPARES AND REPAIR PARTS	533	533
012	MODIFICATIONS	1,291	1,291
013	ITEMS LESS THAN \$5,000,000	1,677	1,677
	FLARES		
015	FLARES	36,116	36,116
	FUZES		
016	FUZES	1,734	1,734
	SMALL ARMS		
017	SMALL ARMS	37,496	32,496
	Program decrease		[-5,000]
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	1,667,961	1,597,961
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
001	PASSENGER CARRYING VEHICLES	15,238	15,238
	CARGO AND UTILITY VEHICLES		
002	MEDIUM TACTICAL VEHICLE	34,616	29,616
	Unjustified unit cost increases		[-5,000]
003	CAP VEHICLES	1,040	3,567
	Program increase—communications		[1,867]
	Program increase—vehicles		[660]
004	CARGO AND UTILITY VEHICLES	23,133	18,588
	Program increase		[455]
	Program reduction		[-5,000]
	SPECIAL PURPOSE VEHICLES		
005	JOINT LIGHT TACTICAL VEHICLE	32,027	22,027
	Program reduction		[-10,000]
006	SECURITY AND TACTICAL VEHICLES	1,315	1,315
007	SPECIAL PURPOSE VEHICLES	14,593	9,593
	Program reduction—prior year carryover		[-5,000]
	FIRE FIGHTING EQUIPMENT		
008	FIRE FIGHTING/CRASH RESCUE VEHICLES	28,604	28,604
	MATERIALS HANDLING EQUIPMENT		
009	MATERIALS HANDLING VEHICLES	21,848	21,848
	BASE MAINTENANCE SUPPORT		
010	RUNWAY SNOW REMOV AND CLEANING EQU	2,925	3,259
	Program increase		[334]
011	BASE MAINTENANCE SUPPORT VEHICLES	55,776	52,876
	Program increase		[2,100]
	Program reduction		[-5,000]
	COMM SECURITY EQUIPMENT(COMSEC)		
013	COMSEC EQUIPMENT	91,461	91,461
	INTELLIGENCE PROGRAMS		
014	INTERNATIONAL INTEL TECH & ARCHITECTURES	11,386	11,386
015	INTELLIGENCE TRAINING EQUIPMENT	7,619	7,619
016	INTELLIGENCE COMM EQUIPMENT	35,558	32,058
	IMAD unjustified procurement		[-3,500]
	ELECTRONICS PROGRAMS		
017	AIR TRAFFIC CONTROL & LANDING SYS	17,939	17,939
019	BATTLE CONTROL SYSTEM—FIXED	3,063	3,063
021	WEATHER OBSERVATION FORECAST	31,447	31,447
022	STRATEGIC COMMAND AND CONTROL	5,090	5,090
023	CHEYENNE MOUNTAIN COMPLEX	10,145	10,145
024	MISSION PLANNING SYSTEMS	14,508	14,508
026	INTEGRATED STRAT PLAN & ANALY NETWORK (ISPAN)	9,901	9,901
	SPCL COMM-ELECTRONICS PROJECTS		
027	GENERAL INFORMATION TECHNOLOGY	26,933	26,933
028	AF GLOBAL COMMAND & CONTROL SYS	2,756	2,756
029	BATTLEFIELD AIRBORNE CONTROL NODE (BACN)	48,478	48,478
030	MOBILITY COMMAND AND CONTROL	21,186	21,186
031	AIR FORCE PHYSICAL SECURITY SYSTEM	178,361	158,361
	Program reduction		[-20,000]
032	COMBAT TRAINING RANGES	233,993	247,593
	Joint threat emitter increase		[13,600]
033	MINIMUM ESSENTIAL EMERGENCY COMM N	132,648	132,648
034	WIDE AREA SURVEILLANCE (WAS)	80,818	47,929
	Program decrease		[-32,889]
035	C3 COUNTERMEASURES	25,036	25,036
036	INTEGRATED PERSONNEL AND PAY SYSTEM	20,900	20,900
037	GCSS-AF FOS	11,226	11,226
038	DEFENSE ENTERPRISE ACCOUNTING & MGT SYS	1,905	1,905
039	MAINTENANCE REPAIR & OVERHAUL INITIATIVE	1,912	1,912
040	THEATER BATTLE MGT C2 SYSTEM	6,337	6,337
041	AIR & SPACE OPERATIONS CENTER (AOC)	33,243	33,243
	AIR FORCE COMMUNICATIONS		

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
043	BASE INFORMATION TRANSPRT INFRAST (BITI) WIRED	69,530	59,530
	Program decrease		[-10,000]
044	AFNET	147,063	147,063
045	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	6,505	6,505
046	—ENTCOM	20,190	20,190
047	USSTRATCOM	11,244	11,244
	ORGANIZATION AND BASE		
048	TACTICAL C-E EQUIPMENT	143,757	143,757
050	RADIO EQUIPMENT	15,402	15,402
051	CCTV/AUDIOVISUAL EQUIPMENT	3,211	3,211
052	BASE COMM INFRASTRUCTURE	43,123	43,123
	MODIFICATIONS		
053	COMM ELECT MODS	14,500	14,500
	PERSONAL SAFETY & RESCUE EQUIP		
054	PERSONAL SAFETY AND RESCUE EQUIPMENT	50,634	47,634
	Unit cost increase and early to need		[-3,000]
	DEPOT PLANT+MTRLS HANDLING EQ		
055	POWER CONDITIONING EQUIPMENT	11,000	11,000
056	MECHANIZED MATERIAL HANDLING EQUIP	11,901	11,901
	BASE SUPPORT EQUIPMENT		
057	BASE PROCURED EQUIPMENT	23,963	23,963
058	ENGINEERING AND EOD EQUIPMENT	34,124	34,124
059	MOBILITY EQUIPMENT	26,439	26,439
060	FUELS SUPPORT EQUIPMENT (FSE)	24,255	24,255
061	BASE MAINTENANCE AND SUPPORT EQUIPMENT	38,986	38,986
	SPECIAL SUPPORT PROJECTS		
063	DARP RC135	26,716	26,716
064	DCGS-AF	116,055	116,055
066	SPECIAL UPDATE PROGRAM	835,148	835,148
	CLASSIFIED PROGRAMS		
066A	CLASSIFIED PROGRAMS	18,292,807	18,292,807
	SPARES AND REPAIR PARTS		
067	SPARES AND REPAIR PARTS	81,340	81,340
	TOTAL OTHER PROCUREMENT, AIR FORCE	21,342,857	21,262,484
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, OSD		
022	MAJOR EQUIPMENT, DPAA	1,504	1,504
045	MAJOR EQUIPMENT, OSD	43,705	43,705
	MAJOR EQUIPMENT, NSA		
044	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	1,533	133
	Realignment to DISA for Sharkseer		[-1,400]
	MAJOR EQUIPMENT, WHS		
049	MAJOR EQUIPMENT, WHS	507	507
	MAJOR EQUIPMENT, DISA		
008	INFORMATION SYSTEMS SECURITY	3,318	4,718
	Realignment for Sharkseer		[1,400]
009	TELEPORT PROGRAM	25,103	25,103
010	ITEMS LESS THAN \$5 MILLION	26,416	26,416
012	DEFENSE INFORMATION SYSTEM NETWORK	17,574	17,574
014	WHITE HOUSE COMMUNICATION AGENCY	45,079	45,079
015	SENIOR LEADERSHIP ENTERPRISE	78,669	78,669
016	JOINT REGIONAL SECURITY STACKS (JRSS)	88,000	83,000
	Program decrease		[-5,000]
017	JOINT SERVICE PROVIDER	107,907	107,907
	MAJOR EQUIPMENT, DLA		
019	MAJOR EQUIPMENT	8,122	8,122
	MAJOR EQUIPMENT, DSS		
023	MAJOR EQUIPMENT	496	496
	MAJOR EQUIPMENT, TJS		
046	MAJOR EQUIPMENT, TJS	6,905	6,905
047	MAJOR EQUIPMENT—TJS CYBER	1,458	1,458
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY		
028	THAAD	425,863	425,863
029	GROUND BASED MIDCOURSE	9,471	9,471
031	AEGIS BMD	600,773	600,773
032	AEGIS BMD	96,995	96,995
033	BMDS AN/TPY-2 RADARS	10,046	10,046
034	ARROW 3 UPPER TIER SYSTEMS	55,000	55,000
035	SHORT RANGE BALLISTIC MISSILE DEFENSE (SRBMD)	50,000	50,000
036	AEGIS ASHORE PHASE III	25,659	25,659
037	IRON DOME	95,000	95,000
038	AEGIS BMD HARDWARE AND SOFTWARE	124,986	124,986
	MAJOR EQUIPMENT, DHRA		
003	PERSONNEL ADMINISTRATION	5,030	5,030
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
025	VEHICLES	211	211
026	OTHER MAJOR EQUIPMENT	11,521	11,521

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
	MAJOR EQUIPMENT, DODEA		
021	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	1,320	1,320
	MAJOR EQUIPMENT, DCMA		
002	MAJOR EQUIPMENT	2,432	2,432
	MAJOR EQUIPMENT, DMACT		
020	MAJOR EQUIPMENT	10,961	10,961
	CLASSIFIED PROGRAMS		
049A	CLASSIFIED PROGRAMS	589,366	589,366
	AVIATION PROGRAMS		
053	ROTARY WING UPGRADES AND SUSTAINMENT	172,020	172,020
054	UNMANNED ISR	15,208	15,208
055	NON-STANDARD AVIATION	32,310	32,310
056	U-28	10,898	10,898
057	MH-47 CHINOOK	173,812	170,312
	Excess growth		[-3,500]
058	CV-22 MODIFICATION	17,256	17,256
059	MQ-9 UNMANNED AERIAL VEHICLE	5,338	5,338
060	PRECISION STRIKE PACKAGE	232,930	232,930
061	AC/MC-130J	173,419	153,119
	Realignment for RFCM		[-8,500]
	Realignment to Future Vertical Lift		[-8,800]
	RFCM excess to need		[-3,000]
062	C-130 MODIFICATIONS	15,582	15,582
	SHIPBUILDING		
063	UNDERWATER SYSTEMS	58,991	58,991
	AMMUNITION PROGRAMS		
064	ORDNANCE ITEMS <\$5M	279,992	279,992
	OTHER PROCUREMENT PROGRAMS		
065	INTELLIGENCE SYSTEMS	100,641	100,641
066	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	12,522	12,522
067	OTHER ITEMS <\$5M	103,910	103,910
068	COMBATANT CRAFT SYSTEMS	33,088	33,088
069	SPECIAL PROGRAMS	63,467	63,467
070	TACTICAL VEHICLES	77,832	77,832
071	WARRIOR SYSTEMS <\$5M	298,480	298,480
072	COMBAT MISSION REQUIREMENTS	19,702	19,702
073	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	4,787	4,787
074	OPERATIONAL ENHANCEMENTS INTELLIGENCE	8,175	8,175
075	OPERATIONAL ENHANCEMENTS	282,532	282,532
	CBDP		
076	CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS	162,406	162,406
077	CB PROTECTION & HAZARD MITIGATION	188,188	188,188
	TOTAL PROCUREMENT, DEFENSE-WIDE	5,114,416	5,085,616
	JOINT URGENT OPERATIONAL NEEDS FUND		
	JOINT URGENT OPERATIONAL NEEDS FUND		
001	JOINT URGENT OPERATIONAL NEEDS FUND	99,200	0
	Program decrease		[-99,200]
	TOTAL JOINT URGENT OPERATIONAL NEEDS FUND	99,200	0
	TOTAL PROCUREMENT	132,343,701	130,592,919

1 SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY

2 OPERATIONS.

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	FIXED WING		
003	MQ-1 UAV	54,000	54,000
	ROTARY		
015	CH-47 HELICOPTER	25,000	25,000
	MODIFICATION OF AIRCRAFT		
021	MULTI SENSOR ABN RECON (MIP)	80,260	80,260
024	GRCS SEMA MODS (MIP)	750	750
026	EMARSS SEMA MODS (MIP)	22,180	22,180
027	UTILITY/CARGO AIRPLANE MODS	8,362	8,362
029	NETWORK AND MISSION PLAN	10	10
031	DEGRADED VISUAL ENVIRONMENT	49,450	0
	Early to need		[-49,450]
	GROUND SUPPORT AVIONICS		

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
037	CMWS	130,219	130,219
038	COMMON INFRARED COUNTERMEASURES (CIRCM)	9,310	9,310
	OTHER SUPPORT		
045	LAUNCHER GUIDED MISSILE: LONGBOW HELLFIRE XM2	2,000	2,000
	TOTAL AIRCRAFT PROCUREMENT, ARMY	381,541	332,091
	MISSILE PROCUREMENT, ARMY		
	SURFACE-TO-AIR MISSILE SYSTEM		
002	M-SHORAD—PROCUREMENT	158,300	158,300
003	MSE MISSILE	37,938	37,938
	AIR-TO-SURFACE MISSILE SYSTEM		
006	HELLFIRE SYS SUMMARY	236,265	236,265
	ANTI-TANK/ASSAULT MISSILE SYS		
008	JAVELIN (AAWS-M) SYSTEM SUMMARY	4,389	4,389
011	GUIDED MLRS ROCKET (GMLRS)	431,596	431,596
014	ARMY TACTICAL MSL SYS (ATACMS)—SYS SUM	130,770	130,770
015	LETHAL MINIATURE AERIAL MISSILE SYSTEM (LMAMS)	83,300	83,300
	MODIFICATIONS		
019	STINGER MODS	7,500	7,500
022	MLRS MODS	348,000	325,000
	Excess to need		[–23,000]
	TOTAL MISSILE PROCUREMENT, ARMY	1,438,058	1,415,058
	PROCUREMENT OF W&TCV, ARMY		
	TRACKED COMBAT VEHICLES		
002	ARMORED MULTI PURPOSE VEHICLE (AMPV)	221,638	221,638
	MODIFICATION OF TRACKED COMBAT VEHICLES		
003	STRYKER (MOD)	4,100	4,100
008	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)	80,146	80,146
013	M1 ABRAMS TANK (MOD)	13,100	13,100
	WEAPONS & OTHER COMBAT VEHICLES		
015	M240 MEDIUM MACHINE GUN (7.62MM)	900	900
016	MULTI-ROLE ANTI-ARMOR ANTI-PERSONNEL WEAPON S	2,400	2,400
019	MORTAR SYSTEMS	18,941	18,941
020	XM320 GRENADE LAUNCHER MODULE (GLM)	526	526
023	CARBINE	1,183	1,183
025	COMMON REMOTELY OPERATED WEAPONS STATION	4,182	4,182
026	HANDGUN	248	248
	MOD OF WEAPONS AND OTHER COMBAT VEH		
031	M2 50 CAL MACHINE GUN MODS	6,090	6,090
	TOTAL PROCUREMENT OF W&TCV, ARMY	353,454	353,454
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
001	CTG, 5.56MM, ALL TYPES	567	567
002	CTG, 7.62MM, ALL TYPES	40	40
003	CTG, HANDGUN, ALL TYPES	17	17
004	CTG, .50 CAL, ALL TYPES	189	189
007	CTG, 30MM, ALL TYPES	24,900	24,900
	ARTILLERY AMMUNITION		
015	PROJ 155MM EXTENDED RANGE M982	36,052	36,052
016	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	7,271	7,271
	ROCKETS		
018	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	176	176
019	ROCKET, HYDRA 70, ALL TYPES	79,459	79,459
	MISCELLANEOUS		
027	ITEMS LESS THAN \$5 MILLION (AMMO)	11	11
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	148,682	148,682
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
010	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	26,917	26,917
011	PLS ESP	16,941	16,941
012	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV	62,734	62,734
014	TACTICAL WHEELED VEHICLE PROTECTION KITS	50,000	50,000
015	MODIFICATION OF IN SVC EQUIP	28,000	28,000
	COMM—JOINT COMMUNICATIONS		
022	TACTICAL NETWORK TECHNOLOGY MOD IN SVC	40,000	40,000
	COMM—SATELLITE COMMUNICATIONS		
029	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	6,930	6,930
031	ASSURED POSITIONING, NAVIGATION AND TIMING	11,778	11,778
032	SMART-T (SPACE)	825	825
	COMM—COMBAT COMMUNICATIONS		
040	RADIO TERMINAL SET, MIDS LVT(2)	350	350
047	COTS COMMUNICATIONS EQUIPMENT	20,400	20,400
048	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE	1,231	1,231
	COMM—INTELLIGENCE COMM		
051	CI AUTOMATION ARCHITECTURE (MIP)	6,200	6,200

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
	COMM—LONG HAUL COMMUNICATIONS		
059	BASE SUPPORT COMMUNICATIONS	20,482	15,482
	Insufficient budget justification		[–5,000]
	COMM—BASE COMMUNICATIONS		
060	INFORMATION SYSTEMS	55,800	50,800
	Unjustified growth		[–5,000]
063	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	75,820	75,820
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
068	DCGS-A (MIP)	38,613	38,613
070	TROJAN (MIP)	1,337	1,337
071	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	2,051	2,051
075	BIOMETRIC TACTICAL COLLECTION DEVICES (MIP)	1,800	1,800
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
082	FAMILY OF PERSISTENT SURVEILLANCE CAP. (MIP)	71,493	31,493
	Unjustified growth		[–40,000]
083	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	6,917	6,917
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
085	SENTINEL MODS	20,000	20,000
086	NIGHT VISION DEVICES	3,676	3,676
094	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	25,568	25,568
097	COMPUTER BALLISTICS: LHMCB XM32	570	570
098	MORTAR FIRE CONTROL SYSTEM	15,975	15,975
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
103	AIR & MSL DEFENSE PLANNING & CONTROL SYS	14,331	14,331
	ELECT EQUIP—AUTOMATION		
112	ARMY TRAINING MODERNIZATION	6,014	6,014
113	AUTOMATED DATA PROCESSING EQUIP	32,700	32,700
	CHEMICAL DEFENSIVE EQUIPMENT		
124	FAMILY OF NON-LETHAL EQUIPMENT (FNLE)	25,480	25,480
125	BASE DEFENSE SYSTEMS (BDS)	47,110	47,110
126	CBRN DEFENSE	18,711	18,711
	BRIDGING EQUIPMENT		
128	TACTICAL BRIDGING	4,884	4,884
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
133	GRND STANDOFF MINE DETECTN SYSM (GSTAMIDS)	4,500	4,500
135	HUSKY MOUNTED DETECTION SYSTEM (HMDS)	34,253	34,253
136	ROBOTIC COMBAT SUPPORT SYSTEM (RCSS)	3,300	3,300
140	RENDER SAFE SETS KITS OUTFITS	84,000	84,000
	COMBAT SERVICE SUPPORT EQUIPMENT		
143	HEATERS AND ECU'S	8	8
145	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	5,101	5,101
146	GROUND SOLDIER SYSTEM	1,760	1,760
148	FORCE PROVIDER	56,400	56,400
150	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	2,040	2,040
	PETROLEUM EQUIPMENT		
154	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	13,986	13,986
	MEDICAL EQUIPMENT		
155	COMBAT SUPPORT MEDICAL	2,735	2,735
	CONSTRUCTION EQUIPMENT		
159	SCRAPERS, EARTHMOVING	4,669	4,669
160	LOADERS	380	380
162	TRACTOR, FULL TRACKED	8,225	8,225
164	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE)	3,000	3,000
166	CONST EQUIP ESP	3,870	3,870
167	ITEMS LESS THAN \$5.0M (CONST EQUIP)	350	350
	GENERATORS		
171	GENERATORS AND ASSOCIATED EQUIP	2,436	2,436
	MATERIAL HANDLING EQUIPMENT		
173	FAMILY OF FORKLIFTS	5,152	5,152
	TRAINING EQUIPMENT		
175	TRAINING DEVICES, NONSYSTEM	2,106	2,106
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
181	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	1,395	1,395
	OTHER SUPPORT EQUIPMENT		
184	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	24,122	24,122
185	PHYSICAL SECURITY SYSTEMS (OPA3)	10,016	10,016
187	MODIFICATION OF IN-SVC EQUIPMENT (OPA–3)	33,354	33,354
189	BUILDING, PRE-FAB, RELOCATABLE	62,654	62,654
	TOTAL OTHER PROCUREMENT, ARMY	1,131,450	1,081,450
	AIRCRAFT PROCUREMENT, NAVY		
	OTHER AIRCRAFT		
026	STUASLO UAV	7,921	7,921
027	MQ–9A REAPER	77,000	0
	Unjustified OCO request		[–77,000]
	MODIFICATION OF AIRCRAFT		
036	EP–3 SERIES	5,488	5,488
046	SPECIAL PROJECT AIRCRAFT	3,498	3,498

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
051	COMMON ECM EQUIPMENT	3,406	3,406
053	COMMON DEFENSIVE WEAPON SYSTEM	3,274	3,274
062	QRC	18,458	18,458
	TOTAL AIRCRAFT PROCUREMENT, NAVY	119,045	42,045
	WEAPONS PROCUREMENT, NAVY		
	TACTICAL MISSILES		
011	JOINT AIR GROUND MISSILE (JAGM)	90,966	90,966
015	AERIAL TARGETS	6,500	6,500
	TOTAL WEAPONS PROCUREMENT, NAVY	97,466	97,466
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
001	GENERAL PURPOSE BOMBS	26,978	26,978
002	JDAM	12,263	12,263
003	AIRBORNE ROCKETS, ALL TYPES	45,020	45,020
004	MACHINE GUN AMMUNITION	33,577	33,577
005	PRACTICE BOMBS	11,903	11,903
006	CARTRIDGES & CART ACTUATED DEVICES	15,081	15,081
007	AIR EXPENDABLE COUNTERMEASURES	16,911	16,911
011	OTHER SHIP GUN AMMUNITION	3,262	3,262
012	SMALL ARMS & LANDING PARTY AMMO	1,010	1,010
013	PYROTECHNIC AND DEMOLITION	537	537
	MARINE CORPS AMMUNITION		
016	MORTARS	1,930	1,930
017	DIRECT SUPPORT MUNITIONS	1,172	1,172
018	INFANTRY WEAPONS AMMUNITION	2,158	2,158
019	COMBAT SUPPORT MUNITIONS	965	965
021	ARTILLERY MUNITIONS	32,047	32,047
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	204,814	204,814
	OTHER PROCUREMENT, NAVY		
	OTHER SHIPBOARD EQUIPMENT		
020	UNDERWATER EOD PROGRAMS	5,800	5,800
	ASW ELECTRONIC EQUIPMENT		
042	FIXED SURVEILLANCE SYSTEM	310,503	310,503
	SONOBUOYS		
085	SONOBUOYS—ALL TYPES	2,910	2,910
	AIRCRAFT SUPPORT EQUIPMENT		
088	AIRCRAFT SUPPORT EQUIPMENT	13,420	13,420
094	AVIATION SUPPORT EQUIPMENT	500	500
	OTHER ORDNANCE SUPPORT EQUIPMENT		
103	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	15,307	15,307
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
108	PASSENGER CARRYING VEHICLES	173	173
109	GENERAL PURPOSE TRUCKS	408	408
111	FIRE FIGHTING EQUIPMENT	785	785
	SUPPLY SUPPORT EQUIPMENT		
117	SUPPLY EQUIPMENT	100	100
118	FIRST DESTINATION TRANSPORTATION	510	510
	COMMAND SUPPORT EQUIPMENT		
122	COMMAND SUPPORT EQUIPMENT	2,800	2,800
123	MEDICAL SUPPORT EQUIPMENT	1,794	1,794
126	OPERATING FORCES SUPPORT EQUIPMENT	1,090	1,090
128	ENVIRONMENTAL SUPPORT EQUIPMENT	200	200
129	PHYSICAL SECURITY EQUIPMENT	1,300	1,300
	TOTAL OTHER PROCUREMENT, NAVY	357,600	357,600
	PROCUREMENT, MARINE CORPS		
	GUIDED MISSILES		
012	GUIDED MLRS ROCKET (GMLRS)	16,919	16,919
	ENGINEER AND OTHER EQUIPMENT		
045	EOD SYSTEMS	3,670	3,670
	TOTAL PROCUREMENT, MARINE CORPS	20,589	20,589
	AIRCRAFT PROCUREMENT, AIR FORCE		
	OTHER AIRCRAFT		
017	MQ-9	172,240	172,240
018	RQ-20B PUMA	12,150	12,150
	STRATEGIC AIRCRAFT		
022	LARGE AIRCRAFT INFRARED COUNTERMEASURES	53,335	53,335
	OTHER AIRCRAFT		
067	MQ-9 UAS PAYLOADS	19,800	19,800
	AIRCRAFT SPARES AND REPAIR PARTS		
069	INITIAL SPARES/REPAIR PARTS	44,560	44,560
	COMMON SUPPORT EQUIPMENT		
072	AIRCRAFT REPLACEMENT SUPPORT EQUIP	7,025	7,025
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	309,110	309,110

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
	MISSILE PROCUREMENT, AIR FORCE		
	TACTICAL		
004	JOINT AIR-SURFACE STANDOFF MISSILE	20,900	20,900
008	PREDATOR HELLFIRE MISSILE	180,771	180,771
	TOTAL MISSILE PROCUREMENT, AIR FORCE	201,671	201,671
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
001	ROCKETS	84,960	84,960
	CARTRIDGES		
002	CARTRIDGES	52,642	52,642
	BOMBS		
004	GENERAL PURPOSE BOMBS	545,309	545,309
	FLARES		
015	FLARES	93,272	93,272
	FUZES		
016	FUZES	157,155	157,155
	SMALL ARMS		
017	SMALL ARMS	6,095	6,095
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	939,433	939,433
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
001	PASSENGER CARRYING VEHICLES	1,276	1,276
	CARGO AND UTILITY VEHICLES		
004	CARGO AND UTILITY VEHICLES	9,702	9,702
	SPECIAL PURPOSE VEHICLES		
005	JOINT LIGHT TACTICAL VEHICLE	40,999	40,999
007	SPECIAL PURPOSE VEHICLES	52,502	52,502
	FIRE FIGHTING EQUIPMENT		
008	FIRE FIGHTING/CRASH RESCUE VEHICLES	16,652	16,652
	MATERIALS HANDLING EQUIPMENT		
009	MATERIALS HANDLING VEHICLES	2,944	2,944
	BASE MAINTENANCE SUPPORT		
010	RUNWAY SNOW REMOV AND CLEANING EQU	3,753	3,753
011	BASE MAINTENANCE SUPPORT VEHICLES	11,837	11,837
	SPCL COMM-ELECTRONICS PROJECTS		
027	GENERAL INFORMATION TECHNOLOGY	5,000	5,000
031	AIR FORCE PHYSICAL SECURITY SYSTEM	106,919	106,919
	ORGANIZATION AND BASE		
048	TACTICAL C-E EQUIPMENT	306	306
052	BASE COMM INFRASTRUCTURE	4,300	4,300
	PERSONAL SAFETY & RESCUE EQUIP		
054	PERSONAL SAFETY AND RESCUE EQUIPMENT	22,200	22,200
	BASE SUPPORT EQUIPMENT		
059	MOBILITY EQUIPMENT	26,535	26,535
060	FUELS SUPPORT EQUIPMENT (FSE)	4,040	4,040
061	BASE MAINTENANCE AND SUPPORT EQUIPMENT	20,067	20,067
	CLASSIFIED PROGRAMS		
066A	CLASSIFIED PROGRAMS	3,209,066	3,209,066
	TOTAL OTHER PROCUREMENT, AIR FORCE	3,538,098	3,538,098
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DISA		
009	TELEPORT PROGRAM	3,800	3,800
012	DEFENSE INFORMATION SYSTEM NETWORK	12,000	12,000
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
027	COUNTER IED & IMPROVISED THREAT TECHNOLOGIES	4,590	4,590
	CLASSIFIED PROGRAMS		
049A	CLASSIFIED PROGRAMS	51,380	51,380
	AVIATION PROGRAMS		
050	MANNED ISR	5,000	5,000
051	MC-12	5,000	5,000
052	MH-60 BLACKHAWK	28,100	28,100
054	UNMANNED ISR	8,207	8,207
056	U-28	31,500	31,500
057	MH-47 CHINOOK	37,500	34,500
	Excess growth		[-3,000]
059	MQ-9 UNMANNED AERIAL VEHICLE	1,900	1,900
	AMMUNITION PROGRAMS		
064	ORDNANCE ITEMS <\$5M	138,252	138,252
	OTHER PROCUREMENT PROGRAMS		
065	INTELLIGENCE SYSTEMS	16,500	16,500
067	OTHER ITEMS <\$5M	28	28
070	TACTICAL VEHICLES	2,990	2,990
071	WARRIOR SYSTEMS <\$5M	37,512	37,512
072	COMBAT MISSION REQUIREMENTS	10,000	10,000

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
074	OPERATIONAL ENHANCEMENTS INTELLIGENCE	7,594	7,594
075	OPERATIONAL ENHANCEMENTS	45,194	45,194
	TOTAL PROCUREMENT, DEFENSE-WIDE	447,047	444,047
NATIONAL GUARD AND RESERVE EQUIPMENT UNDISTRIBUTED			
	Program increase		[415,000]
	TOTAL NATIONAL GUARD AND RESERVE EQUIPMENT		415,000
	TOTAL PROCUREMENT	9,688,058	9,900,608

1 TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUA-

2 TION

4 SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-

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SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (In Thousands of Dollars)				
Line	Program Element	Item	FY 2020 Request	House Authorized
RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY BASIC RESEARCH				
002	0601102A	DEFENSE RESEARCH SCIENCES	297,976	297,976
003	0601103A	UNIVERSITY RESEARCH INITIATIVES	65,858	65,858
004	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	86,164	98,164
		Program increase		[7,000]
		Program increase—military medical innovation		[5,000]
005	0601121A	CYBER COLLABORATIVE RESEARCH ALLIANCE	4,982	4,982
		SUBTOTAL BASIC RESEARCH	454,980	466,980
APPLIED RESEARCH				
010	0602141A	LETHALITY TECHNOLOGY	26,961	26,961
011	0602142A	ARMY APPLIED RESEARCH	25,319	25,319
012	0602143A	SOLDIER LETHALITY TECHNOLOGY	115,274	125,274
		Expeditionary mobile base camp technology		[5,000]
		HEROES program		[5,000]
013	0602144A	GROUND TECHNOLOGY	35,199	45,199
		High performance polymers research		[5,000]
		Manufacturing research technology		[5,000]
014	0602145A	NEXT GENERATION COMBAT VEHICLE TECHNOLOGY	219,047	225,047
		Structural thermoplastics		[6,000]
015	0602146A	NETWORK C3I TECHNOLOGY	114,516	120,016
		Assured PNT lab		[3,000]
		Next generation SAR small sat		[2,500]
016	0602147A	LONG RANGE PRECISION FIRES TECHNOLOGY	74,327	79,327
		NextGen propulsion cycle artillery range extension		[5,000]
017	0602148A	FUTURE VERTICLE LIFT TECHNOLOGY	93,601	96,601
		Program increase		[3,000]
018	0602150A	AIR AND MISSILE DEFENSE TECHNOLOGY	50,771	50,771
020	0602213A	C3I APPLIED CYBER	18,947	18,947
023	0602307A	ADVANCED WEAPONS TECHNOLOGY		5,000
		Directed energy test range workloads		[5,000]
037	0602784A	MILITARY ENGINEERING TECHNOLOGY		5,000
		Cellulose nanocomposites research		[5,000]
038	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	20,873	20,873
040	0602787A	MEDICAL TECHNOLOGY	99,155	102,155
		Program increase		[3,000]
		SUBTOTAL APPLIED RESEARCH	893,990	946,490
ADVANCED TECHNOLOGY DEVELOPMENT				
041	0603001A	WARFIGHTER ADVANCED TECHNOLOGY		5,000
		Expeditionary maneuver support technologies		[5,000]
042	0603002A	MEDICAL ADVANCED TECHNOLOGY	42,030	42,030
047	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECH- NOLOGY.	11,038	11,038

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2020 Request	House Authorized
050	0603117A	ARMY ADVANCED TECHNOLOGY DEVELOPMENT	63,338	63,338
051	0603118A	SOLDIER LETHALITY ADVANCED TECHNOLOGY	118,468	128,468
		Microlattice technology for combat helmet improvements		[5,000]
		Thermal mitigation technologies		[5,000]
052	0603119A	GROUND ADVANCED TECHNOLOGY	12,593	17,593
		Ground advanced technology for cold regions		[5,000]
059	0603457A	C3I CYBER ADVANCED DEVELOPMENT	13,769	13,769
060	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM.	184,755	224,755
		Program increase		[40,000]
061	0603462A	NEXT GENERATION COMBAT VEHICLE ADVANCED TECHNOLOGY.	160,035	170,035
		Program increase—hydrogen fuel cells		[10,000]
062	0603463A	NETWORK C3I ADVANCED TECHNOLOGY	106,899	103,899
		Underexecution		[–3,000]
063	0603464A	LONG RANGE PRECISION FIRES ADVANCED TECHNOLOGY	174,386	179,386
		Program increase missile demonstrations		[5,000]
064	0603465A	FUTURE VERTICAL LIFT ADVANCED TECHNOLOGY	151,640	146,640
		Excess to need		[–5,000]
065	0603466A	AIR AND MISSILE DEFENSE ADVANCED TECHNOLOGY	60,613	60,613
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	1,099,564	1,166,564
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
073	0603305A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION	10,987	30,987
		Conventional mission capabilities		[10,000]
		System lab integration improvements		[10,000]
074	0603327A	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING	15,148	15,148
075	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV	92,915	92,915
077	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	82,146	82,146
078	0603645A	ARMORED SYSTEM MODERNIZATION—ADV DEV	157,656	157,656
079	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	6,514	6,514
080	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV	34,890	37,890
		Mobile ground terminal		[3,000]
081	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	251,011	206,011
		IVAS insufficient justification		[–45,000]
082	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL	15,132	15,132
083	0603790A	NATO RESEARCH AND DEVELOPMENT	5,406	5,406
084	0603801A	AVIATION—ADV DEV	459,290	443,340
		Early to need		[–15,950]
085	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	6,254	6,254
086	0603807A	MEDICAL SYSTEMS—ADV DEV	31,175	31,175
087	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	22,113	22,113
088	0604017A	ROBOTICS DEVELOPMENT	115,222	115,222
090	0604021A	ELECTRONIC WARFARE TECHNOLOGY MATURATION (MIP)	18,043	18,043
091	0604100A	ANALYSIS OF ALTERNATIVES	10,023	10,023
092	0604113A	FUTURE TACTICAL UNMANNED AIRCRAFT SYSTEM (FTUAS).	40,745	40,745
093	0604114A	LOWER TIER AIR MISSILE DEFENSE (LTAMD) SENSOR	427,772	427,772
094	0604115A	TECHNOLOGY MATURATION INITIATIVES	196,676	161,676
		Insufficient schedule detail		[–35,000]
095	0604117A	MANEUVER—SHORT RANGE AIR DEFENSE (M-SHORAD)	33,100	29,100
		Excess testing cost		[–4,000]
097	0604119A	ARMY ADVANCED COMPONENT DEVELOPMENT & PROTOTYPING.	115,116	105,116
		Early to need		[–10,000]
099	0604121A	SYNTHETIC TRAINING ENVIRONMENT REFINEMENT & PROTOTYPING.	136,761	111,761
		Early to need (IVAS)		[–25,000]
100	0604182A	HYPERSONICS	228,000	259,000
		Transfer from RDTE Defense-Wide, line 124		[31,000]
102	0604403A	FUTURE INTERCEPTOR	8,000	8,000
103	0604541A	UNIFIED NETWORK TRANSPORT	39,600	30,600
		Early to need		[–9,000]
104	0604644A	MOBILE MEDIUM RANGE MISSILE	20,000	0
		Program decrease		[–20,000]
106	0305251A	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT ..	52,102	52,102
107	1206120A	ASSURED POSITIONING, NAVIGATION AND TIMING (PNT)	192,562	150,062
		Project cancellation		[–42,500]
108	1206308A	ARMY SPACE SYSTEMS INTEGRATION	104,996	54,996
		Program delay		[–50,000]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	2,929,355	2,726,905
		SYSTEM DEVELOPMENT & DEMONSTRATION		
109	0604201A	AIRCRAFT AVIONICS	29,164	29,164
110	0604270A	ELECTRONIC WARFARE DEVELOPMENT	70,539	70,539

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2020 Request	House Authorized
113	0604601A	INFANTRY SUPPORT WEAPONS	106,121	125,321
		Army unfunded priority—NGSW program increase		[19,200]
114	0604604A	MEDIUM TACTICAL VEHICLES	2,152	2,152
115	0604611A	JAVELIN	17,897	16,397
		Qualification testing early to need		[-1,500]
116	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES	16,745	16,745
117	0604633A	AIR TRAFFIC CONTROL	6,989	6,989
118	0604642A	LIGHT TACTICAL WHEELED VEHICLES	10,465	10,465
119	0604645A	ARMORED SYSTEMS MODERNIZATION (ASM)—ENG DEV	310,152	295,152
		Program delay		[-15,000]
120	0604710A	NIGHT VISION SYSTEMS—ENG DEV	181,732	166,732
		Insufficient justification (IVAS)		[-15,000]
121	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	2,393	2,393
122	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV	27,412	27,412
123	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV.	43,502	38,502
		Historical underexecution		[-5,000]
124	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	11,636	11,636
125	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	10,915	10,915
126	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV.	7,801	7,801
127	0604768A	BRILLIANT ANTI-ARMOR SUBMUNITION (BAT)	25,000	20,000
		PFAL excess		[-5,000]
128	0604780A	COMBINED ARMS TACTICAL TRAINER (CATT) CORE	9,241	9,241
129	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION	42,634	38,634
		RCO support excess		[-4,000]
130	0604802A	WEAPONS AND MUNITIONS—ENG DEV	181,023	181,023
131	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV	103,226	103,226
132	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV.	12,595	12,595
133	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV.	48,264	48,264
134	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV	39,208	39,208
135	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE.	140,637	138,137
		CPI2 testing previously funded		[-2,500]
136	0604820A	RADAR DEVELOPMENT	105,243	105,243
137	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBs)	46,683	41,683
		Program decrease		[-5,000]
138	0604823A	FIREFINDER	17,294	17,294
139	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL	5,803	4,803
		Historical underexecution		[-1,000]
140	0604852A	SUITE OF SURVIVABILITY ENHANCEMENT SYSTEMS—EMD	98,698	128,698
		Program increase for vehicle protection evaluation		[30,000]
141	0604854A	ARTILLERY SYSTEMS—EMD	15,832	10,832
		Mobile howitzer testing early to need		[-5,000]
142	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	126,537	126,537
143	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A)	142,773	99,773
		Program decrease		[-43,000]
144	0605028A	ARMORED MULTI-PURPOSE VEHICLE (AMPV)	96,730	96,730
145	0605029A	INTEGRATED GROUND SECURITY SURVEILLANCE RESPONSE CAPABILITY (IGSSR-C).	6,699	6,699
146	0605030A	JOINT TACTICAL NETWORK CENTER (JTNC)	15,882	15,882
147	0605031A	JOINT TACTICAL NETWORK (JTN)	40,808	40,808
149	0605033A	GROUND-BASED OPERATIONAL SURVEILLANCE SYSTEM—EXPEDITIONARY (GBOSS-E).	3,847	3,847
150	0605034A	TACTICAL SECURITY SYSTEM (TSS)	6,928	6,928
151	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM)	34,488	34,488
152	0605036A	COMBATING WEAPONS OF MASS DESTRUCTION (CWMD)	10,000	10,000
154	0605038A	NUCLEAR BIOLOGICAL CHEMICAL RECONNAISSANCE VEHICLE (NBCRV) SENSOR SUITE.	6,054	6,054
155	0605041A	DEFENSIVE CYBER TOOL DEVELOPMENT	62,262	62,262
156	0605042A	TACTICAL NETWORK RADIO SYSTEMS (LOW-TIER)	35,654	28,654
		Excess growth		[-7,000]
157	0605047A	CONTRACT WRITING SYSTEM	19,682	19,682
158	0605049A	MISSILE WARNING SYSTEM MODERNIZATION (MWSM)	1,539	1,539
159	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT	64,557	64,557
160	0605052A	INDIRECT FIRE PROTECTION CAPABILITY INC 2—BLOCK 1	243,228	243,228
161	0605053A	GROUND ROBOTICS	41,308	41,308
162	0605054A	EMERGING TECHNOLOGY INITIATIVES	45,896	41,896
		Testing and evaluation excess growth		[-4,000]
163	0605203A	ARMY SYSTEM DEVELOPMENT & DEMONSTRATION	164,883	164,883
165	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM)	9,500	9,500
166	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD)	208,938	203,938
		Testing and evaluation excess growth		[-5,000]
167	0605625A	MANNED GROUND VEHICLE	378,400	378,400
168	0605766A	NATIONAL CAPABILITIES INTEGRATION (MIP)	7,835	9,835
		Mobile ground terminal		[2,000]

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2020 Request	House Authorized
169	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH.	2,732	7,232
		Army requested realignment from OPA 7		[4,500]
170	0605830A	AVIATION GROUND SUPPORT EQUIPMENT	1,664	1,664
172	0303032A	TROJAN—RH12	3,936	3,936
174	0304270A	ELECTRONIC WARFARE DEVELOPMENT	19,675	19,675
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	3,549,431	3,487,131
		RDT&E MANAGEMENT SUPPORT		
176	0604256A	THREAT SIMULATOR DEVELOPMENT	14,117	14,117
177	0604258A	TARGET SYSTEMS DEVELOPMENT	8,327	8,327
178	0604759A	MAJOR T&E INVESTMENT	136,565	136,565
179	0605103A	RAND ARROYO CENTER	13,113	13,113
180	0605301A	ARMY KWAJALEIN ATOLL	238,691	226,691
		Program decrease		[-12,000]
181	0605326A	CONCEPTS EXPERIMENTATION PROGRAM	42,922	42,922
183	0605601A	ARMY TEST RANGES AND FACILITIES	334,468	334,468
184	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	46,974	51,974
		Program increase—space and missile cybersecurity		[5,000]
185	0605604A	SURVIVABILITY/LETHALITY ANALYSIS	35,075	35,075
186	0605606A	AIRCRAFT CERTIFICATION	3,461	3,461
187	0605702A	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES	6,233	6,233
188	0605706A	MATERIEL SYSTEMS ANALYSIS	21,342	21,342
189	0605709A	EXPLOITATION OF FOREIGN ITEMS	11,168	11,168
190	0605712A	SUPPORT OF OPERATIONAL TESTING	52,723	52,723
191	0605716A	ARMY EVALUATION CENTER	60,815	60,815
192	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG ...	2,527	2,527
193	0605801A	PROGRAMWIDE ACTIVITIES	58,175	61,175
		Program increase for transition costs		[3,000]
194	0605803A	TECHNICAL INFORMATION ACTIVITIES	25,060	25,060
195	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY.	44,458	49,458
		Advanced lightweight small arms and medium caliber ammunition		[5,000]
196	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	4,681	4,681
197	0605898A	ARMY DIRECT REPORT HEADQUARTERS—R&D - MHA	53,820	53,820
198	0606001A	MILITARY GROUND-BASED CREW TECHNOLOGY	4,291	4,291
199	0606002A	RONALD REAGAN BALLISTIC MISSILE DEFENSE TEST SITE	62,069	62,069
200	0606003A	COUNTERINTEL AND HUMAN INTEL MODERNIZATION	1,050	1,050
201	0606942A	ASSESSMENTS AND EVALUATIONS CYBER VULNERABILITIES.	4,500	4,500
		SUBTOTAL RDT&E MANAGEMENT SUPPORT	1,286,625	1,287,625
		OPERATIONAL SYSTEMS DEVELOPMENT		
204	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	22,877	17,877
		HIMARS excess growth		[-5,000]
206	0605024A	ANTI-TAMPER TECHNOLOGY SUPPORT	8,491	8,491
207	0607131A	WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PROGRAMS.	15,645	15,645
209	0607134A	LONG RANGE PRECISION FIRES (LRPF)	164,182	164,182
211	0607136A	BLACKHAWK PRODUCT IMPROVEMENT PROGRAM	13,039	13,039
212	0607137A	CHINOOK PRODUCT IMPROVEMENT PROGRAM	174,371	174,371
213	0607138A	FIXED WING PRODUCT IMPROVEMENT PROGRAM	4,545	4,545
214	0607139A	IMPROVED TURBINE ENGINE PROGRAM	206,434	206,434
216	0607142A	AVIATION ROCKET SYSTEM PRODUCT IMPROVEMENT AND DEVELOPMENT.	24,221	14,221
		Integrated munitions launcher early to need		[-10,000]
217	0607143A	UNMANNED AIRCRAFT SYSTEM UNIVERSAL PRODUCTS	32,016	32,016
218	0607145A	APACHE FUTURE DEVELOPMENT	5,448	448
		Unjustified request		[-5,000]
219	0607312A	ARMY OPERATIONAL SYSTEMS DEVELOPMENT	49,526	49,526
220	0607663A	FAMILY OF BIOMETRICS	1,702	1,702
221	0607865A	PATRIOT PRODUCT IMPROVEMENT	96,430	96,430
222	0203728A	JOINT AUTOMATED DEEP OPERATION COORDINATION SYSTEM (JADOCs).	47,398	47,398
223	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS	334,463	324,463
		Early to need		[-10,000]
225	0203743A	155MM SELF-PROPELLED HOWITZER IMPROVEMENTS	214,246	214,246
226	0203744A	AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS.	16,486	11,986
		Excess to need		[-4,500]
227	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	144	144
228	0203758A	DIGITIZATION	5,270	5,270
229	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	1,287	1,287
234	0205412A	ENVIRONMENTAL QUALITY TECHNOLOGY—OPERATIONAL SYSTEM DEV.	732	732
235	0205456A	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SYSTEM	107,746	107,746
236	0205778A	GUIDED MULTIPLE-LAUNCH ROCKET SYSTEM (GMLRS)	138,594	128,594

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Line	Program Element	Item	FY 2020 Request	House Authorized
		Testing excess to need		[-10,000]
238	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES	13,845	13,845
239	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM	29,185	29,185
240	0303141A	GLOBAL COMBAT SUPPORT SYSTEM	68,976	58,976
		Program decrease		[-10,000]
241	0303150A	WVMCCS/GLOBAL COMMAND AND CONTROL SYSTEM	2,073	2,073
245	0305179A	INTEGRATED BROADCAST SERVICE (IBS)	459	459
246	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	5,097	5,097
247	0305206A	AIRBORNE RECONNAISSANCE SYSTEMS	11,177	11,177
248	0305208A	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	38,121	38,121
250	0305232A	RQ-11 UAV	3,218	3,218
251	0305233A	RQ-7 UAV	7,817	7,817
252	0307665A	BIOMETRICS ENABLED INTELLIGENCE	2,000	2,000
253	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	59,848	64,848
		Program increase—additive manufacturing technology insertion ...		[5,000]
254	1203142A	SATCOM GROUND ENVIRONMENT (SPACE)	34,169	34,169
255	1208053A	JOINT TACTICAL GROUND SYSTEM	10,275	10,275
255A	9999999999	CLASSIFIED PROGRAMS	7,273	7,273
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	1,978,826	1,929,326
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY.	12,192,771	12,011,021
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		BASIC RESEARCH		
001	0601103N	UNIVERSITY RESEARCH INITIATIVES	116,850	126,850
		Advanced radar research		[5,000]
		Defense University research initiatives		[5,000]
002	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	19,121	19,121
003	0601153N	DEFENSE RESEARCH SCIENCES	470,007	470,007
		SUBTOTAL BASIC RESEARCH	605,978	615,978
		APPLIED RESEARCH		
004	0602114N	POWER PROJECTION APPLIED RESEARCH	18,546	25,546
		Hypersonic testing facilities		[7,000]
005	0602123N	FORCE PROTECTION APPLIED RESEARCH	119,517	162,517
		Autonomous vehicle collaboration across maritime domains		[10,000]
		Cyber-physical research		[8,000]
		Energy resilience		[5,000]
		Hybrid composite struct. res. enhanced mobility		[5,000]
		Navy power and energy systems technology		[5,000]
		Program increase—direct air capture and blue carbon research ...		[10,000]
006	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	56,604	61,604
		Interdisciplinary expeditionary cybersecurity research		[5,000]
007	0602235N	COMMON PICTURE APPLIED RESEARCH	49,297	49,297
008	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	63,825	68,825
		Warfighter safety and performance		[5,000]
009	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	83,497	83,497
010	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	63,894	63,894
011	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	6,346	6,346
012	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	57,075	77,075
		Academic partnerships for undersea vehicle research		[10,000]
		Resident autonomous undersea robotics		[10,000]
013	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH	154,755	154,755
014	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	36,074	36,074
015	0602792N	INNOVATIVE NAVAL PROTOTYPES (INP) APPLIED RESEARCH.	153,062	153,062
016	0602861N	SCIENCE AND TECHNOLOGY MANAGEMENT—ONR FIELD ACTIVITIES.	73,961	73,961
		SUBTOTAL APPLIED RESEARCH	936,453	1,016,453
		ADVANCED TECHNOLOGY DEVELOPMENT		
017	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	35,286	35,286
018	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	9,499	9,499
019	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	172,847	177,847
		Program increase—modular advanced armed robotic system		[5,000]
020	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT.	13,307	13,307
021	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT.	231,907	231,907
022	0603680N	MANUFACTURING TECHNOLOGY PROGRAM	60,138	80,138
		Program increase		[20,000]
023	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	4,849	4,849
025	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS.	67,739	67,739
026	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY.	13,335	13,335
027	0603801N	INNOVATIVE NAVAL PROTOTYPES (INP) ADVANCED TECHNOLOGY DEVELOPMENT.	133,303	176,303

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Line	Program Element	Item	FY 2020 Request	House Authorized
		Electromagnetic railgun		[20,350]
		Program increase		[22,650]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	742,210	810,210
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
028	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	32,643	32,643
029	0603216N	AVIATION SURVIVABILITY	11,919	11,919
030	0603251N	AIRCRAFT SYSTEMS	1,473	1,473
031	0603254N	ASW SYSTEMS DEVELOPMENT	7,172	7,172
032	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	3,419	3,419
033	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	64,694	64,694
034	0603502N	SURFACE AND SHALLOW WATER MINE COUNTER-MEASURES.	507,000	312,200
		LUSV Design Contracts early to need		[-29,100]
		LUSV GFE early to need		[-79,200]
		LUSV program decrease		[-43,000]
		MUSV program increase		[43,000]
		Reduce one LUSV		[-86,500]
035	0603506N	SURFACE SHIP TORPEDO DEFENSE	15,800	15,800
036	0603512N	CARRIER SYSTEMS DEVELOPMENT	4,997	4,997
037	0603525N	PILOT FISH	291,148	291,148
038	0603527N	RETRACT LARCH	11,980	11,980
039	0603536N	RETRACT JUNIPER	129,163	129,163
040	0603542N	RADIOLOGICAL CONTROL	689	689
041	0603553N	SURFACE ASW	1,137	1,137
042	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	148,756	148,756
043	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	11,192	11,192
044	0603563N	SHIP CONCEPT ADVANCED DESIGN	81,846	67,846
		Future surface combatant concept development concurrency		[-24,000]
		Program increase		[5,000]
		Program increase—moving target defense		[5,000]
045	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	69,084	59,084
		Program decrease		[-10,000]
046	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	181,652	181,652
047	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	25,408	30,408
		Program increase		[5,000]
048	0603576N	CHALK EAGLE	64,877	64,877
049	0603581N	LITTORAL COMBAT SHIP (LCS)	9,934	9,934
050	0603582N	COMBAT SYSTEM INTEGRATION	17,251	17,251
051	0603595N	OHIO REPLACEMENT	419,051	419,051
052	0603596N	LCS MISSION MODULES	108,505	108,505
053	0603597N	AUTOMATED TEST AND ANALYSIS	7,653	7,653
054	0603599N	FRIGATE DEVELOPMENT	59,007	59,007
055	0603609N	CONVENTIONAL MUNITIONS	9,988	9,988
056	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	86,464	11,464
		Insufficient justification and contract delay		[-75,000]
057	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	33,478	33,478
058	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	5,619	5,619
059	0603721N	ENVIRONMENTAL PROTECTION	20,564	20,564
060	0603724N	NAVY ENERGY PROGRAM	26,514	49,514
		Battery development and safety enterprise		[13,000]
		Marine energy systems for sensors and microgrids		[10,000]
061	0603725N	FACILITIES IMPROVEMENT	3,440	3,440
062	0603734N	CHALK CORAL	346,800	346,800
063	0603739N	NAVY LOGISTIC PRODUCTIVITY	3,857	3,857
064	0603746N	RETRACT MAPLE	258,519	258,519
065	0603748N	LINK PLUMERIA	403,909	403,909
066	0603751N	RETRACT ELM	63,434	63,434
067	0603764N	LINK EVERGREEN	184,110	184,110
068	0603790N	NATO RESEARCH AND DEVELOPMENT	7,697	7,697
069	0603795N	LAND ATTACK TECHNOLOGY	9,086	9,086
070	0603851M	JOINT NON-LETHAL WEAPONS TESTING	28,466	28,466
071	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL.	51,341	51,341
072	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS	118,169	118,169
073	0604014N	F/A —18 INFRARED SEARCH AND TRACK (IRST)	113,456	112,456
		Program delay		[-1,000]
074	0604027N	DIGITAL WARFARE OFFICE	50,120	50,120
075	0604028N	SMALL AND MEDIUM UNMANNED UNDERSEA VEHICLES	32,527	32,527
076	0604029N	UNMANNED UNDERSEA VEHICLE CORE TECHNOLOGIES	54,376	54,376
077	0604030N	RAPID PROTOTYPING, EXPERIMENTATION AND DEMONSTRATION..	36,197	36,197
078	0604031N	LARGE UNMANNED UNDERSEA VEHICLES	68,310	59,810
		Early to need		[-8,500]
079	0604112N	GERALD R. FORD CLASS NUCLEAR AIRCRAFT CARRIER (CVN 78—80).	121,310	121,310

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080	0604126N	LITTORAL AIRBORNE MCM	17,248	17,248
081	0604127N	SURFACE MINE COUNTERMEASURES	18,735	18,735
082	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTER- MEASURES (TADIRCM).	68,346	58,346
		Excess to need		[-10,000]
084	0604289M	NEXT GENERATION LOGISTICS	4,420	4,420
085	0604320M	RAPID TECHNOLOGY CAPABILITY PROTOTYPE	4,558	4,558
086	0604454N	LX (R)	12,500	12,500
087	0604536N	ADVANCED UNDERSEA PROTOTYPING	181,967	174,437
		ORCA XLUV prior year carryover		[-7,530]
088	0604636N	COUNTER UNMANNED AIRCRAFT SYSTEMS (C-UAS)	5,500	5,500
089	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	718,148	638,148
		Excess growth		[-80,000]
090	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ ENGINEERING SUPPORT.	5,263	5,263
091	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOP- MENT.	65,419	65,419
092	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	9,991	9,991
093	0304240M	ADVANCED TACTICAL UNMANNED AIRCRAFT SYSTEM	21,157	39,657
		KMAX Large Unmanned Logistics System USMC unfunded pri- ority.		[18,500]
095	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	609	609
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	5,559,062	5,204,732
		SYSTEM DEVELOPMENT & DEMONSTRATION		
096	0603208N	TRAINING SYSTEM AIRCRAFT	15,514	15,514
097	0604212N	OTHER HELO DEVELOPMENT	28,835	28,835
098	0604214M	AV-8B AIRCRAFT—ENG DEV	27,441	27,441
100	0604215N	STANDARDS DEVELOPMENT	3,642	3,642
101	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	19,196	19,196
104	0604230N	WARFARE SUPPORT SYSTEM	8,601	8,601
105	0604231N	TACTICAL COMMAND SYSTEM	77,232	77,232
106	0604234N	ADVANCED HAWKEYE	232,752	232,752
107	0604245M	H-1 UPGRADES	65,359	64,859
		Support cost growth		[-500]
109	0604261N	ACOUSTIC SEARCH SENSORS	47,013	47,013
110	0604262N	V-22A	185,105	172,105
		Excess to need		[-13,000]
111	0604264N	AIR CREW SYSTEMS DEVELOPMENT	21,172	21,172
112	0604269N	EA-18	143,585	123,585
		Unjustified cost growth		[-20,000]
113	0604270N	ELECTRONIC WARFARE DEVELOPMENT	116,811	109,651
		Unjustified request		[-7,160]
114	0604273M	EXECUTIVE HELO DEVELOPMENT	187,436	187,436
116	0604274N	NEXT GENERATION JAMMER (NGJ)	524,261	443,261
		Underexecution		[-81,000]
117	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)	192,345	190,845
		Early to need		[-1,500]
118	0604282N	NEXT GENERATION JAMMER (NGJ) INCREMENT II	111,068	111,068
119	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	415,625	415,625
120	0604311N	LPD-17 CLASS SYSTEMS INTEGRATION	640	640
121	0604329N	SMALL DIAMETER BOMB (SDB)	50,096	50,096
122	0604366N	STANDARD MISSILE IMPROVEMENTS	232,391	232,391
123	0604373N	AIRBORNE MCM	10,916	10,916
124	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYS- TEMS ENGINEERING.	33,379	33,379
125	0604501N	ADVANCED ABOVE WATER SENSORS	34,554	34,554
126	0604503N	SSN-688 AND TRIDENT MODERNIZATION	84,663	84,663
127	0604504N	AIR CONTROL	44,923	44,923
128	0604512N	SHIPBOARD AVIATION SYSTEMS	10,632	10,632
129	0604518N	COMBAT INFORMATION CENTER CONVERSION	16,094	16,094
130	0604522N	AIR AND MISSILE DEFENSE RADAR (AMDR) SYSTEM	55,349	55,349
131	0604530N	ADVANCED ARRESTING GEAR (AAG)	123,490	123,490
132	0604558N	NEW DESIGN SSN	121,010	121,010
133	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM	62,426	62,426
134	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	46,809	56,809
		Program increase—DDG-51 advanced degaussing		[10,000]
135	0604574N	NAVY TACTICAL COMPUTER RESOURCES	3,692	3,692
137	0604601N	MINE DEVELOPMENT	28,964	28,964
138	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT	148,349	127,349
		Excess to need		[-21,000]
139	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	8,237	8,237
140	0604657M	USMC GROUND COMBAT/SUPPORTING ARMS SYSTEMS— ENG DEV.	22,000	22,000
141	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FAC- TORS.	5,500	5,500
142	0604727N	JOINT STANDOFF WEAPON SYSTEMS	18,725	16,225

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Line	Program Element	Item	FY 2020 Request	House Authorized
		Excess to need		[-2,500]
143	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	192,603	192,603
144	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	137,268	137,268
145	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	97,363	97,363
146	0604761N	INTELLIGENCE ENGINEERING	26,710	26,710
147	0604771N	MEDICAL DEVELOPMENT	8,181	13,181
		Enterotoxigenic escherichia coli research		[5,000]
148	0604777N	NAVIGATION/ID SYSTEM	40,755	40,755
149	0604800M	JOINT STRIKE FIGHTER (JSF)—EMD	1,710	1,710
150	0604800N	JOINT STRIKE FIGHTER (JSF)—EMD	1,490	1,490
153	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT	1,494	1,494
154	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT	384,162	370,662
		Unjustified growth over FY19 projection		[-13,500]
155	0605024N	ANTI-TAMPER TECHNOLOGY SUPPORT	4,882	4,882
156	0605212M	CH-53K RDTE	516,955	496,955
		Excess to need		[-20,000]
158	0605215N	MISSION PLANNING	75,886	75,886
159	0605217N	COMMON AVIONICS	43,187	43,187
160	0605220N	SHIP TO SHORE CONNECTOR (SSC)	4,909	4,909
161	0605327N	T-AO 205 CLASS	1,682	1,682
162	0605414N	UNMANNED CARRIER AVIATION (UCA)	671,258	671,258
163	0605450M	JOINT AIR-TO-GROUND MISSILE (JAGM)	18,393	12,393
		Schedule delays		[-6,000]
165	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA)	21,472	21,472
166	0605504N	MULTI-MISSION MARITIME (MMA) INCREMENT III	177,234	177,234
167	0605611M	MARINE CORPS ASSAULT VEHICLES SYSTEM DEVELOPMENT & DEMONSTRATION.	77,322	69,121
		Early to need		[-2,201]
		Excess growth		[-6,000]
168	0605813M	JOINT LIGHT TACTICAL VEHICLE (JLTV) SYSTEM DEVELOPMENT & DEMONSTRATION.	2,105	2,105
169	0204202N	DDG-1000	111,435	111,435
172	0304785N	TACTICAL CRYPTOLOGIC SYSTEMS	101,339	101,339
173	0306250M	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	26,406	26,406
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	6,332,033	6,152,672
		MANAGEMENT SUPPORT		
174	0604256N	THREAT SIMULATOR DEVELOPMENT	66,678	66,678
175	0604258N	TARGET SYSTEMS DEVELOPMENT	12,027	12,027
176	0604759N	MAJOR T&E INVESTMENT	85,348	85,348
178	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY	3,908	3,908
179	0605154N	CENTER FOR NAVAL ANALYSES	47,669	47,669
180	0605285N	NEXT GENERATION FIGHTER	20,698	20,698
182	0605804N	TECHNICAL INFORMATION SERVICES	988	988
183	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	102,401	102,401
184	0605856N	STRATEGIC TECHNICAL SUPPORT	3,742	3,742
186	0605863N	RDT&E SHIP AND AIRCRAFT SUPPORT	93,872	93,872
187	0605864N	TEST AND EVALUATION SUPPORT	394,020	394,020
188	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY	25,145	25,145
189	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	15,773	15,773
190	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	8,402	8,402
191	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT	37,265	29,265
		Unjustified growth		[-8,000]
192	0605898N	MANAGEMENT HQ—R&D	39,673	39,673
193	0606355N	WARFARE INNOVATION MANAGEMENT	28,750	28,750
196	0305327N	INSIDER THREAT	2,645	2,645
197	0902498N	MANAGEMENT HEADQUARTERS (DEPARTMENTAL SUPPORT ACTIVITIES).	1,460	1,460
		SUBTOTAL MANAGEMENT SUPPORT	990,464	982,464
		OPERATIONAL SYSTEMS DEVELOPMENT		
202	0604227N	HARPOON MODIFICATIONS	2,302	2,302
203	0604840M	F-35 C2D2	422,881	422,881
204	0604840N	F-35 C2D2	383,741	383,741
205	0607658N	COOPERATIVE ENGAGEMENT CAPABILITY (CEC)	127,924	127,924
207	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	157,676	157,676
208	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM	43,354	43,354
209	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	6,815	6,815
210	0101402N	NAVY STRATEGIC COMMUNICATIONS	31,174	31,174
211	0204136N	F/A-18 SQUADRONS	213,715	216,215
		Block III support prior year carryover		[-7,500]
		Jet noise reduction research		[10,000]
213	0204228N	SURFACE SUPPORT	36,389	45,389
		WSN-12 Technology Insertion		[9,000]
214	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC).	320,134	320,134
215	0204311N	INTEGRATED SURVEILLANCE SYSTEM	88,382	88,382

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216	0204313N	SHIP-TOWED ARRAY SURVEILLANCE SYSTEMS	14,449	14,449
217	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT).	6,931	6,931
218	0204460M	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	23,891	23,891
219	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	129,873	129,873
221	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT	82,325	62,325
		Prior year carryover		[-20,000]
222	0205601N	HARM IMPROVEMENT	138,431	132,431
		AARGM ER test schedule discrepancy		[-6,000]
224	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION	29,572	29,572
225	0205632N	MK-48 ADCAP	85,973	85,973
226	0205633N	AVIATION IMPROVEMENTS	125,461	125,461
227	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS	106,192	106,192
228	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	143,317	134,317
		Program delay		[-9,000]
229	0206335M	COMMON AVIATION COMMAND AND CONTROL SYSTEM (CAC2S).	4,489	4,489
230	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS.	51,788	51,788
231	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT	37,761	37,761
232	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP).	21,458	21,458
233	0206629M	AMPHIBIOUS ASSAULT VEHICLE	5,476	5,476
234	0207161N	TACTICAL AIM MISSILES	19,488	19,488
235	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	39,029	34,529
		Prior year carryover		[-4,500]
239	0303109N	SATELLITE COMMUNICATIONS (SPACE)	34,344	34,344
240	0303138N	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES).	22,873	22,873
241	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM	41,853	41,853
243	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES	8,913	8,913
244	0305204N	TACTICAL UNMANNED AERIAL VEHICLES	9,451	9,451
245	0305205N	UAS INTEGRATION AND INTEROPERABILITY	42,315	42,315
246	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	22,042	22,042
248	0305220N	MQ-4C TRITON	11,784	11,784
249	0305231N	MQ-8 UAV	29,618	29,618
250	0305232M	RQ-11 UAV	509	509
251	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASL0)	11,545	11,545
252	0305239M	RQ-21A	10,914	10,914
253	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT	70,612	70,612
254	0305242M	UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP)	3,704	3,704
255	0305421N	RQ-4 MODERNIZATION	202,346	202,346
256	0308601N	MODELING AND SIMULATION SUPPORT	7,119	7,119
257	0702207N	DEPOT MAINTENANCE (NON-IF)	38,182	38,182
258	0708730N	MARITIME TECHNOLOGY (MARITECH)	6,779	6,779
259	1203109N	SATELLITE COMMUNICATIONS (SPACE)	15,868	15,868
259A	9999999999	CLASSIFIED PROGRAMS	1,613,137	1,613,137
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	5,104,299	5,076,299
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY.	20,270,499	19,858,808
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		BASIC RESEARCH		
001	0601102F	DEFENSE RESEARCH SCIENCES	356,107	356,107
002	0601103F	UNIVERSITY RESEARCH INITIATIVES	158,859	158,859
003	0601108F	HIGH ENERGY LASER RESEARCH INITIATIVES	14,795	14,795
		SUBTOTAL BASIC RESEARCH	529,761	529,761
		APPLIED RESEARCH		
004	0602102F	MATERIALS	128,851	143,851
		Advanced thermal protection systems		[10,000]
		Program increase—flexible biosensors		[5,000]
005	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	147,724	147,724
006	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	131,795	131,795
007	0602203F	AEROSPACE PROPULSION	198,775	213,775
		Educational partnership agreements for aerospace propulsion		[10,000]
		Electrical power/thermal management systems		[5,000]
008	0602204F	AEROSPACE SENSORS	202,912	202,912
010	0602298F	SCIENCE AND TECHNOLOGY MANAGEMENT— MAJOR HEADQUARTERS ACTIVITIES.	7,968	7,968
012	0602602F	CONVENTIONAL MUNITIONS	142,772	142,772
013	0602605F	DIRECTED ENERGY TECHNOLOGY	124,379	124,379
014	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS	181,562	186,562
		Detection and countering of adversarial UAS		[5,000]
015	0602890F	HIGH ENERGY LASER RESEARCH	44,221	44,221
016	1206601F	SPACE TECHNOLOGY	124,667	124,667
		SUBTOTAL APPLIED RESEARCH	1,435,626	1,470,626

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ADVANCED TECHNOLOGY DEVELOPMENT				
017	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS	36,586	41,586
		Metals affordability initiative		[5,000]
018	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	16,249	16,249
019	0603203F	ADVANCED AEROSPACE SENSORS	38,292	38,292
020	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO	102,949	122,949
		High speed vertical lift demonstration		[5,000]
		Low cost attritable aircraft technology		[15,000]
021	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY	113,973	118,973
		Electrical power systems		[5,000]
022	0603270F	ELECTRONIC COMBAT TECHNOLOGY	48,408	48,408
023	0603401F	ADVANCED SPACECRAFT TECHNOLOGY	70,525	70,525
024	0603444F	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	11,878	11,878
025	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT.	37,542	37,542
026	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY	225,817	225,817
027	0603605F	ADVANCED WEAPONS TECHNOLOGY	37,404	37,404
028	0603680F	MANUFACTURING TECHNOLOGY PROGRAM	43,116	59,116
		Aerospace composites manufacturing		[10,000]
		Program increase		[6,000]
029	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION.	56,414	56,414
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	839,153	885,153
ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES				
031	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	5,672	5,672
032	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	27,085	27,085
033	0603790F	NATO RESEARCH AND DEVELOPMENT	4,955	4,955
034	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL	44,109	44,109
036	0604002F	AIR FORCE WEATHER SERVICES RESEARCH	772	772
037	0604004F	ADVANCED ENGINE DEVELOPMENT	878,442	849,442
		Unjustified budget growth		[–29,000]
038	0604015F	LONG RANGE STRIKE—BOMBER	3,003,899	3,003,899
039	0604032F	DIRECTED ENERGY PROTOTYPING	10,000	20,000
		High-value airborne asset protection		[10,000]
040	0604033F	HYPERSONICS PROTOTYPING	576,000	536,000
		Program concurrency		[–40,000]
041	0604201F	PNT RESILIENCY, MODS, AND IMPROVEMENTS	92,600	124,600
		Program increase		[32,000]
042	0604257F	ADVANCED TECHNOLOGY AND SENSORS	23,145	23,145
043	0604288F	NATIONAL AIRBORNE OPS CENTER (NAOC) RECAP	16,669	16,669
044	0604317F	TECHNOLOGY TRANSFER	23,614	23,614
045	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM.	113,121	113,121
046	0604414F	CYBER RESILIENCY OF WEAPON SYSTEMS-ACS	56,325	56,325
047	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D	28,034	28,034
048	0604858F	TECH TRANSITION PROGRAM	128,476	128,476
049	0605230F	GROUND BASED STRATEGIC DETERRENT	570,373	489,395
		Program reduction		[–103,000]
		Technical adjustment for NC3		[22,022]
050	0207100F	LIGHT ATTACK ARMED RECONNAISSANCE (LAAR) SQUADRONS.	35,000	35,000
051	0207110F	NEXT GENERATION AIR DOMINANCE	1,000,000	500,000
		Cost-risk associated with development profile		[–500,000]
052	0207455F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR)	37,290	37,290
053	0208099F	UNIFIED PLATFORM (UP)	10,000	10,000
054	0305236F	COMMON DATA LINK EXECUTIVE AGENT (CDL EA)	36,910	36,910
055	0305251F	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT ..	35,000	35,000
056	0305601F	MISSION PARTNER ENVIRONMENTS	8,550	8,550
057	0306250F	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	198,864	198,864
058	0306415F	ENABLED CYBER ACTIVITIES	16,632	16,632
060	0901410F	CONTRACTING INFORMATION TECHNOLOGY SYSTEM	20,830	20,830
061	1203164F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE).	329,948	329,948
062	1203710F	EO/IR WEATHER SYSTEMS	101,222	101,222
063	1206422F	WEATHER SYSTEM FOLLOW-ON	225,660	205,660
		Unjustified growth		[–20,000]
064	1206425F	SPACE SITUATION AWARENESS SYSTEMS	29,776	29,776
065	1206427F	SPACE SYSTEMS PROTOTYPE TRANSITIONS (SSPT)	142,045	162,045
		Accelerate Blackjack prototype demonstration and tech maturation.		[20,000]
067	1206438F	SPACE CONTROL TECHNOLOGY	64,231	58,231
		Unjustified growth		[–6,000]
068	1206730F	SPACE SECURITY AND DEFENSE PROGRAM	56,385	56,385
069	1206760F	PROTECTED TACTICAL ENTERPRISE SERVICE (PTES)	105,003	105,003

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070	1206761F	PROTECTED TACTICAL SERVICE (PTS)	173,694	166,194
		Unjustified growth		[-7,500]
071	1206855F	EVOLVED STRATEGIC SATCOM (ESS)	172,206	172,206
072	1206857F	SPACE RAPID CAPABILITIES OFFICE	33,742	30,742
		Program decrease		[-3,000]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	8,436,279	7,811,801
		SYSTEM DEVELOPMENT & DEMONSTRATION		
073	0604200F	FUTURE ADVANCED WEAPON ANALYSIS & PROGRAMS	246,200	200
		Unjustified requirement		[-246,000]
074	0604201F	PNT RESILIENCY, MODS, AND IMPROVEMENTS	67,782	67,782
075	0604222F	NUCLEAR WEAPONS SUPPORT	4,406	4,406
076	0604270F	ELECTRONIC WARFARE DEVELOPMENT	2,066	2,066
077	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	229,631	210,331
		Prior-year carryover		[-19,300]
078	0604287F	PHYSICAL SECURITY EQUIPMENT	9,700	9,700
079	0604329F	SMALL DIAMETER BOMB (SDB)—EMD	31,241	41,241
		Program efficiency initiative		[10,000]
080	0604429F	AIRBORNE ELECTRONIC ATTACK	2	2
081	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	28,043	22,543
		Unjustified requirement (JAGM-F)		[-5,500]
082	0604604F	SUBMUNITIONS	3,045	3,045
083	0604617F	AGILE COMBAT SUPPORT	19,944	19,944
084	0604706F	LIFE SUPPORT SYSTEMS	8,624	16,624
		Next-gen ejection seat qualification		[8,000]
085	0604735F	COMBAT TRAINING RANGES	37,365	37,365
086	0604800F	F-35—EMD	7,628	7,628
087	0604932F	LONG RANGE STANDOFF WEAPON	712,539	712,539
088	0604933F	ICBM FUZE MODERNIZATION	161,199	161,199
089	0605030F	JOINT TACTICAL NETWORK CENTER (JTNC)	2,414	2,414
091	0605056F	OPEN ARCHITECTURE MANAGEMENT	30,000	30,000
093	0605221F	KC-46	59,561	59,561
094	0605223F	ADVANCED PILOT TRAINING	348,473	348,473
095	0605229F	COMBAT RESCUE HELICOPTER	247,047	246,047
		Support cost growth		[-1,000]
098	0605931F	B-2 DEFENSIVE MANAGEMENT SYSTEM	294,400	294,400
099	0101125F	NUCLEAR WEAPONS MODERNIZATION	27,564	27,564
101	0207171F	F-15 EPAWSS	47,322	47,322
102	0207328F	STAND IN ATTACK WEAPON	162,840	127,840
		Unjustified program growth		[-35,000]
103	0207701F	FULL COMBAT MISSION TRAINING	9,797	9,797
106	0401310F	C-32 EXECUTIVE TRANSPORT RECAPITALIZATION	9,930	9,930
107	0401319F	VC-25B	757,923	757,923
108	0701212F	AUTOMATED TEST SYSTEMS	2,787	2,787
109	1203176F	COMBAT SURVIVOR EVADER LOCATOR	2,000	2,000
110	1203269F	GPS III FOLLOW-ON (GPS III®)	462,875	452,875
		Unjustified growth		[-10,000]
111	1203940F	SPACE SITUATION AWARENESS OPERATIONS	76,829	56,829
		GBOSS unjustified growth		[-20,000]
112	1206421F	COUNTERSPACE SYSTEMS	29,037	34,037
		Counterspace communications systems pre-planned product improvement.		[5,000]
113	1206422F	WEATHER SYSTEM FOLLOW-ON	2,237	2,237
114	1206425F	SPACE SITUATION AWARENESS SYSTEMS	412,894	362,894
		Unexecutable growth		[-50,000]
116	1206431F	ADVANCED EHF MILSATCOM (SPACE)	117,290	117,290
117	1206432F	POLAR MILSATCOM (SPACE)	427,400	427,400
118	1206433F	WIDEBAND GLOBAL SATCOM (SPACE)	1,920	1,920
119	1206441F	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD	1	1
120	1206442F	NEXT GENERATION OPIR	1,395,278	1,018,878
		Unexecutable funding profile		[-293,100]
		Unexecutable funding profile (ground)		[-83,300]
121	1206445F	COMMERCIAL SATCOM (COMSATCOM) INTEGRATION		10,000
		Accelerate integration of COMSATCOM capabilities		[10,000]
122	1206853F	NATIONAL SECURITY SPACE LAUNCH PROGRAM (SPACE)—EMD.	432,009	432,009
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	6,929,243	6,199,043
		MANAGEMENT SUPPORT		
123	0604256F	THREAT SIMULATOR DEVELOPMENT	59,693	59,693
124	0604759F	MAJOR T&E INVESTMENT	181,663	183,663
		Telemetry extension SATCOM relay		[2,000]
125	0605101F	RAND PROJECT AIR FORCE	35,258	35,258
127	0605712F	INITIAL OPERATIONAL TEST & EVALUATION	13,793	13,793
128	0605807F	TEST AND EVALUATION SUPPORT	717,895	743,395
		Overwater range telemetry improvements		[25,500]

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129	0605826F	ACQ WORKFORCE- GLOBAL POWER	258,667	258,667
130	0605827F	ACQ WORKFORCE- GLOBAL VIG & COMBAT SYS	251,992	251,992
131	0605828F	ACQ WORKFORCE- GLOBAL REACH	149,191	149,191
132	0605829F	ACQ WORKFORCE- CYBER, NETWORK, & BUS SYS	235,360	235,360
133	0605830F	ACQ WORKFORCE- GLOBAL BATTLE MGMT	160,196	160,196
134	0605831F	ACQ WORKFORCE- CAPABILITY INTEGRATION	220,255	220,255
135	0605832F	ACQ WORKFORCE- ADVANCED PRGM TECHNOLOGY	42,392	42,392
136	0605833F	ACQ WORKFORCE- NUCLEAR SYSTEMS	133,231	133,231
137	0605898F	MANAGEMENT HQ—R&D	5,590	5,590
138	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT.	88,445	88,445
139	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT.	29,424	29,424
140	0606017F	REQUIREMENTS ANALYSIS AND MATURATION	62,715	62,715
141	0606398F	MANAGEMENT HQ—T&E	5,013	5,013
142	0308602F	ENTEPRISE INFORMATION SERVICES (EIS)	17,128	17,128
143	0702806F	ACQUISITION AND MANAGEMENT SUPPORT	5,913	5,913
144	0804731F	GENERAL SKILL TRAINING	1,475	1,475
146	1001004F	INTERNATIONAL ACTIVITIES	4,071	4,071
147	1206116F	SPACE TEST AND TRAINING RANGE DEVELOPMENT	19,942	14,942
		Unjustified growth		[-5,000]
148	1206392F	SPACE AND MISSILE CENTER (SMC) CIVILIAN WORKFORCE	167,810	167,810
149	1206398F	SPACE & MISSILE SYSTEMS CENTER—MHA	10,170	10,170
150	1206860F	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	13,192	23,192
		Small rockets launch services		[10,000]
151	1206864F	SPACE TEST PROGRAM (STP)	26,097	29,097
		Small launch		[3,000]
		SUBTOTAL MANAGEMENT SUPPORT	2,916,571	2,952,071
		OPERATIONAL SYSTEMS DEVELOPMENT		
152	0604003F	ADVANCED BATTLE MANAGEMENT SYSTEM (ABMS)	35,611	20,011
		Program increase—sensor fusion and artificial intelligence technology.		[10,000]
		Unjustified request		[-25,600]
154	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	2,584	2,584
155	0604445F	WIDE AREA SURVEILLANCE	0	20,000
		Program increase		[20,000]
156	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D	903	903
157	0604840F	F-35 C2D2	694,455	694,455
158	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS) ..	40,567	40,567
159	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	47,193	47,193
160	0605117F	FOREIGN MATERIEL ACQUISITION AND EXPLOITATION	70,083	70,083
161	0605278F	HC/MC-130 RECAP RDT&E	17,218	17,218
162	0606018F	NC3 INTEGRATION	25,917	25,917
164	0101113F	B-52 SQUADRONS	325,974	325,974
165	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM)	10,217	10,217
166	0101126F	B-1B SQUADRONS	1,000	1,000
167	0101127F	B-2 SQUADRONS	97,276	97,276
168	0101213F	MINUTEMAN SQUADRONS	128,961	106,939
		Technical adjustment for NC3		[-22,022]
170	0101316F	WORLDWIDE JOINT STRATEGIC COMMUNICATIONS	18,177	18,177
171	0101324F	INTEGRATED STRATEGIC PLANNING & ANALYSIS NETWORK.	24,261	24,261
172	0101328F	ICBM REENTRY VEHICLES	75,571	75,571
174	0102110F	UH-1N REPLACEMENT PROGRAM	170,975	170,975
176	0205219F	MQ-9 UAV	154,996	154,996
178	0207131F	A-10 SQUADRONS	36,816	36,816
179	0207133F	F-16 SQUADRONS	193,013	193,013
180	0207134F	F-15E SQUADRONS	336,079	317,779
		Unjustified F-15C requirements		[-18,300]
181	0207136F	MANNED DESTRUCTIVE SUPPRESSION	15,521	15,521
182	0207138F	F-22A SQUADRONS	496,298	442,498
		Excess to requirements		[-23,800]
		Prior-year carryover		[-30,000]
183	0207142F	F-35 SQUADRONS	99,943	99,943
184	0207161F	TACTICAL AIM MISSILES	10,314	10,314
185	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	55,384	55,384
186	0207227F	COMBAT RESCUE—PARARESCUE	281	281
187	0207247F	AF TENCAP	21,365	21,365
188	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT	10,696	10,696
189	0207253F	COMPASS CALL	15,888	15,888
190	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	112,505	107,505
		Prior-year carryover (F-35)		[-5,000]
191	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	78,498	78,498
192	0207410F	AIR & SPACE OPERATIONS CENTER (AOC)	114,864	104,864
		Unjustified request		[-10,000]
193	0207412F	CONTROL AND REPORTING CENTER (CRC)	8,109	8,109
194	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	67,996	61,209

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Line	Program Element	Item	FY 2020 Request	House Authorized
		Excess to need		[-6,787]
195	0207418F	TACTICAL AIRBORNE CONTROL SYSTEMS	2,462	2,462
197	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	13,668	13,668
198	0207444F	TACTICAL AIR CONTROL PARTY-MOD	6,217	6,217
200	0207452F	DCAPIES	19,910	19,910
201	0207573F	NATIONAL TECHNICAL NUCLEAR FORENSICS	1,788	1,788
202	0207590F	SEEK EAGLE	28,237	28,237
203	0207601F	USAF MODELING AND SIMULATION	15,725	15,725
204	0207605F	WARGAMING AND SIMULATION CENTERS	4,316	4,316
205	0207610F	BATTLEFIELD ABN COMM NODE (BACN)	26,946	26,946
206	0207697F	DISTRIBUTED TRAINING AND EXERCISES	4,303	4,303
207	0208006F	MISSION PLANNING SYSTEMS	71,465	71,465
208	0208007F	TACTICAL DECEPTION	7,446	7,446
209	0208064F	OPERATIONAL HQ—CYBER	7,602	7,602
210	0208087F	DISTRIBUTED CYBER WARFARE OPERATIONS	35,178	35,178
211	0208088F	AF DEFENSIVE CYBERSPACE OPERATIONS	16,609	16,609
212	0208097F	JOINT CYBER COMMAND AND CONTROL (JCC2)	11,603	11,603
213	0208099F	UNIFIED PLATFORM (UP)	84,702	84,702
219	0301025F	GEOBASE	2,723	2,723
220	0301112F	NUCLEAR PLANNING AND EXECUTION SYSTEM (NPES)	44,190	44,190
226	0301401F	AIR FORCE SPACE AND CYBER NON-TRADITIONAL ISR FOR BATTLESPACE AWARENESS.	3,575	3,575
227	0302015F	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC) ...	70,173	70,173
228	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NET- WORK (MEECN).	13,543	28,543
		Advanced concept development—NC3 demonstration and evalua- tion.		[15,000]
229	0303133F	HIGH FREQUENCY RADIO SYSTEMS	15,881	1,881
		Prior-year carryover		[-14,000]
230	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM	27,726	27,726
232	0303142F	GLOBAL FORCE MANAGEMENT—DATA INITIATIVE	2,210	2,210
234	0304115F	MULTI DOMAIN COMMAND AND CONTROL (MDC2)	150,880	100,880
		Unjustified growth		[-50,000]
235	0304260F	AIRBORNE SIGINT ENTERPRISE	102,667	94,167
		Common development ahead of need		[-8,500]
236	0304310F	COMMERCIAL ECONOMIC ANALYSIS	3,431	3,431
239	0305015F	C2 AIR OPERATIONS SUITE—C2 INFO SERVICES	9,313	9,313
240	0305020F	CCMD INTELLIGENCE INFORMATION TECHNOLOGY	1,121	1,121
241	0305022F	ISR MODERNIZATION & AUTOMATION DVMT (IMAD)	19,000	3,000
		Unjustified request		[-16,000]
242	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	4,544	4,544
243	0305111F	WEATHER SERVICE	25,461	27,461
		Commercial weather data pilot		[2,000]
244	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALs).	5,651	5,651
245	0305116F	AERIAL TARGETS	7,448	7,448
248	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES	425	425
249	0305145F	ARMS CONTROL IMPLEMENTATION	54,546	54,546
250	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	6,858	6,858
252	0305179F	INTEGRATED BROADCAST SERVICE (IBS)	8,728	8,728
253	0305202F	DRAGON U-2	38,939	38,939
255	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS	122,909	132,909
		Program increase for Gorgon Stare sensor enhancements		[10,000]
256	0305207F	MANNED RECONNAISSANCE SYSTEMS	11,787	11,787
257	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	25,009	25,009
258	0305220F	RQ-4 UAV	191,733	173,883
		Unjustified request		[-17,850]
259	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING	10,757	10,757
260	0305238F	NATO AGS	32,567	32,567
261	0305240F	SUPPORT TO DCGS ENTERPRISE	37,774	37,774
262	0305600F	INTERNATIONAL INTELLIGENCE TECHNOLOGY AND AR- CHITECTURES.	13,515	13,515
263	0305881F	RAPID CYBER ACQUISITION	4,383	4,383
264	0305984F	PERSONNEL RECOVERY COMMAND & CTRL (PRC2)	2,133	2,133
265	0307577F	INTELLIGENCE MISSION DATA (IMD)	8,614	8,614
266	0401115F	C-130 AIRLIFT SQUADRON	140,425	140,425
267	0401119F	C-5 AIRLIFT SQUADRONS (IF)	10,223	10,223
268	0401130F	C-17 AIRCRAFT (IF)	25,101	25,101
269	0401132F	C-130J PROGRAM	8,640	8,640
270	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	5,424	5,424
272	0401219F	KC-10S	20	20
274	0401318F	CV-22	17,906	17,906
276	0408011F	SPECIAL TACTICS / COMBAT CONTROL	3,629	3,629
277	0702207F	DEPOT MAINTENANCE (NON-IF)	1,890	1,890
278	0708055F	MAINTENANCE, REPAIR & OVERHAUL SYSTEM	10,311	10,311
279	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	16,065	16,065
280	0708611F	SUPPORT SYSTEMS DEVELOPMENT	539	539
281	0804743F	OTHER FLIGHT TRAINING	2,057	2,057

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282	0808716F	OTHER PERSONNEL ACTIVITIES	10	10
283	0901202F	JOINT PERSONNEL RECOVERY AGENCY	2,060	2,060
284	0901218F	CIVILIAN COMPENSATION PROGRAM	3,809	3,809
285	0901220F	PERSONNEL ADMINISTRATION	6,476	6,476
286	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY	1,443	1,443
287	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT.	9,323	9,323
288	0901554F	DEFENSE ENTERPRISE ACNTNG AND MGT SYS (DEAMS)	46,789	46,789
289	1201017F	GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN)	3,647	3,647
290	1201921F	SERVICE SUPPORT TO STRATCOM—SPACE ACTIVITIES	988	988
291	1202140F	SERVICE SUPPORT TO SPACECOM ACTIVITIES	11,863	11,863
293	1203001F	FAMILY OF ADVANCED BLOS TERMINALS (FAB-T)	197,388	192,388
		Unjustified growth		[–5,000]
294	1203110F	SATELLITE CONTROL NETWORK (SPACE)	61,891	54,291
		Underexecution of funds and unjustified growth		[–7,600]
297	1203173F	SPACE AND MISSILE TEST AND EVALUATION CENTER	4,566	4,566
298	1203174F	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT.	43,292	43,292
300	1203182F	SPACELIFT RANGE SYSTEM (SPACE)	10,837	10,837
301	1203265F	GPS III SPACE SEGMENT	42,440	42,440
302	1203400F	SPACE SUPERIORITY INTELLIGENCE	14,428	14,428
303	1203614F	JSPOC MISSION SYSTEM	72,762	51,262
		Unjustified growth		[–21,500]
304	1203620F	NATIONAL SPACE DEFENSE CENTER	2,653	2,653
306	1203873F	BALLISTIC MISSILE DEFENSE RADARS	15,881	15,881
308	1203913F	NUDET DETECTION SYSTEM (SPACE)	49,300	49,300
309	1203940F	SPACE SITUATION AWARENESS OPERATIONS	17,834	17,834
310	1206423F	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT.	445,302	445,302
311	1206770F	ENTERPRISE GROUND SERVICES	138,870	128,670
		Unjustified growth		[–10,200]
311A	9999999999	CLASSIFIED PROGRAMS	18,351,506	17,998,506
		Classified reduction		[–353,000]
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	24,851,488	24,263,329
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF	45,938,121	44,111,784
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		BASIC RESEARCH		
001	0601000BR	DTRA BASIC RESEARCH	26,000	26,000
002	0601101E	DEFENSE RESEARCH SCIENCES	432,284	432,284
003	0601110D8Z	BASIC RESEARCH INITIATIVES	48,874	58,874
		Program increase		[10,000]
004	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE	54,122	54,122
005	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	92,074	112,074
		Civics education grant program		[20,000]
006	0601228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS.	30,708	50,708
		Program decrease		[–5,000]
		Program increase		[25,000]
007	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	45,238	45,238
		SUBTOTAL BASIC RESEARCH	729,300	779,300
		APPLIED RESEARCH		
008	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	19,306	19,306
009	0602115E	BIOMEDICAL TECHNOLOGY	97,771	97,771
011	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	52,317	52,317
012	0602251D8Z	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES.	62,200	62,200
013	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY	442,556	442,556
014	0602383E	BIOLOGICAL WARFARE DEFENSE	34,588	34,588
015	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	202,587	215,087
		Program increase		[12,500]
016	0602668D8Z	CYBER SECURITY RESEARCH	15,118	15,118
017	0602702E	TACTICAL TECHNOLOGY	337,602	337,602
018	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	223,976	223,976
019	0602716E	ELECTRONICS TECHNOLOGY	332,192	332,192
020	0602718BR	COUNTER WEAPONS OF MASS DESTRUCTION APPLIED RESEARCH.	179,096	179,096
021	0602751D8Z	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH.	9,580	9,580
022	1160401BB	SOF TECHNOLOGY DEVELOPMENT	40,569	40,569
		SUBTOTAL APPLIED RESEARCH	2,049,458	2,061,958
		ADVANCED TECHNOLOGY DEVELOPMENT		
023	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	25,779	25,779
024	0603121D8Z	SO/LIC ADVANCED DEVELOPMENT	5,000	5,000
025	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	70,517	79,517

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		Counterterrorism detection technologies		[3,000]
		Study of Terrorism and Responses to Terrorism (START)		[6,000]
026	0603133D8Z	FOREIGN COMPARATIVE TESTING	24,970	24,970
028	0603160BR	COUNTER WEAPONS OF MASS DESTRUCTION ADVANCED TECHNOLOGY DEVELOPMENT.	340,065	340,065
029	0603176C	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT ...	14,208	14,208
030	0603178C	WEAPONS TECHNOLOGY	10,000	10,000
031	0603180C	ADVANCED RESEARCH	20,674	27,674
		Advanced carbon-carbon composites manufacturing		[7,000]
032	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	18,773	18,773
033	0603286E	ADVANCED AEROSPACE SYSTEMS	279,741	279,741
034	0603287E	SPACE PROGRAMS AND TECHNOLOGY	202,606	202,606
035	0603288D8Z	ANALYTIC ASSESSMENTS	19,429	19,429
036	0603289D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS	37,645	37,645
037	0603291D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS—MHA ..	14,668	14,668
038	0603294C	COMMON KILL VEHICLE TECHNOLOGY	13,600	13,600
040	0603342D8Z	DEFENSE INNOVATION UNIT (DIU)	29,398	29,398
041	0603375D8Z	TECHNOLOGY INNOVATION	60,000	44,000
		Program decrease		[-16,000]
042	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT.	172,486	172,486
043	0603527D8Z	RETRACT LARCH	159,688	159,688
044	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	12,063	17,063
		Joint electromagnetic spectrum operations		[5,000]
045	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	107,359	107,359
046	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES	2,858	2,858
047	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM.	96,397	116,397
		Additive manufacturing		[10,000]
		Integrated silicon based lasers		[5,000]
		Program increase		[5,000]
048	0603680S	MANUFACTURING TECHNOLOGY PROGRAM	42,834	42,834
049	0603699D8Z	EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT ...	80,911	80,911
050	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	10,817	10,817
051	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	66,157	66,157
052	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT.	171,771	171,771
053	0603727D8Z	JOINT WARFIGHTING PROGRAM	4,846	4,846
054	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES	128,616	128,616
055	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	232,134	232,134
056	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	512,424	512,424
057	0603767E	SENSOR TECHNOLOGY	163,903	163,903
058	0603769D8Z	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT.	13,723	13,723
059	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE	15,111	15,111
060	0603826D8Z	QUICK REACTION SPECIAL PROJECTS	47,147	47,147
061	0603833D8Z	ENGINEERING SCIENCE & TECHNOLOGY	19,376	19,376
062	0603924D8Z	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM	85,223	85,223
063	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	175,574	180,574
		UAV hypersonic test range		[5,000]
064	0603950D8Z	NATIONAL SECURITY INNOVATION NETWORK	25,000	30,000
		Hacking for defense		[5,000]
065	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT	70,536	70,536
066	0303310D8Z	CWMD SYSTEMS	28,907	28,907
068	1160402BB	SOF ADVANCED TECHNOLOGY DEVELOPMENT	89,154	89,154
069	1206310SDA	SPACE SCIENCE AND TECHNOLOGY RESEARCH AND DEVELOPMENT.	20,000	41,500
		Program increase for commercial SSA; funds transferred from JSPOC Mission System.		[21,500]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	3,742,088	3,798,588
		ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES		
070	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P.	42,695	42,695
071	0603600D8Z	WALKOFF	92,791	92,791
072	0603821D8Z	ACQUISITION ENTERPRISE DATA & INFORMATION SERVICES.	5,659	5,659
073	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM.	66,572	66,572
074	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT.	302,761	302,761
075	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT.	1,156,506	960,506
		GBSD booster engineering		[-15,000]
		Unjustified program growth		[-181,000]
076	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEVAL.	83,662	83,662

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077	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	283,487	283,487
078	0603890C	BMD ENABLING PROGRAMS	571,507	570,476
		Rescope FTM-44—Conduct IRBM test		[–1,031]
079	0603891C	SPECIAL PROGRAMS—MDA	377,098	504,098
		Classified reduction		[–8,000]
		Classified unfunded priority		[135,000]
080	0603892C	AEGIS BMD	727,479	702,479
		Unjustified cost growth		[–25,000]
081	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI.	564,206	561,706
		IBCS integration delays		[–1,500]
		Rescope FTM-44—Conduct IRBM test		[–1,000]
082	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUP- PORT.	51,532	51,532
083	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC).	56,161	56,161
084	0603906C	REGARDING TRENCH	22,424	22,424
085	0603907C	SEA BASED X-BAND RADAR (SBX)	128,156	128,156
086	0603913C	ISRAELI COOPERATIVE PROGRAMS	300,000	300,000
087	0603914C	BALLISTIC MISSILE DEFENSE TEST	395,924	393,356
		Rescope FTM-44—Conduct IRBM test		[–2,568]
088	0603915C	BALLISTIC MISSILE DEFENSE TARGETS	554,171	554,171
089	0603920D8Z	HUMANITARIAN DEMINING	10,820	15,820
		Program increase		[5,000]
090	0603923D8Z	COALITION WARFARE	11,316	11,316
091	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM	3,365	3,365
092	0604115C	TECHNOLOGY MATURATION INITIATIVES	303,458	301,122
		Cancel Neutral Particle Beam		[–34,000]
		Increase to low power laser demonstrator		[35,000]
		Rescope FTM-44—Conduct IRBM test		[–3,336]
093	0604132D8Z	MISSILE DEFEAT PROJECT	17,816	7,816
		Lack of justification—program transitioned to military services ...		[–10,000]
095	0604181C	HYPERSONIC DEFENSE	157,425	157,425
096	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES	1,312,735	1,104,585
		Program decrease		[–58,150]
		Realign to 0604011D8Z, Next Generation Information Technology Undistributed		[–50,000] [–100,000]
097	0604294D8Z	TRUSTED & ASSURED MICROELECTRONICS	542,421	542,421
098	0604331D8Z	RAPID PROTOTYPING PROGRAM	100,957	100,957
099	0604341D8Z	DEFENSE INNOVATION UNIT (DIU) PROTOTYPING	92,000	17,000
		Insufficient budget justification for national security innovation capital.		[–75,000]
100	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED SYSTEM COMMON DEVELOPMENT.	3,021	3,021
102	0604672C	HOMELAND DEFENSE RADAR—HAWAII (HDR-H)	274,714	274,714
103	0604673C	PACIFIC DISCRIMINATING RADAR	6,711	6,711
104	0604682D8Z	WARGAMING AND SUPPORT FOR STRATEGIC ANALYSIS (SSA).	3,751	3,751
105	0604775BR	DEFENSE RAPID INNOVATION PROGRAM	14,021	14,021
107	0604826J	JOINT C5 CAPABILITY DEVELOPMENT, INTEGRATION AND INTEROPERABILITY ASSESSMENTS.	20,062	20,062
108	0604873C	LONG RANGE DISCRIMINATION RADAR (LRDR)	136,423	136,423
109	0604874C	IMPROVED HOMELAND DEFENSE INTERCEPTORS	412,363	262,363
		Program delays		[–150,000]
110	0604876C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEG- MENT TEST.	25,137	25,137
111	0604878C	AEGIS BMD TEST	169,822	148,740
		Rescope FTM-44—Conduct IRBM test		[–21,082]
112	0604879C	BALLISTIC MISSILE DEFENSE SENSOR TEST	105,530	94,566
		Rescope FTM-44—Conduct IRBM test		[–10,964]
113	0604880C	LAND-BASED SM-3 (LBSM3)	38,352	38,352
115	0604887C	BALLISTIC MISSILE DEFENSE MIDCOURSE SEGMENT TEST	98,139	96,446
		Rescope FTM-44—Conduct IRBM test		[–1,693]
117	0300206R	ENTERPRISE INFORMATION TECHNOLOGY SYSTEMS	1,600	1,600
118	0303191D8Z	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM	3,191	3,191
119	0305103C	CYBER SECURITY INITIATIVE	1,138	1,138
120	1206410SDA	SPACE TECHNOLOGY DEVELOPMENT AND PROTOTYPING ...	85,000	75,000
		Increase to SDA for multi-GNSS receiver capability development		[20,000]
		Space-based discrimination study		[–15,000]
		Space-based interceptor study		[–15,000]
121	1206893C	SPACE TRACKING & SURVEILLANCE SYSTEM	35,849	35,849
122	1206895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS ..	27,565	135,565
		Hypersonic and Ballistic Tracking Space Sensor		[108,000]
122A	0604011D8Z	NEXT GENERATION INFORMATION COMMUNICATIONS TECHNOLOGY (5G).		175,000
		Program increase		[175,000]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES.	9,797,493	9,496,169

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2020 Request	House Authorized
SYSTEM DEVELOPMENT AND DEMONSTRATION				
123	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD.	11,276	11,276
124	0604165D8Z	PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT	107,000	0
		Lack of justification—awaiting policy		[-76,000]
		Transfer to RDTE, Army Line 100		[-31,000]
125	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD	384,047	384,047
126	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS).	40,102	43,102
		Cyber maturity model certification program		[3,000]
127	0605000BR	COUNTER WEAPONS OF MASS DESTRUCTION SYSTEMS DEVELOPMENT.	13,100	13,100
128	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT	3,070	3,070
129	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE	7,295	7,295
130	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM	17,615	7,615
		Unjustified growth		[-10,000]
131	0605027D8Z	OUS(D) IT DEVELOPMENT INITIATIVES	15,653	15,653
132	0605070S	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION.	2,378	2,378
133	0605075D8Z	CMO POLICY AND INTEGRATION	1,618	1,618
134	0605080S	DEFENSE AGENCY INITIATIVES (DAI)—FINANCIAL SYSTEM	27,944	27,944
135	0605090S	DEFENSE RETIRED AND ANNUITANT PAY SYSTEM (DRAS)	6,609	6,609
136	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES.	9,619	9,619
137	0605294D8Z	TRUSTED & ASSURED MICROELECTRONICS	175,032	175,032
138	0303140BL	INFORMATION SYSTEMS SECURITY PROGRAM	425	425
139	0303141K	GLOBAL COMBAT SUPPORT SYSTEM	1,578	1,578
140	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EIM).	4,373	4,373
141	0305310D8Z	CWMD SYSTEMS: SYSTEM DEVELOPMENT AND DEMONSTRATION.	12,854	12,854
		SUBTOTAL SYSTEM DEVELOPMENT AND DEMONSTRATION.	841,588	727,588
MANAGEMENT SUPPORT				
142	0603829J	JOINT CAPABILITY EXPERIMENTATION	13,000	13,000
143	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS)	9,724	9,724
144	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	9,593	9,593
145	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP).	260,267	240,267
		Undistributed		[-20,000]
146	0604942D8Z	ASSESSMENTS AND EVALUATIONS	30,834	30,834
147	0605001E	MISSION SUPPORT	68,498	68,498
148	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC)	83,091	83,091
149	0605104D8Z	TECHNICAL STUDIES, SUPPORT AND ANALYSIS	18,079	18,079
150	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO).	70,038	70,038
152	0605142D8Z	SYSTEMS ENGINEERING	37,140	37,140
153	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD	4,759	4,759
154	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY	8,307	8,307
155	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	9,441	9,441
156	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE)	1,700	1,700
157	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	110,363	110,363
166	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER.	3,568	3,568
167	0605797D8Z	MAINTAINING TECHNOLOGY ADVANTAGE	19,936	19,936
168	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS	16,875	19,875
		National Science, Technology, and Security Roundtable with Academia.		[3,000]
169	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	57,716	57,716
170	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION.	34,448	34,448
171	0605804D8Z	DEVELOPMENT TEST AND EVALUATION	22,203	22,203
172	0605898E	MANAGEMENT HQ—R&D	13,208	13,208
173	0605998KA	MANAGEMENT HQ—DEFENSE TECHNICAL INFORMATION CENTER (DTIC).	3,027	3,027
174	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS	8,017	8,017
175	0606225D8Z	ODNA TECHNOLOGY AND RESOURCE ANALYSIS	3,194	3,194
176	0606589D8W	DEFENSE DIGITAL SERVICE (DDS) DEVELOPMENT SUPPORT.	1,000	1,000
179	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI)	3,037	3,037
180	0204571J	JOINT STAFF ANALYTICAL SUPPORT	9,216	9,216
183	0303166J	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES.	553	553
184	0303260D8Z	DEFENSE MILITARY DECEPTION PROGRAM OFFICE (DMDPO).	1,014	1,014
185	0305172K	COMBINED ADVANCED APPLICATIONS	58,667	58,667

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2020 Request	House Authorized
187	0305245D8Z	INTELLIGENCE CAPABILITIES AND INNOVATION INVESTMENTS.	21,081	21,081
189	0307588D8Z	ALGORITHMIC WARFARE CROSS FUNCTIONAL TEAMS	221,235	221,235
191	0804768J	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)—NON-MHA.	40,073	40,073
192	0808709SE	DEFENSE EQUAL OPPORTUNITY MANAGEMENT INSTITUTE (DEOMI).	100	100
193	0901598C	MANAGEMENT HQ—MDA	27,065	27,065
194	0903235K	JOINT SERVICE PROVIDER (JSP)	3,090	3,090
194A	9999999999	CLASSIFIED PROGRAMS	51,471	51,471
		SUBTOTAL MANAGEMENT SUPPORT	1,354,628	1,337,628
OPERATIONAL SYSTEM DEVELOPMENT UNDISTRIBUTED				
195	0604130V	ENTERPRISE SECURITY SYSTEM (ESS)	7,945	7,945
196	0604532K	JOINT ARTIFICIAL INTELLIGENCE	208,834	166,834
		Early to need		[-42,000]
197	0605127T	REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNERSHIP FOR PEACE INFORMATION MANA.	1,947	1,947
198	0605147T	OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM (OHASIS).	310	310
199	0607210D8Z	INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT	10,051	19,051
		Composite manufacturing technology		[5,000]
		Lithium ion batteries		[4,000]
200	0607310D8Z	CWMD SYSTEMS: OPERATIONAL SYSTEMS DEVELOPMENT ..	12,734	12,734
201	0607327T	GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEMS (G-TSCMS).	14,800	14,800
202	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT).	54,023	54,023
203	0208043J	PLANNING AND DECISION AID SYSTEM (PDAS)	4,537	4,537
204	0208045K	C4I INTEROPERABILITY	64,122	64,122
210	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION.	15,798	15,798
211	0303126K	LONG-HAUL COMMUNICATIONS—DCS	11,166	11,166
212	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN).	17,383	17,383
214	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI)	54,516	54,516
215	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM	67,631	89,631
		Cyber institutes for senior military colleges		[12,000]
		Implementation of Cyber Excepted Service		[10,000]
216	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM	289,080	287,198
		Realignment to DISA for Sharkseer		[-1,882]
217	0303140K	INFORMATION SYSTEMS SECURITY PROGRAM	42,796	44,678
		Realignment for Sharkseer		[1,882]
218	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	25,218	25,218
219	0303153K	DEFENSE SPECTRUM ORGANIZATION	21,698	21,698
220	0303228K	JOINT REGIONAL SECURITY STACKS (JRSS)	18,077	18,077
222	0303430K	FEDERAL INVESTIGATIVE SERVICES INFORMATION TECHNOLOGY.	44,001	44,001
228	0305128V	SECURITY AND INVESTIGATIVE ACTIVITIES	2,400	2,400
232	0305186D8Z	POLICY R&D PROGRAMS	6,301	6,301
233	0305199D8Z	NET CENTRICITY	21,384	21,384
235	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	6,359	6,359
238	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	2,981	2,981
241	0305327V	INSIDER THREAT	1,964	1,964
242	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM	2,221	2,221
250	0708012K	LOGISTICS SUPPORT ACTIVITIES	1,361	1,361
251	0708012S	PACIFIC DISASTER CENTERS	1,770	1,770
252	0708047S	DEFENSE PROPERTY ACCOUNTABILITY SYSTEM	3,679	3,679
254	1105219BB	MQ-9 UAV	20,697	20,697
256	1160403BB	AVIATION SYSTEMS	245,795	263,021
		Program increase—Future Vertical Lift		[8,800]
		Program increase—RFCM		[8,426]
257	1160405BB	INTELLIGENCE SYSTEMS DEVELOPMENT	15,484	15,484
258	1160408BB	OPERATIONAL ENHANCEMENTS	166,922	166,922
259	1160431BB	WARRIOR SYSTEMS	62,332	62,332
260	1160432BB	SPECIAL PROGRAMS	21,805	21,805
261	1160434BB	UNMANNED ISR	37,377	37,377
262	1160480BB	SOF TACTICAL VEHICLES	11,150	11,150
263	1160483BB	MARITIME SYSTEMS	72,626	72,626
264	1160489BB	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	5,363	5,363
265	1160490BB	OPERATIONAL ENHANCEMENTS INTELLIGENCE	12,962	12,962
266	1203610K	TELEPORT PROGRAM	6,158	6,158
266A	9999999999	CLASSIFIED PROGRAMS	4,542,640	4,542,640
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT ...	6,258,398	6,383,624
267A	9999999999	UNDISTRIBUTED		119,000
		Transfer to NRO for weather satellite procurement to mitigate weather capability gaps risk in 2022–2023.		[119,000]

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (In Thousands of Dollars)				
Line	Program Element	Item	FY 2020 Request	House Authorized
		SUBTOTAL UNDISTRIBUTED		125,226
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW.	24,772,953	24,584,855
		OPERATIONAL TEST & EVAL, DEFENSE MANAGEMENT SUPPORT		
001	0605118OTE	OPERATIONAL TEST AND EVALUATION	93,291	93,291
002	0605131OTE	LIVE FIRE TEST AND EVALUATION	69,172	69,172
003	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	58,737	58,737
		SUBTOTAL MANAGEMENT SUPPORT	221,200	221,200
		TOTAL OPERATIONAL TEST & EVAL, DEFENSE	221,200	221,200
		TOTAL RDT&E	103,395,544	100,787,668

1 **SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
2 **TION FOR OVERSEAS CONTINGENCY OPER-**
3 **ATIONS.**

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OP- ERATIONS (In Thousands of Dollars)				
Line	Program Element	Item	FY 2020 Request	House Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY ADVANCED COMPONENT DEVELOPMENT & PROTO- TYPES		
074	0603327A	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING	500	500
079	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	3,000	3,000
085	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	1,085	1,085
095	0604117A	MANEUVER—SHORT RANGE AIR DEFENSE (M-SHORAD)	6,000	0
		Unjustified request		[-6,000]
097	0604119A	ARMY ADVANCED COMPONENT DEVELOPMENT & PROTO- TYPING.	4,529	4,529
105	0604785A	INTEGRATED BASE DEFENSE (BUDGET ACTIVITY 4)	2,000	0
		Unjustified request		[-2,000]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	17,114	9,114
		SYSTEM DEVELOPMENT & DEMONSTRATION		
151	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM)	11,770	11,770
159	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT	77,420	77,420
163	0605203A	ARMY SYSTEM DEVELOPMENT & DEMONSTRATION	19,527	19,527
174	0304270A	ELECTRONIC WARFARE DEVELOPMENT	3,200	3,200
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRA- TION.	111,917	111,917
		RDT&E MANAGEMENT SUPPORT		
200	0606003A	COUNTERINTEL AND HUMAN INTEL MODERNIZATION	1,875	1,875
		SUBTOTAL RDT&E MANAGEMENT SUPPORT	1,875	1,875
		OPERATIONAL SYSTEMS DEVELOPMENT		
238	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES	22,904	22,904
246	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	34,100	34,100
247	0305206A	AIRBORNE RECONNAISSANCE SYSTEMS	14,000	14,000
252	0307665A	BIOMETRICS ENABLED INTELLIGENCE	2,214	2,214
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	73,218	73,218
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY.	204,124	196,124
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY ADVANCED COMPONENT DEVELOPMENT & PROTO- TYPES		
028	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	2,400	2,400
038	0603527N	RETRACT LARCH	22,000	22,000
057	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	14,178	14,178
069	0603795N	LAND ATTACK TECHNOLOGY	1,428	1,428
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	40,006	40,006

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Program Element	Item	FY 2020 Request	House Authorized
SYSTEM DEVELOPMENT & DEMONSTRATION				
143	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	1,122	1,122
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	1,122	1,122
OPERATIONAL SYSTEMS DEVELOPMENT				
228	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	15,000	15,000
259A	9999999999	CLASSIFIED PROGRAMS	108,282	108,282
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	123,282	123,282
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY.	164,410	164,410
RESEARCH, DEVELOPMENT, TEST & EVAL, AF ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES				
048	0604858F	TECH TRANSITION PROGRAM	26,450	26,450
072	1206857F	SPACE RAPID CAPABILITIES OFFICE	17,885	17,885
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	44,335	44,335
OPERATIONAL SYSTEMS DEVELOPMENT				
177	0205671F	JOINT COUNTER RCIED ELECTRONIC WARFARE	4,000	4,000
217	0208288F	INTEL DATA APPLICATIONS	1,200	1,200
311A	9999999999	CLASSIFIED PROGRAMS	78,713	78,713
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	83,913	83,913
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF ..	128,248	128,248
RESEARCH, DEVELOPMENT, TEST & EVAL, DW APPLIED RESEARCH				
010	0602134BR	COUNTER IMPROVISED-THREAT ADVANCED STUDIES	1,677	1,677
		SUBTOTAL APPLIED RESEARCH	1,677	1,677
ADVANCED TECHNOLOGY DEVELOPMENT				
025	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	25,230	25,230
027	0603134BR	COUNTER IMPROVISED-THREAT SIMULATION	49,528	49,528
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	74,758	74,758
ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES				
094	0604134BR	COUNTER IMPROVISED-THREAT DEMONSTRATION, PROTOTYPE DEVELOPMENT, AND TESTING.	113,590	113,590
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES.	113,590	113,590
OPERATIONAL SYSTEM DEVELOPMENT UNDISTRIBUTED				
258	1160408BB	OPERATIONAL ENHANCEMENTS	726	726
259	1160431BB	WARRIOR SYSTEMS	6,000	6,000
261	1160434BB	UNMANNED ISR	5,000	5,000
266A	9999999999	CLASSIFIED PROGRAMS	200,199	200,199
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT	211,925	211,925
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	401,950	401,950
		TOTAL RDT&E	898,732	890,732

1 **TITLE XLIII—OPERATION AND**
2 **MAINTENANCE**
3 **SEC. 4301. OPERATION AND MAINTENANCE.**

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2020 Request	House Authorized
OPERATION & MAINTENANCE, ARMY OPERATING FORCES			
010	MANEUVER UNITS	1,735,922	1,659,222

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
	Unjustified growth		[-76,700]
020	MODULAR SUPPORT BRIGADES	127,815	126,515
	Unjustified growth		[-1,300]
030	ECHELONS ABOVE BRIGADE	716,356	709,356
	Unjustified growth		[-7,000]
040	THEATER LEVEL ASSETS	890,891	881,991
	Unjustified growth		[-8,900]
050	LAND FORCES OPERATIONS SUPPORT	1,232,477	1,230,477
	Unjustified growth		[-2,000]
060	AVIATION ASSETS	1,355,606	1,282,106
	Excess to need		[-73,500]
070	FORCE READINESS OPERATIONS SUPPORT	3,882,315	2,659,315
	Excess FTE request		[-38,000]
	Female Personal Protective Equipment		[2,000]
	Realignment to OCO		[-1,100,000]
	Unjustified growth		[-12,000]
	Unjustified transfer		[-75,000]
080	LAND FORCES SYSTEMS READINESS	417,069	417,069
090	LAND FORCES DEPOT MAINTENANCE	1,633,327	1,633,327
100	BASE OPERATIONS SUPPORT	8,047,933	8,002,933
	Unjustified growth		[-45,000]
110	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	4,326,840	4,051,840
	Unexecutable growth		[-275,000]
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS ...	405,612	405,612
160	US AFRICA COMMAND	251,511	251,511
170	US EUROPEAN COMMAND	146,358	146,358
180	US SOUTHERN COMMAND	191,840	218,340
	Multi-Mission Support Vessel		[18,000]
	Overland airborne ISR operations		[8,500]
190	US FORCES KOREA	57,603	57,603
200	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	423,156	423,156
210	CYBERSPACE ACTIVITIES—CYBERSECURITY	551,185	551,185
	SUBTOTAL OPERATING FORCES	26,393,816	24,707,916
	MOBILIZATION		
220	STRATEGIC MOBILITY	380,577	380,577
230	ARMY PREPOSITIONED STOCKS	362,942	362,942
240	INDUSTRIAL PREPAREDNESS	4,637	4,637
	SUBTOTAL MOBILIZATION	748,156	748,156
	TRAINING AND RECRUITING		
250	OFFICER ACQUISITION	157,175	157,175
260	RECRUIT TRAINING	55,739	55,739
270	ONE STATION UNIT TRAINING	62,300	62,300
280	SENIOR RESERVE OFFICERS TRAINING CORPS	538,357	538,357
290	SPECIALIZED SKILL TRAINING	969,813	969,813
300	FLIGHT TRAINING	1,234,049	1,209,049
	Changes to AH-64E Program		[-25,000]
310	PROFESSIONAL DEVELOPMENT EDUCATION	218,338	218,338
320	TRAINING SUPPORT	554,659	550,659
	Excess travel request		[-4,000]
330	RECRUITING AND ADVERTISING	716,056	716,056
340	EXAMINING	185,034	185,034
350	OFF-DUTY AND VOLUNTARY EDUCATION	214,275	214,275
360	CIVILIAN EDUCATION AND TRAINING	147,647	147,647
370	JUNIOR RESERVE OFFICER TRAINING CORPS	173,812	173,812
	SUBTOTAL TRAINING AND RECRUITING	5,227,254	5,198,254
	ADMIN & SRVWIDE ACTIVITIES		
390	SERVICEWIDE TRANSPORTATION	559,229	559,229
400	CENTRAL SUPPLY ACTIVITIES	929,944	927,944
	Excess personnel		[-2,000]
410	LOGISTIC SUPPORT ACTIVITIES	629,981	629,981
420	AMMUNITION MANAGEMENT	458,771	458,771
430	ADMINISTRATION	428,768	428,768
440	SERVICEWIDE COMMUNICATIONS	1,512,736	1,512,736
450	MANPOWER MANAGEMENT	272,738	272,738
460	OTHER PERSONNEL SUPPORT	391,869	381,869
	Unjustified growth		[-10,000]

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
470	OTHER SERVICE SUPPORT	1,901,165	1,896,080
	Unjustified headquarters growth		[-5,085]
480	ARMY CLAIMS ACTIVITIES	198,765	198,765
490	REAL ESTATE MANAGEMENT	226,248	226,248
500	FINANCIAL MANAGEMENT AND AUDIT READINESS	315,489	310,489
	Unjustified growth to General Fund Enterprise Business System		[-5,000]
510	INTERNATIONAL MILITARY HEADQUARTERS	427,254	427,254
520	MISC. SUPPORT OF OTHER NATIONS	43,248	43,248
565	CLASSIFIED PROGRAMS	1,347,053	1,347,053
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	9,643,258	9,621,173
	UNDISTRIBUTED		
570	UNDISTRIBUTED		-110,000
	Overestimation of Civilian FTE Targets		[-110,000]
	SUBTOTAL UNDISTRIBUTED		-110,000
	TOTAL OPERATION & MAINTENANCE, ARMY	42,012,484	40,165,499
	OPERATION & MAINTENANCE, ARMY RES OPERATING FORCES		
010	MODULAR SUPPORT BRIGADES	11,927	11,927
020	ECHELONS ABOVE BRIGADE	533,015	533,015
030	THEATER LEVEL ASSETS	119,517	118,101
	Insufficient justification		[-1,416]
040	LAND FORCES OPERATIONS SUPPORT	550,468	548,268
	Insufficient justification		[-2,200]
050	AVIATION ASSETS	86,670	85,170
	Unjustified growth		[-1,500]
060	FORCE READINESS OPERATIONS SUPPORT	390,061	388,661
	Excess civilian increase		[-400]
	Excess travel increase		[-1,000]
070	LAND FORCES SYSTEMS READINESS	101,890	101,890
080	LAND FORCES DEPOT MAINTENANCE	48,503	48,503
090	BASE OPERATIONS SUPPORT	598,907	598,907
100	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	444,376	444,376
110	MANAGEMENT AND OPERATIONAL HEADQUARTERS ...	22,095	22,095
120	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	3,288	3,288
130	CYBERSPACE ACTIVITIES—CYBERSECURITY	7,655	7,655
	SUBTOTAL OPERATING FORCES	2,918,372	2,911,856
	ADMIN & SRVWD ACTIVITIES		
140	SERVICEMAN TRANSPORTATION	14,533	14,533
150	ADMINISTRATION	17,231	17,231
160	SERVICEMAN COMMUNICATIONS	14,304	14,304
170	MANPOWER MANAGEMENT	6,129	6,129
180	RECRUITING AND ADVERTISING	58,541	58,541
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	110,738	110,738
	TOTAL OPERATION & MAINTENANCE, ARMY RES	3,029,110	3,022,594
	OPERATION & MAINTENANCE, ARNG OPERATING FORCES		
010	MANEUVER UNITS	805,671	797,671
	Excess growth		[-8,000]
020	MODULAR SUPPORT BRIGADES	195,334	193,334
	Excess growth		[-2,000]
030	ECHELONS ABOVE BRIGADE	771,048	770,548
	Excess growth		[-500]
040	THEATER LEVEL ASSETS	94,726	91,826
	Excess growth		[-2,900]
050	LAND FORCES OPERATIONS SUPPORT	33,696	33,696
060	AVIATION ASSETS	981,819	973,819
	Insufficient justification		[-8,000]
070	FORCE READINESS OPERATIONS SUPPORT	743,206	743,206
080	LAND FORCES SYSTEMS READINESS	50,963	50,963
090	LAND FORCES DEPOT MAINTENANCE	258,278	249,778
	Insufficient justification		[-8,500]

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
100	BASE OPERATIONS SUPPORT	1,153,076	1,121,576
	Insufficient justification		[-31,500]
110	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	1,113,475	1,033,475
	Insufficient justification		[-80,000]
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS ...	1,001,042	987,042
	Insufficient justification		[-14,000]
130	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	8,448	8,448
140	CYBERSPACE ACTIVITIES—CYBERSECURITY	7,768	7,768
	SUBTOTAL OPERATING FORCES	7,218,550	7,063,150
ADMIN & SRVWD ACTIVITIES			
150	SERVICEWIDE TRANSPORTATION	9,890	9,890
160	ADMINISTRATION	71,070	71,070
170	SERVICEWIDE COMMUNICATIONS	68,213	68,213
180	MANPOWER MANAGEMENT	8,628	8,628
190	OTHER PERSONNEL SUPPORT	250,376	250,376
200	REAL ESTATE MANAGEMENT	2,676	2,676
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	410,853	410,853
	TOTAL OPERATION & MAINTENANCE, ARNG	7,629,403	7,474,003
OPERATION & MAINTENANCE, NAVY OPERATING FORCES			
010	MISSION AND OTHER FLIGHT OPERATIONS	5,309,109	5,029,734
	Excess growth		[-15,000]
	Projected underexecution		[-50,000]
	Realignment to OCO		[-214,375]
020	FLEET AIR TRAINING	2,284,828	2,234,828
	Projected underexecution		[-50,000]
030	AVIATION TECHNICAL DATA & ENGINEERING SERV- ICES	59,299	59,299
040	AIR OPERATIONS AND SAFETY SUPPORT	155,896	155,896
050	AIR SYSTEMS SUPPORT	719,107	719,107
060	AIRCRAFT DEPOT MAINTENANCE	1,154,181	1,154,181
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	60,402	59,202
	Excess growth		[-1,200]
080	AVIATION LOGISTICS	1,241,421	1,219,421
	Projected underexecution		[-22,000]
090	MISSION AND OTHER SHIP OPERATIONS	4,097,262	3,596,262
	Realignment to OCO		[-450,000]
	Unjustified growth		[-51,000]
100	SHIP OPERATIONS SUPPORT & TRAINING	1,031,792	1,029,792
	Excess civilian growth		[-2,000]
110	SHIP DEPOT MAINTENANCE	8,061,298	8,895,298
	Surface ship maintenance		[161,000]
	USS Boise		[310,000]
	USS Columbus		[57,000]
	USS Hartford		[306,000]
120	SHIP DEPOT OPERATIONS SUPPORT	2,073,641	2,066,141
	Insufficient justification		[-7,500]
130	COMBAT COMMUNICATIONS AND ELECTRONIC WAR- FARE	1,378,856	1,378,856
140	SPACE SYSTEMS AND SURVEILLANCE	276,245	273,745
	Unjustified growth		[-2,500]
150	WARFARE TACTICS	675,209	675,209
160	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	389,516	389,516
170	COMBAT SUPPORT FORCES	1,536,310	1,526,310
	Unjustified growth		[-10,000]
180	EQUIPMENT MAINTENANCE AND DEPOT OPERATIONS SUPPORT	161,579	161,579
190	COMBATANT COMMANDERS CORE OPERATIONS	59,521	59,521
200	COMBATANT COMMANDERS DIRECT MISSION SUP- PORT	93,978	93,978
210	MILITARY INFORMATION SUPPORT OPERATIONS	8,641	8,641
220	CYBERSPACE ACTIVITIES	496,385	496,385
230	FLEET BALLISTIC MISSILE	1,423,339	1,423,339
240	WEAPONS MAINTENANCE	924,069	895,032
	Insufficient justification		[-29,037]
250	OTHER WEAPON SYSTEMS SUPPORT	540,210	540,210

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
260	ENTERPRISE INFORMATION	1,131,627	1,081,627
	Unjustified growth		[-50,000]
270	SUSTAINMENT, RESTORATION AND MODERNIZATION	3,029,634	2,929,634
	Unexecutable growth		[-100,000]
280	BASE OPERATING SUPPORT	4,414,943	4,414,943
	SUBTOTAL OPERATING FORCES	42,788,298	42,567,686
MOBILIZATION			
290	SHIP PREPOSITIONING AND SURGE	942,902	668,561
	Realignment to NDSF (DoD mobilization alterations)		[-9,590]
	Realignment to NDSF (LSMR maintenance)		[-264,751]
300	READY RESERVE FORCE	352,044	0
	Realignment to NDSF		[-352,044]
310	SHIP ACTIVATIONS/INACTIVATIONS	427,555	427,555
320	EXPEDITIONARY HEALTH SERVICES SYSTEMS	137,597	40,730
	Realignment to NDSF (TAH maintenance)		[-96,867]
330	COAST GUARD SUPPORT	24,604	24,604
	SUBTOTAL MOBILIZATION	1,884,702	1,161,450
TRAINING AND RECRUITING			
340	OFFICER ACQUISITION	150,765	150,765
350	RECRUIT TRAINING	11,584	11,584
360	RESERVE OFFICERS TRAINING CORPS	159,133	159,133
370	SPECIALIZED SKILL TRAINING	911,316	891,316
	Insufficient justification		[-20,000]
380	PROFESSIONAL DEVELOPMENT EDUCATION	185,211	186,261
	Program Increase: Sea Cadets		[1,050]
390	TRAINING SUPPORT	267,224	267,224
400	RECRUITING AND ADVERTISING	209,252	209,252
410	OFF-DUTY AND VOLUNTARY EDUCATION	88,902	88,902
420	CIVILIAN EDUCATION AND TRAINING	67,492	67,492
430	JUNIOR ROTC	55,164	55,164
	SUBTOTAL TRAINING AND RECRUITING	2,106,043	2,087,093
ADMIN & SRVWD ACTIVITIES			
440	ADMINISTRATION	1,143,358	1,096,733
	Excess civilian growth		[-14,375]
	Insufficient justification—MHA Transfer		[-25,500]
	Unjustified growth		[-6,750]
450	CIVILIAN MANPOWER AND PERSONNEL MANAGE- MENT	178,342	175,342
	Excess civilian growth		[-3,000]
460	MILITARY MANPOWER AND PERSONNEL MANAGE- MENT	418,413	418,413
490	SERVICEWIDE TRANSPORTATION	157,465	157,465
510	PLANNING, ENGINEERING, AND PROGRAM SUPPORT ..	485,397	485,397
520	ACQUISITION, LOGISTICS, AND OVERSIGHT	654,137	654,137
530	INVESTIGATIVE AND SECURITY SERVICES	718,061	718,061
645	CLASSIFIED PROGRAMS	591,535	591,535
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	4,346,708	4,297,083
UNDISTRIBUTED			
650	UNDISTRIBUTED		-30,000
	Overestimation of Civilian FTE Targets		[-30,000]
	SUBTOTAL UNDISTRIBUTED		-30,000
	TOTAL OPERATION & MAINTENANCE, NAVY	51,125,751	50,083,312
OPERATION & MAINTENANCE, MARINE CORPS OPERATING FORCES			
010	OPERATIONAL FORCES	968,224	927,224
	Excess civilian growth		[-1,000]
	Unjustified growth		[-40,000]
020	FIELD LOGISTICS	1,278,533	1,269,533
	Excess civilian growth		[-2,000]
	Unjustified growth		[-7,000]
030	DEPOT MAINTENANCE	232,991	232,991
040	MARITIME PREPOSITIONING	100,396	100,396
050	CYBERSPACE ACTIVITIES	203,580	201,580
	Excess civilian growth		[-2,000]

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
060	SUSTAINMENT, RESTORATION & MODERNIZATION	1,559,034	1,559,034
070	BASE OPERATING SUPPORT	2,253,776	2,213,776
	Excess civilian growth		[-6,000]
	Unjustified growth		[-34,000]
	SUBTOTAL OPERATING FORCES	6,596,534	6,504,534
	TRAINING AND RECRUITING		
080	RECRUIT TRAINING	21,240	21,240
090	OFFICER ACQUISITION	1,168	1,168
100	SPECIALIZED SKILL TRAINING	106,601	106,601
110	PROFESSIONAL DEVELOPMENT EDUCATION	49,095	49,095
120	TRAINING SUPPORT	407,315	403,715
	Excess civilian growth		[-1,300]
	Unjustified growth		[-2,300]
130	RECRUITING AND ADVERTISING	210,475	210,475
140	OFF-DUTY AND VOLUNTARY EDUCATION	42,810	42,810
150	JUNIOR ROTC	25,183	25,183
	SUBTOTAL TRAINING AND RECRUITING	863,887	860,287
	ADMIN & SRVWD ACTIVITIES		
160	SERVICEWIDE TRANSPORTATION	29,894	29,894
170	ADMINISTRATION	384,352	383,002
	Excess civilian growth		[-750]
	Unjustified growth		[-600]
225	CLASSIFIED PROGRAMS	52,057	52,057
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	466,303	464,953
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	7,926,724	7,829,774
	OPERATION & MAINTENANCE, NAVY RES OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	654,220	639,220
	Unjustified growth		[-15,000]
020	INTERMEDIATE MAINTENANCE	8,767	8,767
030	AIRCRAFT DEPOT MAINTENANCE	108,236	108,236
040	AIRCRAFT DEPOT OPERATIONS SUPPORT	463	463
050	AVIATION LOGISTICS	26,014	26,014
060	SHIP OPERATIONS SUPPORT & TRAINING	583	583
070	COMBAT COMMUNICATIONS	17,883	17,883
080	COMBAT SUPPORT FORCES	128,079	128,079
090	CYBERSPACE ACTIVITIES	356	356
100	ENTERPRISE INFORMATION	26,133	26,133
110	SUSTAINMENT, RESTORATION AND MODERNIZATION	35,397	35,397
120	BASE OPERATING SUPPORT	101,376	101,376
	SUBTOTAL OPERATING FORCES	1,107,507	1,092,507
	ADMIN & SRVWD ACTIVITIES		
130	ADMINISTRATION	1,888	1,888
140	MILITARY MANPOWER AND PERSONNEL MANAGE- MENT	12,778	12,778
150	ACQUISITION AND PROGRAM MANAGEMENT	2,943	2,943
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	17,609	17,609
	TOTAL OPERATION & MAINTENANCE, NAVY RES	1,125,116	1,110,116
	OPERATION & MAINTENANCE, MC RESERVE OPERATING FORCES		
010	OPERATING FORCES	106,484	106,484
020	DEPOT MAINTENANCE	18,429	18,429
030	SUSTAINMENT, RESTORATION AND MODERNIZATION	47,516	47,516
040	BASE OPERATING SUPPORT	106,073	106,073
	SUBTOTAL OPERATING FORCES	278,502	278,502
	ADMIN & SRVWD ACTIVITIES		
050	ADMINISTRATION	13,574	13,574
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	13,574	13,574
	TOTAL OPERATION & MAINTENANCE, MC RE- SERVE	292,076	292,076

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
OPERATION & MAINTENANCE, AIR FORCE			
OPERATING FORCES			
010	PRIMARY COMBAT FORCES	729,127	727,477
	Excess travel costs		[-1,650]
020	COMBAT ENHANCEMENT FORCES	1,318,770	1,318,770
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,486,790	1,446,790
	Unjustified growth		[-40,000]
040	DEPOT PURCHASE EQUIPMENT MAINTENANCE	3,334,792	3,534,792
	Readiness restoration		[200,000]
050	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	4,142,435	4,142,435
060	CYBERSPACE SUSTAINMENT	228,811	228,811
070	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUP- PORT	8,329,364	8,438,364
	Expansion of Conditions Based Maintenance Plus (CBM+)		[18,000]
	Readiness restoration		[91,000]
080	FLYING HOUR PROGRAM	4,048,773	3,498,773
	Realignment to OCO		[-550,000]
090	BASE SUPPORT	7,223,982	7,073,982
	Insufficient justification		[-150,000]
100	GLOBAL C3I AND EARLY WARNING	964,553	964,553
110	OTHER COMBAT OPS SPT PROGRAMS	1,032,307	1,026,161
	Unjustified growth		[-6,146]
120	CYBERSPACE ACTIVITIES	670,076	670,076
140	LAUNCH FACILITIES	179,980	179,980
150	SPACE CONTROL SYSTEMS	467,990	464,490
	Insufficient justification		[-3,500]
160	US NORTHCOM/NORAD	184,655	184,655
170	US STRATCOM	478,357	478,357
180	US CYBERCOM	323,121	323,121
190	US CENTCOM	160,989	160,989
200	US SOCOM	6,225	6,225
210	US TRANSCOM	544	544
220	CENTCOM CYBERSPACE SUSTAINMENT	2,073	2,073
230	USSPACECOM	70,588	70,588
235	CLASSIFIED PROGRAMS	1,322,944	1,322,944
	SUBTOTAL OPERATING FORCES	36,707,246	36,264,950
MOBILIZATION			
240	AIRLIFT OPERATIONS	1,158,142	1,151,342
	Unjustified growth		[-6,800]
250	MOBILIZATION PREPAREDNESS	138,672	130,172
	Unjustified growth		[-8,500]
	SUBTOTAL MOBILIZATION	1,296,814	1,281,514
TRAINING AND RECRUITING			
260	OFFICER ACQUISITION	130,835	130,835
270	RECRUIT TRAINING	26,021	26,021
280	RESERVE OFFICERS TRAINING CORPS (ROTC)	121,391	121,391
290	SPECIALIZED SKILL TRAINING	454,539	449,539
	Insufficient justification		[-5,000]
300	FLIGHT TRAINING	600,565	600,565
310	PROFESSIONAL DEVELOPMENT EDUCATION	282,788	282,788
320	TRAINING SUPPORT	123,988	119,988
	Unjustified growth		[-4,000]
330	RECRUITING AND ADVERTISING	167,731	167,731
340	EXAMINING	4,576	4,576
350	OFF-DUTY AND VOLUNTARY EDUCATION	211,911	211,911
360	CIVILIAN EDUCATION AND TRAINING	219,021	219,021
370	JUNIOR ROTC	62,092	62,092
	SUBTOTAL TRAINING AND RECRUITING	2,405,458	2,396,458
ADMIN & SRVWD ACTIVITIES			
380	LOGISTICS OPERATIONS	664,926	664,926
390	TECHNICAL SUPPORT ACTIVITIES	101,483	101,483
400	ADMINISTRATION	892,480	892,480
410	SERVICEWIDE COMMUNICATIONS	152,532	152,532
420	OTHER SERVICEWIDE ACTIVITIES	1,254,089	1,254,089
430	CIVIL AIR PATROL	30,070	37,200

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
	Improved emergency crew readiness		[7,130]
460	INTERNATIONAL SUPPORT	136,110	136,110
465	CLASSIFIED PROGRAMS	1,269,624	1,269,624
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	4,501,314	4,508,444
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	44,910,832	44,451,366
	OPERATION & MAINTENANCE, SPACE FORCE OPERATING FORCES		
010	BASE SUPPORT	72,436	15,000
	Insufficient justification		[-57,436]
	SUBTOTAL OPERATING FORCES	72,436	15,000
	TOTAL OPERATION & MAINTENANCE, SPACE FORCE	72,436	15,000
	OPERATION & MAINTENANCE, AF RESERVE OPERATING FORCES		
010	PRIMARY COMBAT FORCES	1,781,413	1,739,288
	Delay in KC-46 aircraft delivery		[-31,492]
	Excess Growth		[-10,633]
020	MISSION SUPPORT OPERATIONS	209,650	204,150
	Insufficient justification		[-5,500]
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	494,235	484,235
	Excess growth		[-10,000]
040	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	128,746	128,746
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUP- PORT	256,512	256,512
060	BASE SUPPORT	414,626	414,626
070	CYBERSPACE ACTIVITIES	1,673	1,673
	SUBTOTAL OPERATING FORCES	3,286,855	3,229,230
	ADMINISTRATION AND SERVICEWIDE ACTIVI- TIES		
080	ADMINISTRATION	69,436	69,436
090	RECRUITING AND ADVERTISING	22,124	22,124
100	MILITARY MANPOWER AND PERS MGMT (ARPC)	10,946	10,946
110	OTHER PERS SUPPORT (DISABILITY COMP)	7,009	7,009
120	AUDIOVISUAL	448	448
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	109,963	109,963
	TOTAL OPERATION & MAINTENANCE, AF RE- SERVE	3,396,818	3,339,193
	OPERATION & MAINTENANCE, ANG OPERATING FORCES		
010	AIRCRAFT OPERATIONS	2,497,967	2,414,000
	Delay in KC-46 aircraft delivery		[-5,267]
	Insufficient justification		[-78,700]
020	MISSION SUPPORT OPERATIONS	600,377	585,377
	Insufficient justification		[-15,000]
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	879,467	872,467
	Excess growth		[-7,000]
040	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	400,734	395,134
	Insufficient justification		[-5,600]
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUP- PORT	1,299,089	1,290,089
	Excess growth		[-9,000]
060	BASE SUPPORT	911,775	901,775
	Insufficient justification		[-10,000]
070	CYBERSPACE SUSTAINMENT	24,742	24,742
080	CYBERSPACE ACTIVITIES	25,507	25,507
	SUBTOTAL OPERATING FORCES	6,639,658	6,509,091
	ADMINISTRATION AND SERVICE-WIDE ACTIVI- TIES		

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
090	ADMINISTRATION	47,215	47,215
100	RECRUITING AND ADVERTISING	40,356	40,356
	SUBTOTAL ADMINISTRATION AND SERVICE- WIDE ACTIVITIES	87,571	87,571
	TOTAL OPERATION & MAINTENANCE, ANG	6,727,229	6,596,662
	OPERATION AND MAINTENANCE, DEFENSE- WIDE OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	409,542	409,542
020	JOINT CHIEFS OF STAFF—CE2T2	579,179	579,179
030	JOINT CHIEFS OF STAFF—CYBER	24,598	24,598
040	SPECIAL OPERATIONS COMMAND COMBAT DEVELOP- MENT ACTIVITIES	1,075,762	1,075,762
050	SPECIAL OPERATIONS COMMAND CYBERSPACE AC- TIVITIES	14,409	14,409
060	SPECIAL OPERATIONS COMMAND INTELLIGENCE	501,747	486,747
	Program decrease—SOCRATES		[−9,000]
	Unjustified growth—DCGS		[−6,000]
070	SPECIAL OPERATIONS COMMAND MAINTENANCE	559,300	544,300
	Projected underexecution		[−15,000]
080	SPECIAL OPERATIONS COMMAND MANAGEMENT/ OPERATIONAL HEADQUARTERS	177,928	177,928
090	SPECIAL OPERATIONS COMMAND OPERATIONAL SUP- PORT	925,262	899,262
	Base support underexecution		[−6,000]
	Operational support underexecution		[−10,000]
	Unjustified growth—C4IAS Saas		[−10,000]
100	SPECIAL OPERATIONS COMMAND THEATER FORCES ..	2,764,738	2,724,738
	Program decrease		[−55,000]
	Program increase—suicide prevention		[15,000]
	SUBTOTAL OPERATING FORCES	7,032,465	6,936,465
	TRAINING AND RECRUITING		
120	DEFENSE ACQUISITION UNIVERSITY	180,250	180,250
130	JOINT CHIEFS OF STAFF	100,610	100,610
140	PROFESSIONAL DEVELOPMENT EDUCATION	33,967	33,967
	SUBTOTAL TRAINING AND RECRUITING	314,827	314,827
	ADMIN & SRVWIDE ACTIVITIES		
160	CIVIL MILITARY PROGRAMS	165,707	195,707
	Program increase—STARBASE		[30,000]
180	DEFENSE CONTRACT AUDIT AGENCY	627,467	627,467
190	DEFENSE CONTRACT AUDIT AGENCY—CYBER	3,362	3,362
200	DEFENSE CONTRACT MANAGEMENT AGENCY	1,438,068	1,438,068
210	DEFENSE CONTRACT MANAGEMENT AGENCY—CYBER ..	24,391	24,391
220	DEFENSE HUMAN RESOURCES ACTIVITY	892,438	898,438
	Program increase—national flagship language initiative		[6,000]
230	DEFENSE INFORMATION SYSTEMS AGENCY	2,012,885	2,028,022
	Realignment for Sharkseer		[35,137]
	Unjustified growth		[−20,000]
240	DEFENSE INFORMATION SYSTEMS AGENCY—CYBER ..	601,223	601,223
270	DEFENSE LEGAL SERVICES AGENCY	34,632	34,632
280	DEFENSE LOGISTICS AGENCY	415,699	430,199
	Excess growth		[−5,000]
	Program increase—PTAP		[19,500]
290	DEFENSE MEDIA ACTIVITY	202,792	196,792
	Program decrease		[−6,000]
300	DEFENSE PERSONNEL ACCOUNTING AGENCY	144,881	144,881
310	DEFENSE SECURITY COOPERATION AGENCY	696,884	681,884
	Increase for AM&E		[11,000]
	Increase for AM&E		[−11,000]
	Unjustified growth		[−15,000]
320	DEFENSE SECURITY SERVICE	889,664	889,664
340	DEFENSE SECURITY SERVICE—CYBER	9,220	9,220
360	DEFENSE TECHNICAL INFORMATION CENTER	3,000	3,000
370	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION ..	35,626	35,626
380	DEFENSE THREAT REDUCTION AGENCY	568,133	568,133
400	DEFENSE THREAT REDUCTION AGENCY—CYBER	13,339	13,339

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
410	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	2,932,226	2,982,226
	Program increase—impact aid for children with severe disabilities		[10,000]
	Program increase—impact aid to schools with military de- pendents		[40,000]
420	MISSILE DEFENSE AGENCY	522,529	522,529
450	OFFICE OF ECONOMIC ADJUSTMENT	59,513	114,913
	Civilian growth		[400]
	Defense Community Infrastructure Program (DCIP)		[50,000]
	Program increase—military aviation noise pilot program		[5,000]
460	OFFICE OF THE SECRETARY OF DEFENSE	1,604,738	1,529,476
	Basic Needs Allowance for low-income regular members		[15,000]
	Excess growth		[−58,839]
	Increase to OUSD(A&S)—JASONs		[7,000]
	Military aviation safety commission		[3,000]
	Program decrease		[−53,000]
	Readiness and Environmental Protection Initiative increase		[25,000]
	Reduction to OUSD(R&E)—JASONs		[−7,000]
	Unjustified growth		[−6,423]
470	OFFICE OF THE SECRETARY OF DEFENSE—CYBER	48,783	48,783
480	SPACE DEVELOPMENT AGENCY	44,750	44,750
500	WASHINGTON HEADQUARTERS SERVICES	324,001	296,201
	Insufficient justification		[−27,800]
505	CLASSIFIED PROGRAMS	15,816,598	15,755,461
	Classified adjustment		[−26,000]
	Realignment to DISA for Sharkseer		[−35,137]
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	30,132,549	30,118,387
	TOTAL OPERATION AND MAINTENANCE, DE- FENSE-WIDE	37,479,841	37,369,379
	US COURT OF APPEALS FOR ARMED FORCES, DEF ADMINISTRATION AND ASSOCIATED ACTIVI- TIES		
010	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	14,771	14,771
	SUBTOTAL ADMINISTRATION AND ASSOCIATED ACTIVITIES	14,771	14,771
	TOTAL US COURT OF APPEALS FOR ARMED FORCES, DEF	14,771	14,771
	DOD ACQUISITION WORKFORCE DEVELOP- MENT FUND		
	ACQUISITION WORKFORCE DEVELOPMENT		
010	ACQ WORKFORCE DEV FD	400,000	375,000
	Program decrease		[−25,000]
	SUBTOTAL ACQUISITION WORKFORCE DEVEL- OPMENT	400,000	375,000
	TOTAL DOD ACQUISITION WORKFORCE DEVEL- OPMENT FUND	400,000	375,000
	OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID		
	HUMANITARIAN ASSISTANCE		
010	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	108,600	110,800
	Increase for HMA		[2,200]
	SUBTOTAL HUMANITARIAN ASSISTANCE	108,600	110,800
	TOTAL OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID	108,600	110,800
	COOPERATIVE THREAT REDUCTION ACCOUNT		
	COOPERATIVE THREAT REDUCTION		
010	COOPERATIVE THREAT REDUCTION	338,700	338,700
	SUBTOTAL COOPERATIVE THREAT REDUCTION	338,700	338,700

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
	TOTAL COOPERATIVE THREAT REDUCTION AC- COUNT	338,700	338,700
	ENVIRONMENTAL RESTORATION, ARMY DEPARTMENT OF THE ARMY		
050	ENVIRONMENTAL RESTORATION, ARMY	207,518	235,809
	Perfluorinated chemicals		[28,291]
	SUBTOTAL DEPARTMENT OF THE ARMY	207,518	235,809
	TOTAL ENVIRONMENTAL RESTORATION, ARMY	207,518	235,809
	ENVIRONMENTAL RESTORATION, NAVY DEPARTMENT OF THE NAVY		
060	ENVIRONMENTAL RESTORATION, NAVY	335,932	365,883
	Perfluorinated chemicals		[29,951]
	SUBTOTAL DEPARTMENT OF THE NAVY	335,932	365,883
	TOTAL ENVIRONMENTAL RESTORATION, NAVY	335,932	365,883
	ENVIRONMENTAL RESTORATION, AIR FORCE DEPARTMENT OF THE AIR FORCE		
070	ENVIRONMENTAL RESTORATION, AIR FORCE	302,744	365,808
	Perfluorinated chemicals		[63,064]
	SUBTOTAL DEPARTMENT OF THE AIR FORCE	302,744	365,808
	TOTAL ENVIRONMENTAL RESTORATION, AIR FORCE	302,744	365,808
	ENVIRONMENTAL RESTORATION, DEFENSE- WIDE		
080	ENVIRONMENTAL RESTORATION, DEFENSE-WIDE	9,105	19,002
	Perfluorinated chemicals		[9,897]
	SUBTOTAL DEFENSE-WIDE	9,105	19,002
	TOTAL ENVIRONMENTAL RESTORATION, DE- FENSE-WIDE	9,105	19,002
	ENVIRONMENTAL RESTORATION FORMERLY USED SITES DEFENSE-WIDE		
090	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	216,499	216,499
	SUBTOTAL DEFENSE-WIDE	216,499	216,499
	TOTAL ENVIRONMENTAL RESTORATION FOR- MERLY USED SITES	216,499	216,499
	TOTAL OPERATION & MAINTENANCE	207,661,689	203,791,546

1 SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS

2 CONTINGENCY OPERATIONS.

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
	OPERATION & MAINTENANCE, ARMY OPERATING FORCES		
010	MANEUVER UNITS	1,410,874	1,410,874
030	ECHELONS ABOVE BRIGADE	26,502	26,502
040	THEATER LEVEL ASSETS	2,274,490	2,274,490
050	LAND FORCES OPERATIONS SUPPORT	136,288	136,288
060	AVIATION ASSETS	300,240	300,240
070	FORCE READINESS OPERATIONS SUPPORT	3,415,009	4,515,009
	Realignment from base		[1,100,000]
080	LAND FORCES SYSTEMS READINESS	29,985	29,985

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
090	LAND FORCES DEPOT MAINTENANCE	86,931	86,931
100	BASE OPERATIONS SUPPORT	115,706	115,706
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	72,657	72,657
130	ADDITIONAL ACTIVITIES	6,397,586	6,397,586
140	COMMANDER'S EMERGENCY RESPONSE PROGRAM	5,000	0
	Realignment of redress and loss funding		[-5,000]
150	RESET	1,048,896	1,048,896
160	US AFRICA COMMAND	203,174	203,174
170	US EUROPEAN COMMAND	173,676	173,676
200	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	188,529	188,529
210	CYBERSPACE ACTIVITIES—CYBERSECURITY	5,682	5,682
	SUBTOTAL OPERATING FORCES	15,891,225	16,986,225
	MOBILIZATION		
230	ARMY PREPOSITIONED STOCKS	131,954	131,954
	SUBTOTAL MOBILIZATION	131,954	131,954
	ADMIN & SRVWIDE ACTIVITIES		
390	SERVICEWIDE TRANSPORTATION	721,014	721,014
400	CENTRAL SUPPLY ACTIVITIES	66,845	66,845
410	LOGISTIC SUPPORT ACTIVITIES	9,309	9,309
420	AMMUNITION MANAGEMENT	23,653	23,653
460	OTHER PERSONNEL SUPPORT	109,019	109,019
490	REAL ESTATE MANAGEMENT	251,355	251,355
565	CLASSIFIED PROGRAMS	1,568,564	1,568,564
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	2,749,759	2,749,759
	TOTAL OPERATION & MAINTENANCE, ARMY	18,772,938	19,867,938
	OPERATION & MAINTENANCE, ARMY RES OPERATING FORCES		
020	ECHELONS ABOVE BRIGADE	20,440	20,440
060	FORCE READINESS OPERATIONS SUPPORT	689	689
090	BASE OPERATIONS SUPPORT	16,463	16,463
	SUBTOTAL OPERATING FORCES	37,592	37,592
	TOTAL OPERATION & MAINTENANCE, ARMY RES	37,592	37,592
	OPERATION & MAINTENANCE, ARNG OPERATING FORCES		
010	MANEUVER UNITS	45,896	45,896
020	MODULAR SUPPORT BRIGADES	180	180
030	ECHELONS ABOVE BRIGADE	2,982	2,982
040	THEATER LEVEL ASSETS	548	548
060	AVIATION ASSETS	9,229	9,229
070	FORCE READINESS OPERATIONS SUPPORT	1,584	1,584
100	BASE OPERATIONS SUPPORT	22,063	22,063
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	606	606
	SUBTOTAL OPERATING FORCES	83,088	83,088
	ADMIN & SRVWD ACTIVITIES		
170	SERVICEWIDE COMMUNICATIONS	203	203
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	203	203
	TOTAL OPERATION & MAINTENANCE, ARNG	83,291	83,291
	AFGHAN NATIONAL ARMY		
090	SUSTAINMENT	1,313,047	1,313,047
100	INFRASTRUCTURE	37,152	37,152
110	EQUIPMENT AND TRANSPORTATION	120,868	120,868
120	TRAINING AND OPERATIONS	118,591	118,591
	SUBTOTAL AFGHAN NATIONAL ARMY	1,589,658	1,589,658
	AFGHAN NATIONAL POLICE		
130	SUSTAINMENT	422,806	422,806
140	INFRASTRUCTURE	2,358	2,358
150	EQUIPMENT AND TRANSPORTATION	127,081	127,081
160	TRAINING AND OPERATIONS	108,112	108,112
	SUBTOTAL AFGHAN NATIONAL POLICE	660,357	660,357

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
AFGHAN AIR FORCE			
170	SUSTAINMENT	893,829	893,829
180	INFRASTRUCTURE	8,611	8,611
190	EQUIPMENT AND TRANSPORTATION	566,967	566,967
200	TRAINING AND OPERATIONS	356,108	356,108
	SUBTOTAL AFGHAN AIR FORCE	1,825,515	1,825,515
AFGHAN SPECIAL SECURITY FORCES			
210	SUSTAINMENT	437,909	437,909
220	INFRASTRUCTURE	21,131	21,131
230	EQUIPMENT AND TRANSPORTATION	153,806	153,806
240	TRAINING AND OPERATIONS	115,602	115,602
	SUBTOTAL AFGHAN SPECIAL SECURITY FORCES	728,448	728,448
UNDISTRIBUTED			
245	UNDISTRIBUTED		-300,000
	Unjustified request		[-300,000]
	SUBTOTAL UNDISTRIBUTED		-300,000
	TOTAL AFGHANISTAN SECURITY FORCES FUND	4,803,978	4,503,978
COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)			
COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)			
010	IRAQ	745,000	663,000
	Unjustified request		[-82,000]
020	SYRIA	300,000	300,000
030	BORDER SECURITY		250,000
	Realignment of CTEF border security funding		[250,000]
	SUBTOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)	1,045,000	1,213,000
	TOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)	1,045,000	1,213,000
OPERATION & MAINTENANCE, NAVY			
OPERATING FORCES			
010	MISSION AND OTHER FLIGHT OPERATIONS	373,047	587,422
	Realignment from base		[214,375]
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	816	816
040	AIR OPERATIONS AND SAFETY SUPPORT	9,582	9,582
050	AIR SYSTEMS SUPPORT	197,262	197,262
060	AIRCRAFT DEPOT MAINTENANCE	168,246	168,246
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	3,594	3,594
080	AVIATION LOGISTICS	10,618	10,618
090	MISSION AND OTHER SHIP OPERATIONS	1,485,108	1,935,108
	Realignment from base		[450,000]
100	SHIP OPERATIONS SUPPORT & TRAINING	20,334	20,334
110	SHIP DEPOT MAINTENANCE	2,365,615	2,365,615
130	COMBAT COMMUNICATIONS AND ELECTRONIC WARFARE	58,092	58,092
140	SPACE SYSTEMS AND SURVEILLANCE	18,000	18,000
150	WARFARE TACTICS	16,984	16,984
160	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	29,382	29,382
170	COMBAT SUPPORT FORCES	608,870	608,870
180	EQUIPMENT MAINTENANCE AND DEPOT OPERATIONS SUP- PORT	7,799	7,799
200	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	24,800	24,800
220	CYBERSPACE ACTIVITIES	363	363
240	WEAPONS MAINTENANCE	486,188	486,188
250	OTHER WEAPON SYSTEMS SUPPORT	12,189	12,189
270	SUSTAINMENT, RESTORATION AND MODERNIZATION	68,667	68,667
280	BASE OPERATING SUPPORT	219,099	219,099
	SUBTOTAL OPERATING FORCES	6,184,655	6,849,030
MOBILIZATION			
320	EXPEDITIONARY HEALTH SERVICES SYSTEMS	17,580	17,580
330	COAST GUARD SUPPORT	190,000	190,000
	SUBTOTAL MOBILIZATION	207,580	207,580
TRAINING AND RECRUITING			

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
370	SPECIALIZED SKILL TRAINING	52,161	52,161
	SUBTOTAL TRAINING AND RECRUITING	52,161	52,161
	ADMIN & SRVWD ACTIVITIES		
440	ADMINISTRATION	8,475	8,475
460	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	7,653	7,653
490	SERVICEWIDE TRANSPORTATION	70,683	70,683
520	ACQUISITION, LOGISTICS, AND OVERSIGHT	11,130	11,130
530	INVESTIGATIVE AND SECURITY SERVICES	1,559	1,559
645	CLASSIFIED PROGRAMS	17,754	17,754
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	117,254	117,254
	TOTAL OPERATION & MAINTENANCE, NAVY	6,561,650	7,226,025
	OPERATION & MAINTENANCE, MARINE CORPS OPERATING FORCES		
010	OPERATIONAL FORCES	714,653	714,653
020	FIELD LOGISTICS	232,508	232,508
030	DEPOT MAINTENANCE	54,101	54,101
050	CYBERSPACE ACTIVITIES	2,000	2,000
070	BASE OPERATING SUPPORT	24,570	24,570
	SUBTOTAL OPERATING FORCES	1,027,832	1,027,832
	TRAINING AND RECRUITING		
120	TRAINING SUPPORT	30,459	30,459
	SUBTOTAL TRAINING AND RECRUITING	30,459	30,459
	ADMIN & SRVWD ACTIVITIES		
160	SERVICEWIDE TRANSPORTATION	61,400	61,400
225	CLASSIFIED PROGRAMS	5,100	5,100
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	66,500	66,500
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	1,124,791	1,124,791
	OPERATION & MAINTENANCE, NAVY RES OPERATING FORCES		
020	INTERMEDIATE MAINTENANCE	510	510
030	AIRCRAFT DEPOT MAINTENANCE	11,628	11,628
080	COMBAT SUPPORT FORCES	10,898	10,898
	SUBTOTAL OPERATING FORCES	23,036	23,036
	TOTAL OPERATION & MAINTENANCE, NAVY RES	23,036	23,036
	OPERATION & MAINTENANCE, MC RESERVE OPERATING FORCES		
010	OPERATING FORCES	7,627	7,627
040	BASE OPERATING SUPPORT	1,080	1,080
	SUBTOTAL OPERATING FORCES	8,707	8,707
	TOTAL OPERATION & MAINTENANCE, MC RESERVE ...	8,707	8,707
	OPERATION & MAINTENANCE, AIR FORCE OPERATING FORCES		
010	PRIMARY COMBAT FORCES	163,632	163,632
020	COMBAT ENHANCEMENT FORCES	1,049,170	1,049,170
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	111,808	111,808
040	DEPOT PURCHASE EQUIPMENT MAINTENANCE	408,699	408,699
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	147,264	147,264
060	CYBERSPACE SUSTAINMENT	10,061	10,061
070	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT ..	953,594	953,594
080	FLYING HOUR PROGRAM	2,495,266	3,045,266
	Realignment from base		[550,000]
090	BASE SUPPORT	1,538,120	1,538,120
100	GLOBAL C3I AND EARLY WARNING	13,863	13,863
110	OTHER COMBAT OPS SPT PROGRAMS	272,020	272,020
120	CYBERSPACE ACTIVITIES	17,657	17,657
130	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	36,098	36,098
140	LAUNCH FACILITIES	391	391

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
150	SPACE CONTROL SYSTEMS	39,990	39,990
160	US NORTHCOM/NORAD	725	725
170	US STRATCOM	926	926
180	US CYBERCOM	35,189	35,189
190	US CENTCOM	163,015	163,015
200	US SOCOM	19,000	19,000
	SUBTOTAL OPERATING FORCES	7,476,488	8,026,488
	MOBILIZATION		
240	AIRLIFT OPERATIONS	1,271,439	1,271,439
250	MOBILIZATION PREPAREDNESS	109,682	109,682
	SUBTOTAL MOBILIZATION	1,381,121	1,381,121
	TRAINING AND RECRUITING		
260	OFFICER ACQUISITION	200	200
270	RECRUIT TRAINING	352	352
290	SPECIALIZED SKILL TRAINING	26,802	26,802
300	FLIGHT TRAINING	844	844
310	PROFESSIONAL DEVELOPMENT EDUCATION	1,199	1,199
320	TRAINING SUPPORT	1,320	1,320
	SUBTOTAL TRAINING AND RECRUITING	30,717	30,717
	ADMIN & SRVWD ACTIVITIES		
380	LOGISTICS OPERATIONS	164,701	164,701
390	TECHNICAL SUPPORT ACTIVITIES	11,608	11,608
400	ADMINISTRATION	4,814	4,814
410	SERVICEWIDE COMMUNICATIONS	145,204	145,204
420	OTHER SERVICEWIDE ACTIVITIES	98,841	98,841
460	INTERNATIONAL SUPPORT	29,890	29,890
465	CLASSIFIED PROGRAMS	52,995	52,995
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	508,053	508,053
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	9,396,379	9,946,379
	OPERATION & MAINTENANCE, AF RESERVE OPERATING FORCES		
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	24,188	24,188
060	BASE SUPPORT	5,570	5,570
	SUBTOTAL OPERATING FORCES	29,758	29,758
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	29,758	29,758
	OPERATION & MAINTENANCE, ANG OPERATING FORCES		
020	MISSION SUPPORT OPERATIONS	3,666	3,666
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	66,944	66,944
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT ..	93,620	93,620
060	BASE SUPPORT	12,679	12,679
	SUBTOTAL OPERATING FORCES	176,909	176,909
	TOTAL OPERATION & MAINTENANCE, ANG	176,909	176,909
	OPERATION AND MAINTENANCE, DEFENSE-WIDE OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	21,866	21,866
020	JOINT CHIEFS OF STAFF—CE2T2	6,634	6,634
040	SPECIAL OPERATIONS COMMAND COMBAT DEVELOPMENT ACTIVITIES	1,121,580	1,121,580
060	SPECIAL OPERATIONS COMMAND INTELLIGENCE	1,328,201	1,328,201
070	SPECIAL OPERATIONS COMMAND MAINTENANCE	399,845	399,845
090	SPECIAL OPERATIONS COMMAND OPERATIONAL SUPPORT ..	138,458	102,958
	Project underexecution—communications		[−35,500]
100	SPECIAL OPERATIONS COMMAND THEATER FORCES	808,729	808,729
	SUBTOTAL OPERATING FORCES	3,825,313	3,789,813
	ADMIN & SRVWIDE ACTIVITIES		
180	DEFENSE CONTRACT AUDIT AGENCY	1,810	1,810
200	DEFENSE CONTRACT MANAGEMENT AGENCY	21,723	21,723
230	DEFENSE INFORMATION SYSTEMS AGENCY	81,133	81,133
240	DEFENSE INFORMATION SYSTEMS AGENCY—CYBER	3,455	3,455

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
270	DEFENSE LEGAL SERVICES AGENCY	196,124	196,124
290	DEFENSE MEDIA ACTIVITY	14,377	14,377
310	DEFENSE SECURITY COOPERATION AGENCY	1,927,217	1,364,427
	Realignment of CTEF border security funding		[-250,000]
	Transfer of funds to Ukraine Security Assistance		[-250,000]
	Unjustified growth		[-62,790]
380	DEFENSE THREAT REDUCTION AGENCY	317,558	307,558
	Program decrease		[-10,000]
410	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	31,620	31,620
460	OFFICE OF THE SECRETARY OF DEFENSE	16,666	21,666
	Realignment of redress and loss funding		[5,000]
500	WASHINGTON HEADQUARTERS SERVICES	6,331	6,331
505	CLASSIFIED PROGRAMS	1,924,785	1,924,785
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	4,542,799	3,975,009
	TOTAL OPERATION AND MAINTENANCE, DEFENSE- WIDE	8,368,112	7,764,822
	UKRAINE SECURITY ASSISTANCE		
	UKRAINE SECURITY ASSISTANCE		
010	UKRAINE SECURITY ASSISTANCE		250,000
	Transfer of funds from Defense Security Cooperation Agency		[250,000]
	SUBTOTAL UKRAINE SECURITY ASSISTANCE		250,000
	TOTAL UKRAINE SECURITY ASSISTANCE		250,000
	TOTAL OPERATION & MAINTENANCE	50,432,141	52,256,226

1 **TITLE XLIV—MILITARY**

2 **PERSONNEL**

3 **SEC. 4401. MILITARY PERSONNEL.**

SEC. 4401. MILITARY PERSONNEL (In Thousands of Dollars)		
Item	FY 2020 Request	House Authorized
Military Personnel Appropriations	143,476,503	142,248,503
Historical unobligated balances		[-1,228,000]
Medicare-Eligible Retiree Health Fund Contribu- tions	7,816,815	7,816,815

4 **SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTIN-**

5 **GENCY OPERATIONS.**

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)		
Item	FY 2020 Request	House Authorized
Military Personnel Appropriations	4,485,808	4,485,808

TITLE XLV—OTHER AUTHORIZATIONS

SEC. 4501. OTHER AUTHORIZATIONS.

SEC. 4501. OTHER AUTHORIZATIONS (In Thousands of Dollars)		
Item	FY 2020 Request	House Authorized
WORKING CAPITAL FUND, ARMY		
INDUSTRIAL OPERATIONS	57,467	57,467
SUPPLY MANAGEMENT—ARMY	32,130	32,130
TOTAL WORKING CAPITAL FUND, ARMY	89,597	89,597
WORKING CAPITAL FUND, AIR FORCE TRANSPORTATION		
SUPPLIES AND MATERIALS	92,499	92,499
TOTAL WORKING CAPITAL FUND, AIR FORCE	92,499	92,499
WORKING CAPITAL FUND, DEFENSE-WIDE		
SUPPLY CHAIN MANAGEMENT—DEF	49,085	49,085
TOTAL WORKING CAPITAL FUND, DEFENSE- WIDE	49,085	49,085
WORKING CAPITAL FUND, DECA		
WORKING CAPITAL FUND, DECA	995,030	995,030
TOTAL WORKING CAPITAL FUND, DECA	995,030	995,030
NATIONAL DEFENSE SEALIFT FUND		
LG MED SPD RO/RO MAINTENANCE		264,751
Realignment from Operations and Maintenance, Navy		[264,751]
DOD MOBILIZATION ALTERATIONS		9,590
Realignment from Operations and Maintenance, Navy		[9,590]
TAH MAINTENANCE		96,867
Realignment from Operations and Maintenance, Navy		[96,867]
READY RESERVE FORCE		352,044
Realignment from Operations and Maintenance, Navy		[352,044]
TOTAL NATIONAL DEFENSE SEALIFT FUND ..		723,252
WCF, DEF COUNTERINTELLIGENCE & SECURITY AGENCY		
DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY	200,000	200,000
TOTAL WCF, DEF COUNTERINTELLIGENCE & SECURITY AGENCY	200,000	200,000
CHEM AGENTS & MUNITIONS DESTRUCTION		
OPERATION & MAINTENANCE	107,351	107,351
RDT&E	875,930	865,930
Unjustified growth		[−10,000]
PROCUREMENT	2,218	2,218
TOTAL CHEM AGENTS & MUNITIONS DE- STRUCTION	985,499	975,499
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
COUNTER-NARCOTICS SUPPORT	581,739	517,171
Realignment of National Guard Bureau funding		[−30,921]
Unjustified growth		[−33,647]
DRUG DEMAND REDUCTION PROGRAM	120,922	120,922
NATIONAL GUARD COUNTER-DRUG PROGRAM	91,370	122,291
Realignment of National Guard Bureau funding		[30,921]

SEC. 4501. OTHER AUTHORIZATIONS (In Thousands of Dollars)		
Item	FY 2020 Request	House Authorized
NATIONAL GUARD COUNTER-DRUG SCHOOLS	5,371	5,371
TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	799,402	765,755
OFFICE OF THE INSPECTOR GENERAL		
OFFICE OF THE INSPECTOR GENERAL	359,022	359,022
OFFICE OF THE INSPECTOR GENERAL—CYBER	1,179	1,179
OFFICE OF THE INSPECTOR GENERAL	2,965	2,965
OFFICE OF THE INSPECTOR GENERAL	333	333
TOTAL OFFICE OF THE INSPECTOR GEN- ERAL	363,499	363,499
DEFENSE HEALTH PROGRAM		
IN-HOUSE CARE	9,570,615	9,470,615
Unjustified growth		[-100,000]
PRIVATE SECTOR CARE	15,041,006	15,041,006
CONSOLIDATED HEALTH SUPPORT	1,975,536	1,975,536
INFORMATION MANAGEMENT	2,004,588	2,004,588
MANAGEMENT ACTIVITIES	333,246	333,246
EDUCATION AND TRAINING	793,810	793,810
BASE OPERATIONS/COMMUNICATIONS	2,093,289	2,093,289
UNDISTRIBUTED		7,000
PFAS exposure blood testing for DoD firefighters		[2,000]
TRICARE lead level screening and testing for children		[5,000]
R&D RESEARCH	12,621	22,621
CDC ASTDR PFOS/PFOA health study increment		[10,000]
R&D EXPLORATORY DEVELOPMENT	84,266	84,266
R&D ADVANCED DEVELOPMENT	279,766	279,766
R&D DEMONSTRATION/VALIDATION	128,055	128,055
R&D ENGINEERING DEVELOPMENT	143,527	158,527
Deployment of mTBI/concussion multi-modal devices ...		[10,000]
Program increase—freeze dried platelets		[5,000]
R&D MANAGEMENT AND SUPPORT	67,219	67,219
R&D CAPABILITIES ENHANCEMENT	16,819	16,819
PROC INITIAL OUTFITTING	26,135	26,135
PROC REPLACEMENT & MODERNIZATION	225,774	225,774
PROC JOINT OPERATIONAL MEDICINE INFORMATION SYSTEM	314	314
PROC MILITARY HEALTH SYSTEM—DESKTOP TO DATACENTER	73,010	73,010
PROC DOD HEALTHCARE MANAGEMENT SYSTEM MOD- ERNIZATION	129,091	129,091
TOTAL DEFENSE HEALTH PROGRAM	32,998,687	32,930,687
TOTAL OTHER AUTHORIZATIONS	36,573,298	37,184,903

1 **SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CON-**
2 **TINGENCY OPERATIONS.**

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)		
Item	FY 2020 Request	House Authorized
WORKING CAPITAL FUND, ARMY		
INDUSTRIAL OPERATIONS		
SUPPLY MANAGEMENT—ARMY	20,100	20,100
TOTAL WORKING CAPITAL FUND, ARMY	20,100	20,100

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Item	FY 2020 Request	House Authorized
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
COUNTER-NARCOTICS SUPPORT	163,596	153,100
Unjustified growth		[−10,496]
TOTAL DRUG INTERDICTION & CTR-DRUG AC- TIVITIES, DEF	163,596	153,100
OFFICE OF THE INSPECTOR GENERAL		
OFFICE OF THE INSPECTOR GENERAL	24,254	24,254
TOTAL OFFICE OF THE INSPECTOR GENERAL	24,254	24,254
DEFENSE HEALTH PROGRAM		
IN-HOUSE CARE	57,459	57,459
PRIVATE SECTOR CARE	287,487	287,487
CONSOLIDATED HEALTH SUPPORT	2,800	2,800
TOTAL DEFENSE HEALTH PROGRAM	347,746	347,746
TOTAL OTHER AUTHORIZATIONS	555,696	545,200

1 TITLE XLVI—MILITARY

2 CONSTRUCTION

3 SEC. 4601. MILITARY CONSTRUCTION.

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2020 Request	House Agreement
Army	Alabama			
	Redstone Arsenal	Aircraft and Flight Equipment Building	38,000	38,000
Army	Colorado			
	Fort Carson	Company Operations Facility	71,000	71,000
Army	Georgia			
	Fort Gordon	Cyber Instructional Fac (Admin/Command)	107,000	70,000
Army	Hunter Army Airfield	Aircraft Maintenance Hangar	62,000	62,000
Army	Hawaii			
	Fort Shafter	Command and Control Facility, Iner 5	60,000	60,000
Army	Honduras			
	Soto Cano Air Base	Aircraft Maintenance Hangar	34,000	34,000
Army	Kentucky			
	Fort Campbell	Automated Infantry Platoon Battle Course	7,100	7,100
Army	Fort Campbell	Easements	3,200	3,200
Army	Fort Campbell	General Purpose Maintenance Shop	51,000	51,000
Army	Kwajalein			
	Kwajalein Atoll	Air Traffic Control Tower and Terminal	0	40,000
Army	Massachusetts			
	U.S. Army Natick Sol- dier Systems Center	Human Engineering Lab	50,000	50,000
Army	Michigan			
	Detroit Arsenal	Substation	24,000	24,000
Army	New York			
	Fort Drum	Railhead	0	21,000
Army	Fort Drum	Unmanned Aerial Vehicle Hangar	23,000	23,000
Army	North Carolina			
	Fort Bragg	Dining Facility	12,500	12,500
Army	Oklahoma			
	Fort Sill	Adv Individual Training Barracks Cplx, Ph2	73,000	73,000
Army	Pennsylvania			
	Carlisle Barracks	General Instruction Building	98,000	60,000
Army	South Carolina			
	Fort Jackson	Reception Complex, Ph2	54,000	54,000
Army	Texas			
	Corpus Christi Army Depot	Powertrain Facility (Machine Shop)	86,000	40,000
Army	Fort Hood	Barracks	32,000	32,000
Army	Fort Hood	Vehicle Bridge	0	18,500

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SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2020 Request	House Agreement
	Virginia			
Army	Fort Belvoir	Secure Operations and Admin Facility	60,000	60,000
Army	Joint Base Langley-Eustis	Adv Individual Training Barracks Cplx, Ph4	55,000	55,000
	Washington			
Army	Joint Base Lewis-McChord	Information Systems Facility	46,000	46,000
	Worldwide Unspecified			
Army	Unspecified Worldwide Locations	Host Nation Support	31,000	31,000
Army	Unspecified Worldwide Locations	Planning and Design	94,099	105,099
Army	Unspecified Worldwide Locations	Unspecified Minor Construction	70,600	70,600
Army	Unspecified Worldwide Locations	Unspecified Worldwide Construction	211,000	0
	Arizona			
Navy	Marine Corps Air Station Yuma	Bachelor Enlisted Quarters	0	99,600
Navy	Marine Corps Air Station Yuma	Hangar 95 Renovation & Addition	90,160	90,160
	Bahrain Island			
Navy	SW Asia	Electrical System Upgrade	53,360	0
	California			
Navy	Camp Pendleton	62 Area Mess Hall and Consolidated Warehouse ..	71,700	71,700
Navy	Camp Pendleton	I MEF Consolidated Information Center	113,869	63,869
Navy	Marine Corps Air Station Miramar	Child Development Center	0	37,400
Navy	Naval Air Weapons Station China Lake	Runway & Taxiway Extension	64,500	64,500
Navy	Naval Base Coronado	Aircraft Paint Complex	0	79,000
Navy	Naval Base Coronado	Navy V-22 Hangar	86,830	86,830
Navy	Naval Base San Diego	Pier 8 Replacement (Inc)	59,353	59,353
Navy	Naval Base San Diego	PMO Facility Repair	0	9,900
Navy	Naval Weapons Station Seal Beach	Ammunition Pier	95,310	60,310
Navy	Naval Weapons Station Seal Beach	Missile Magazine	0	28,000
Navy	Travis Air Force Base	Alert Force Complex	64,000	64,000
	Connecticut			
Navy	Naval Submarine Base New London	SSN Berthing Pier 32	72,260	72,260
	District of Columbia			
Navy	Naval Observatory	Master Time Clocks & Operations Fac (Inc)	75,600	0
	Florida			
Navy	Blount Island	Police Station and EOC Facility	0	18,700
Navy	Naval Air Station Jacksonville	Targeting & Surveillance Syst Prod Supp Fac	32,420	32,420
	Guam			
Navy	Joint Region Marianas	Bachelor Enlisted Quarters II	164,100	64,100
Navy	Joint Region Marianas	EOD Compound Facilities	61,900	61,900
Navy	Joint Region Marianas	Machine Gun Range (Inc)	91,287	91,287
	Hawaii			
Navy	Marine Corps Air Station Kaneohe Bay	Bachelor Enlisted Quarters	134,050	134,050
Navy	Naval Ammunition Depot West Loch	Magazine Consolidation, Phase 1	53,790	53,790
	Italy			
Navy	Naval Air Station Sigonella	Communications Station	77,400	0
	Japan			
Navy	Fleet Activities Yokosuka	Pier 5 (Berths 2 and 3)	174,692	100,000
Navy	Marine Corps Air Station Iwakuni	VTOL Pad—South	15,870	15,870
	Maryland			
Navy	Saint Inigoes	Air Traffic Control Tower	0	15,000
	North Carolina			
Navy	Camp Lejeune	10th Marines Himars Complex	35,110	35,110
Navy	Camp Lejeune	2nd MARDIV/2nd MLG Ops Center Replacement	60,130	60,130
Navy	Camp Lejeune	2nd Radio BN Complex, Phase 2 (Inc)	25,650	25,650
Navy	Camp Lejeune	ACV-AAV Maintenance Facility Upgrades	11,570	0
Navy	Camp Lejeune	II MEF Operations Center Replacement	122,200	62,200
Navy	Marine Corps Air Station Cherry Point	Aircraft Maintenance Hangar (Inc)	73,970	73,970
Navy	Marine Corps Air Station Cherry Point	ATC Tower & Airfield Operations	61,340	61,340
Navy	Marine Corps Air Station Cherry Point	F-35 Training and Simulator Facility	53,230	53,230

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SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2020 Request	House Agreement
Navy	Marine Corps Air Station Cherry Point	Flightline Utility Modernization (Inc)	51,860	51,860
Navy	Marine Corps Air Station New River	CH-53K Cargo Loading Trainer	11,320	11,320
Navy	Pennsylvania Philadelphia	Machinery Control Development Center	0	66,000
Navy	South Carolina Parris Island	Range Improvements & Modernization Phase 3	0	37,200
Navy	Utah Hill Air Force Base	D5 Missile Motor Receipt/Storage Fac (Inc)	50,520	50,520
Navy	Virginia Marine Corps Base Quantico	Wargaming Center	143,350	70,000
Navy	Naval Station Norfolk	Mariner Skills Training Center	79,100	79,100
Navy	Naval Station Norfolk	MH-60 & CMV-22B Corrosion Control and Paint Facility.	0	49,000
Navy	Portsmouth Naval Shipyard	Dry Dock Flood Protection Improvements	48,930	48,930
Navy	Yorktown Naval Weapons Station	NMC Ordnance Facilities Recapitalization Phase 1	0	59,000
Navy	Washington Bremerton	Dry Dock 4 & Pier 3 Modernization	51,010	51,010
Navy	Keyport	Undersea Vehicle Maintenance Facility	25,050	25,050
Navy	Naval Base Kitsap	Seawolf Service Pier Cost-to-Complete	0	48,000
Navy	Worldwide Unspecified Unspecified Worldwide Locations	Planning and Design	167,715	178,715
Navy	Unspecified Worldwide Locations	Unspecified Minor Construction	81,237	81,237
AF	Alaska Eielson Air Force Base	F-35 AME Storage Facility	8,600	8,600
AF	Arkansas Little Rock Air Force Base	C-130H/J Fuselage Trainer Facility	47,000	47,000
AF	Little Rock Air Force Base	Dormitory Cost-to-Complete	0	7,000
AF	Australia Tindal	APR—RAAF Tindal/Earth Covered Magazine	11,600	11,600
AF	Tindal	APR-RAAF Tindal/Bulk Storage Tanks	59,000	59,000
AF	California Travis Air Force Base	KC-46A Alter B181/B185/B187 Squad Ops/AMU	6,600	6,600
AF	Travis Air Force Base	KC-46A Regional Maintenance Training Facility ..	19,500	19,500
AF	Travis Air Force Base	MMHLAS Aiiied Support	0	17,000
AF	Colorado Peterson Air Force Base	Seonorth Theater Operational Support Facility	0	54,000
AF	Schriever Air Force Base	Consolidated Space Operations Facility	148,000	74,000
AF	United States Air Force Academy	Consolidate Cadet Prep School Dormitory	0	49,000
AF	Cyprus Royal Air Force Akrotiri	New Dormitory for 1 ERS	27,000	27,000
AF	Georgia Moody Air Force Base	41 RQS HH-60W Apron	0	12,500
AF	Guam Joint Region Marianas	Munitions Storage Igloos III	65,000	65,000
AF	Illinois Scott Air Force Base	Joint Operations & Mission Planning Center	100,000	100,000
AF	Japan Yokota Air Base	Fuel Receipt & Distribution Upgrade	12,400	12,400
AF	Jordan Azraq	Air Traffic Control Tower	24,000	0
AF	Azraq	Munitions Storage Area	42,000	0
AF	Mariana Islands Tinian	Airfield Development Phase 1	109,000	25,000
AF	Tinian	Fuel Tanks W/ Pipeline/Hydrant System	109,000	25,000
AF	Tinian	Parking Apron	98,000	25,000
AF	Maryland Joint Base Andrews	Presidential Aircraft Recap Complex Inc 3	86,000	86,000
AF	Massachusetts Hanscom Air Force Base	MIT-Lincoln Lab (West Lab CSL/MIF) Inc 2	135,000	100,000
AF	Missouri Whiteman Air Force Base	Consolidated Vehicle Ops and MX Facility	0	27,000
AF	Montana Malmstrom Air Force Base	Weapons Storage and Maintenance Facility	235,000	117,500

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2020 Request	House Agreement
	Nevada			
AF	Nellis Air Force Base	365th ISR Group Facility	57,000	57,000
AF	Nellis Air Force Base	F-35 Munitions Maintenance Facilities Cost-to-Complete.	0	3,100
AF	Nellis Air Force Base	F-35A Munitions Assembly Conveyor Facility	8,200	8,200
	New Mexico			
AF	Holloman Air Force Base	NC3 Support Wrm Storage/Shipping Facility	0	20,000
AF	Kirtland Air Force Base	Combat Rescue Helicopter Simulator (CRH) ADAL	15,500	15,500
AF	Kirtland Air Force Base	UH-1 Replacement Facility	22,400	22,400
	North Dakota			
AF	Minot Air Force Base	Helo/TRFOps/AMUfacility	5,500	5,500
	Ohio			
AF	Wright-Patterson Air Force Base	ADAL Intelligence Prod. Complex (NASIC) Inc 2	120,900	120,900
	Texas			
AF	Joint Base San Antonio	Aquatics Tank	69,000	69,000
AF	Joint Base San Antonio	BMT Recruit Dormitory 8	110,000	110,000
AF	Joint Base San Antonio	T-XA DAL Ground Based Trng Sys (GBTS) Sim	9,300	9,300
AF	Joint Base San Antonio	T-XXM Trng Sys Centralized Trng Fac	19,000	19,000
AF	Joint Base San Antonio-Randolph	AFPC B-Wing	0	36,000
	United Kingdom			
AF	Royal Air Force Lakenheath	F-35A PGM Facility	14,300	14,300
	Utah			
AF	Hill Air Force Base	GBSD Mission Integration Facility	108,000	40,000
AF	Hill Air Force Base	Joint Advanced Tactical Missile Storage Fac	6,500	6,500
	Washington			
AF	Fairchild Air Force Base	Consolidated TFI Base Operations	31,000	31,000
AF	Fairchild Air Force Base	SERE Pipeline Dormitory Cost-to-Complete	0	4,800
	Worldwide Unspecified			
AF	Various Worldwide Locations	Planning and Design	142,148	153,148
AF	Various Worldwide Locations	Unspecified Minor Construction	79,682	79,682
	Wyoming			
AF	F. E. Warren Air Force Base	Consolidated Helo/TRF Ops/AMU and Alert Fac ..	18,100	18,100
	California			
Def-Wide	Beale Air Force Base	Hydrant Fuel System Replacement	33,700	33,700
Def-Wide	Camp Pendleton	Ambul Care Center/Dental Clinic Replacement	17,700	17,700
	Comus Classified			
Def-Wide	Classified Location	Battalion Complex, Ph 3	82,200	82,200
	Florida			
Def-Wide	Eglin Air Force Base	SOF Combined Squadron Ops Facility	16,500	16,500
Def-Wide	Hurlburt Field	SOF AMU & Weapons Hangar	72,923	72,923
Def-Wide	Hurlburt Field	SOF Combined Squadron Operations Facility	16,513	16,513
Def-Wide	Hurlburt Field	SOF Maintenance Training Facility	18,950	18,950
Def-Wide	Naval Air Station Key West	SOF Watercraft Maintenance Facility	16,000	16,000
	Germany			
Def-Wide	Geilenkirchen Air Base	Ambulatory Care Center/Dental Clinic	30,479	30,479
	Guam			
Def-Wide	Joint Region Marianas	Xray Wharf Refueling Facility	19,200	19,200
	Hawaii			
Def-Wide	Joint Base Pearl Harbor-Hickam	SOF Undersea Operational Training Facility	67,700	67,700
	Japan			
Def-Wide	Yokosuka	Kinnick High School Inc 2	130,386	0
Def-Wide	Yokota Air Base	Bulk Storage Tanks PH1	116,305	20,000
Def-Wide	Yokota Air Base	Pacific East District Superintendent's Office	20,106	20,106
	Maryland			
Def-Wide	Bethesda Naval Hospital	MEDCEN Addition/Altertion Iner 3	96,900	33,000
Def-Wide	Fort Detrick	Medical Research Acquisition Building	27,846	27,846
Def-Wide	Fort Meade	NSAW Recapitalize Building #3 Inc 2	426,000	426,000
	Mississippi			
Def-Wide	Columbus Air Force Base	Fuel Facilities Replacement	16,800	16,800

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2020 Request	House Agreement
	Missouri			
Def-Wide	Fort Leonard Wood	Hospital Replacement Iner 2	50,000	50,000
Def-Wide	St. Louis	Next NGA West (N2W) Complex Phase 2 Inc. 2 ...	218,800	118,800
	North Carolina			
Def-Wide	Camp Lejeune	SOF Marine Raider Regiment HQ	13,400	13,400
Def-Wide	Fort Bragg	SOF Assessment and Selection Training Complex	12,103	12,103
Def-Wide	Fort Bragg	SOF Human Platform-Force Generation Facility ..	43,000	43,000
Def-Wide	Fort Bragg	SOF Operations Support Bldg	29,000	29,000
	Oklahoma			
Def-Wide	Tulsa IAP	Fuels Storage Complex	18,900	18,900
	Rhode Island			
Def-Wide	Quonset State Airport	Fuels Storage Complex Replacement	11,600	11,600
	South Carolina			
Def-Wide	Joint Base Charleston	Medical Consolidated Storage & Distrib Center	33,300	33,300
	South Dakota			
Def-Wide	Ellsworth Air Force Base	Hydrant Fuel System Replacement	24,800	24,800
	Virginia			
Def-Wide	Defense Distribution Depot Richmond	Operations Center Phase 2	98,800	33,000
Def-Wide	Joint Expeditionary Base Little Creek—Fort Story	SOF NSWG—10 Operations Support Facility	32,600	32,600
Def-Wide	Joint Expeditionary Base Little Creek—Fort Story	SOF NSWG2 JSOTF Ops Training Facility	13,004	13,004
Def-Wide	Pentagon	Backup Generator	8,670	8,670
Def-Wide	Pentagon	Control Tower & Fire Day Station	20,132	20,132
Def-Wide	Training Center Dam Neck	SOF Demolition Training Compound Expansion ...	12,770	12,770
	Washington			
Def-Wide	Joint Base Lewis-McChord	SOF 22 STS Operations Facility	47,700	47,700
	Wisconsin			
Def-Wide	Gen Mitchell IAP	POL Facilities Replacement	25,900	25,900
	Worldwide Classified			
Def-Wide	Classified Location	Mission Support Compound	52,000	0
	Worldwide Unspecified			
Def-Wide	Unspecified Worldwide Locations	Contingency Construction	10,000	0
Def-Wide	Unspecified Worldwide Locations	Energy Resilience and Conserv. Invest. Prog.	150,000	190,000
Def-Wide	Unspecified Worldwide Locations	ERCIP Design	10,000	10,000
Def-Wide	Unspecified Worldwide Locations	Exercise Related Minor Construction	11,770	11,770
Def-Wide	Unspecified Worldwide Locations	Planning and Design	99,441	99,441
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	60,642	60,642
Def-Wide	Various Worldwide Locations	Planning and Design	142,914	142,914
Def-Wide	Various Worldwide Locations	Unspecified Minor Construction	26,736	26,736
NATO	NATO Security Investment Program	NATO Security Investment Program	144,040	172,005
	Alabama			
Army NG	Anniston Army Depot	Enlisted Transient Barracks	0	34,000
Army NG	Foley	National Guard Readiness Center	12,000	12,000
	California			
Army NG	Camp Roberts	Automated Multipurpose Machine Gun Range	12,000	12,000
	Idaho			
Army NG	Orchard Combat Training Center	Railroad Tracks	29,000	29,000
	Maryland			
Army NG	Havre de Grace	Combined Support Maintenance Shop	12,000	12,000
	Massachusetts			
Army NG	Camp Edwards	Automated Multipurpose Machine Gun Range	9,700	9,700
	Minnesota			
Army NG	New Ulm	National Guard Vehicle Maintenance Shop	11,200	11,200
	Mississippi			
Army NG	Camp Shelby	Automated Multipurpose Machine Gun Range	8,100	8,100
	Missouri			
Army NG	Springfield	National Guard Readiness Center	12,000	12,000
	Nebraska			
Army NG	Bellevue	National Guard Readiness Center	29,000	29,000
	New Hampshire			
Army NG	Concord	National Guard Readiness Center	5,950	5,950

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SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2020 Request	House Agreement
Army NG	New York Jamaica Armory	National Guard Readiness Center	0	91,000
Army NG	Pennsylvania Moon Township	Combined Support Maintenance Shop	23,000	23,000
Army NG	Vermont Jericho	General Instruction Building	0	30,000
Army NG	Washington Richland	National Guard Readiness Center	11,400	11,400
Army NG	Worldwide Unspecified Unspecified Worldwide Locations	Planning and Design	20,469	20,469
Army NG	Unspecified Worldwide Locations	Unspecified Minor Construction	15,000	15,000
Army Res	Delaware Newark	Army Reserve Center/BMA	21,000	21,000
Army Res	Wisconsin Fort McCoy	Transient Training Barracks	25,000	25,000
Army Res	Worldwide Unspecified Unspecified Worldwide Locations	Planning and Design	6,000	6,000
Army Res	Unspecified Worldwide Locations	Unspecified Minor Construction	8,928	8,928
N/MC Res	Louisiana New Orleans	Entry Control Facility Upgrades	25,260	25,260
N/MC Res	Worldwide Unspecified Unspecified Worldwide Locations	Planning and Design	4,780	4,780
N/MC Res	Unspecified Worldwide Locations	Unspecified Minor Construction	24,915	24,915
Air NG	California Moffett Air National Guard Base	Fuels/Corrosion Control Hanger and Shops	0	57,000
Air NG	Georgia Savannah/Hilton Head IAP	Consolidated Joint Air Dominance Hangar/Shops ..	24,000	24,000
Air NG	Missouri Rosecrans Memorial Airport	C-130 Flight Simulator Facility	9,500	9,500
Air NG	Puerto Rico Luis Munoz-Marin IAP	Communications Facility	12,500	0
Air NG	Luis Munoz-Marin IAP	Maintenance Hangar	37,500	0
Air NG	Wisconsin Truax Field	F-35 Simulator Facility	14,000	14,000
Air NG	Truax Field	Fighter Alert Shelters	20,000	20,000
Air NG	Worldwide Unspecified Unspecified Worldwide Locations	Unspecified Minor Construction	31,471	31,471
Air NG	Various Worldwide Locations	Planning and Design	17,000	17,000
AF Res	Georgia Robins Air Force Base	Consolidated Mission Complex Phase 3	43,000	43,000
AF Res	Maryland Joint Base Andrews	AES Training Admin Facility	0	15,000
AF Res	Minnesota Minneapolis-St. Paul IAP	Aerial Port Facility	0	9,800
AF Res	Worldwide Unspecified Unspecified Worldwide Locations	Planning and Design	4,604	4,604
AF Res	Unspecified Worldwide Locations	Unspecified Minor Construction	12,146	12,146
FH Con Army	Germany Baumholder	Family Housing Improvements	29,983	29,983
FH Con Army	Korea Camp Humphreys	Family Housing New Construction Iner 4	83,167	83,167
FH Con Army	Pennsylvania Tobyhanna Army Depot	Family Housing Replacement Construction	19,000	19,000
FH Con Army	Worldwide Unspecified Unspecified Worldwide Locations	Family Housing P & D	9,222	9,222
FH Ops Army	Unspecified Worldwide Locations	Furnishings	24,027	24,027
FH Ops Army	Unspecified Worldwide Locations	Housing Privatization Support	18,627	68,627
FH Ops Army	Unspecified Worldwide Locations	Leasing	128,938	128,938
FH Ops Army	Unspecified Worldwide Locations	Maintenance	81,065	81,065

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2020 Request	House Agreement
FH Ops Army	Unspecified Worldwide Locations	Management	38,898	38,898
FH Ops Army	Unspecified Worldwide Locations	Miscellaneous	484	484
FH Ops Army	Unspecified Worldwide Locations	Services	10,156	10,156
FH Ops Army	Unspecified Worldwide Locations	Utilities	55,712	55,712
FH Con Navy	Unspecified Worldwide Locations	Construction Improvements	41,798	41,798
FH Con Navy	Unspecified Worldwide Locations	Planning & Design	3,863	3,863
FH Con Navy	Unspecified Worldwide Locations	USMC DPRI/Guam Planning and Design	2,000	2,000
FH Ops Navy	Unspecified Worldwide Locations	Furnishings	19,009	19,009
FH Ops Navy	Unspecified Worldwide Locations	Housing Privatization Support	21,975	81,575
FH Ops Navy	Unspecified Worldwide Locations	Leasing	64,126	64,126
FH Ops Navy	Unspecified Worldwide Locations	Maintenance	82,611	82,611
FH Ops Navy	Unspecified Worldwide Locations	Management	50,122	50,122
FH Ops Navy	Unspecified Worldwide Locations	Miscellaneous	151	151
FH Ops Navy	Unspecified Worldwide Locations	Services	16,647	16,647
FH Ops Navy	Unspecified Worldwide Locations	Utilities	63,229	63,229
	Germany			
FH Con AF	Spangdahlem Air Base	Construct Deficit Military Family Housing	53,584	53,584
FH Con AF	Worldwide Unspecified Locations	Construction Improvements	46,638	46,638
FH Con AF	Unspecified Worldwide Locations	Planning & Design	3,409	3,409
FH Ops AF	Unspecified Worldwide Locations	Furnishings	30,283	30,283
FH Ops AF	Unspecified Worldwide Locations	Housing Privatization	22,593	53,793
FH Ops AF	Unspecified Worldwide Locations	Leasing	15,768	15,768
FH Ops AF	Unspecified Worldwide Locations	Maintenance	117,704	117,704
FH Ops AF	Unspecified Worldwide Locations	Management	56,022	56,022
FH Ops AF	Unspecified Worldwide Locations	Miscellaneous	2,144	2,144
FH Ops AF	Unspecified Worldwide Locations	Services	7,770	7,770
FH Ops AF	Unspecified Worldwide Locations	Utilities	42,732	42,732
FH Ops DW	Unspecified Worldwide Locations	Furnishings	727	727
FH Ops DW	Unspecified Worldwide Locations	Leasing	52,128	52,128
FH Ops DW	Unspecified Worldwide Locations	Maintenance	32	32
FH Ops DW	Unspecified Worldwide Locations	Utilities	4,113	4,113
FHIF	Unspecified Worldwide Locations	Administrative Expenses—FHIF	3,045	3,045
UHIF	Unspecified Worldwide Locations	Administrative Expenses—UHIF	500	500
BRAC	Worldwide Unspecified Locations	Base Realignment and Closure	66,111	96,111
BRAC	Unspecified Worldwide Locations	Base Realignment & Closure	158,349	218,349
BRAC	Unspecified Worldwide Locations	DoD BRAC Activities—Air Force	54,066	84,066
	Prior Year Savings			
PYS	Prior Year Savings	Prior Year Savings	0	–45,055

1 SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CON-
2 TINGENCY OPERATIONS.

SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2020 Request	House Agreement
	Guantanamo Bay, Cuba			
Army	Guantanamo Bay Naval Station	OCO: Communications Facility	22,000	22,000
Army	Guantanamo Bay Naval Station	OCO: Detention Legal Office and Comms Ctr	11,800	11,800
Army	Guantanamo Bay Naval Station	OCO: High Value Detention Facility	88,500	0
	Worldwide Unspecified			
Army	Unspecified Worldwide Locations	EDI/OCO Planning and Design	19,498	19,498
Army	Unspecified Worldwide Locations	EDI: Bulk Fuel Storage	36,000	36,000
Army	Unspecified Worldwide Locations	EDI: Information Systems Facility	6,200	6,200
Army	Unspecified Worldwide Locations	EDI: Minor Construction	5,220	5,220
Army	Unspecified Worldwide Locations	Unspecified Worldwide Construction	9,200,000	0
Army	Various Worldwide Locations	EDI: Various Worldwide Locations Europe	0	56,142
	Bahrain			
Navy	SW Asia	Electrical System Upgrade	0	53,360
	Italy			
Navy	Sigonella	Communications Station	0	77,400
	Spain			
Navy	Rota	EDI: In-Transit Munitions Facility	9,960	9,960
Navy	Rota	EDI: Joint Mobility Center	46,840	46,840
Navy	Rota	EDI: Small Craft Berthing Facility	12,770	12,770
	Worldwide Unspecified			
Navy	Unspecified Worldwide Locations	Planning and Design	25,000	25,000
Navy	Various Worldwide Locations	EDI: Various Worldwide Locations Europe	0	56,246
	Iceland			
AF	Keflavik	EDI-Airfield Upgrades—Dangerous Cargo Pad	18,000	18,000
AF	Keflavik	EDI-Beddown Site Prep	7,000	7,000
AF	Keflavik	EDI-Expand Parking Apron	32,000	32,000
	Jordan			
AF	Azraq	Air Traffic Control Tower	0	24,000
AF	Azraq	Munitions Storage Area	0	42,000
	Spain			
AF	Moron	EDI-Hot Cargo Pad	8,500	8,500
	Worldwide Unspecified			
AF	Unspecified Worldwide Locations	EDI-ECAOS DABS/FEV EMEDS Storage	107,000	107,000
AF	Unspecified Worldwide Locations	EDI-Hot Cargo Pad	29,000	29,000
AF	Unspecified Worldwide Locations	EDI-Munitions Storage Area	39,000	39,000
AF	Various Worldwide Locations	EDI: Various Worldwide Locations Europe	0	56,246
AF	Various Worldwide Locations	EDI-P&D	61,438	61,438
AF	Various Worldwide Locations	EDI-UMMC	12,800	12,800
	Germany			
Def-Wide	Gemersheim	EDI: Logistics Distribution Center Annex	46,000	46,000

1 TITLE XLVII—DEPARTMENT OF

2 ENERGY NATIONAL SECURITY

3 PROGRAMS

4 SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY

5 PROGRAMS.

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2020 Request	House Authorized
Discretionary Summary By Appropriation		
Energy And Water Development, And Related Agencies		
Appropriation Summary:		
Energy Programs		
Nuclear Energy	137,808	137,808
Atomic Energy Defense Activities		
National nuclear security administration:		
Weapons activities	12,408,603	11,807,074
Defense nuclear nonproliferation	1,993,302	2,005,087
Naval reactors	1,648,396	1,632,142
Federal salaries and expenses	434,699	410,000
Total, National nuclear security administration	16,485,000	15,854,303
Environmental and other defense activities:		
Defense environmental cleanup	5,506,501	5,616,001
Other defense activities	1,035,339	1,035,339
Defense nuclear waste disposal	26,000	0
Total, Environmental & other defense activities	6,567,840	6,651,340
Total, Atomic Energy Defense Activities	23,052,840	22,505,643
Total, Discretionary Funding	23,190,648	22,643,451
Nuclear Energy		
Idaho sitewide safeguards and security	137,808	137,808
Total, Nuclear Energy	137,808	137,808
Weapons Activities		
Directed stockpile work		
Life extension programs and major alterations		
B61–12 Life extension program	792,611	792,611
W76–2 Modification program	10,000	0
Terminate effort		[–10,000]
W88 Alt 370	304,186	304,186
W80–4 Life extension program	898,551	898,551
W87–1 Modification Program (formerly IW1)	112,011	53,000
Unjustified growth		[–59,011]
Total, Life extension programs and major alterations	2,117,359	2,048,348
Stockpile systems		
B61 Stockpile systems	71,232	71,232
W76 Stockpile systems	89,804	89,804
W78 Stockpile systems	81,299	81,299
W80 Stockpile systems	85,811	80,204
Unjustified study requirement		[–5,607]
B83 Stockpile systems	51,543	22,421
Unjustified growth		[–29,122]
W87 Stockpile systems	98,262	98,262
W88 Stockpile systems	157,815	157,815
Total, Stockpile systems	635,766	601,037
Weapons dismantlement and disposition		
Operations and maintenance	47,500	47,500
Stockpile services		
Production support	543,964	510,000

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2020 Request	House Authorized
Unjustified program growth		[-33,964]
Research and development support	39,339	36,150
Unjustified program growth		[-3,189]
R&D certification and safety	236,235	201,840
Unjustified program growth		[-34,395]
Management, technology, and production	305,000	305,000
Total, Stockpile services	1,124,538	1,052,990
Strategic materials		
Uranium sustainment	94,146	94,146
Plutonium sustainment	712,440	471,309
Pit production beyond 30 pits per year		[-241,131]
Tritium sustainment	269,000	269,000
Lithium sustainment	28,800	28,800
Domestic uranium enrichment	140,000	140,000
Strategic materials sustainment	256,808	256,808
Total, Strategic materials	1,501,194	1,260,063
Total, Directed stockpile work	5,426,357	5,009,938
Research, development, test and evaluation (RDT&E)		
Science		
Advanced certification	57,710	57,710
Primary assessment technologies	95,169	95,169
Dynamic materials properties	133,800	133,800
Advanced radiography	32,544	32,544
Secondary assessment technologies	77,553	77,553
Academic alliances and partnerships	44,625	44,625
Enhanced Capabilities for Subcritical Experiments	145,160	145,160
Total, Science	586,561	586,561
Engineering		
Enhanced surety	46,500	39,717
Unjustified program growth		[-6,783]
Delivery Environments (formerly Weapons Systems Engineering Assessment Technology)	35,945	23,029
Unjustified program growth		[-12,916]
Nuclear survivability	53,932	53,932
Enhanced surveillance	57,747	57,747
Stockpile Responsiveness	39,830	5,000
Unjustified request		[-34,830]
Total, Engineering	233,954	179,425
Inertial confinement fusion ignition and high yield		
Ignition and Other Stockpile Programs	55,649	55,649
Diagnostics, cryogenics and experimental support	66,128	66,128
Pulsed power inertial confinement fusion	8,571	8,571
Joint program in high energy density laboratory plasmas	12,000	12,000
Facility operations and target production	338,247	338,247
High energy density R&D	0	0
National ignition facility, LLNL	0	0
Z Facility, SNL	0	0
Omega laser facility, URochester	0	0
Total, Inertial confinement fusion and high yield	480,595	480,595
Advanced simulation and computing		
Advanced simulation and computing	789,849	789,849
Construction:		
18-D-620, Exascale Computing Facility Modernization Project, LLNL	50,000	50,000
Total, Construction	50,000	50,000
Total, Advanced simulation and computing	839,849	839,849
Advanced manufacturing		
Additive manufacturing	18,500	18,500
Component manufacturing development	48,410	48,410
Process technology development	69,998	30,914
Unjustified program growth		[-39,804]
Total, Advanced manufacturing	136,908	97,824
Total, RDT&E	2,277,867	2,184,254

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2020 Request	House Authorized
Infrastructure and operations		
Operations of facilities	905,000	870,000
Unjustified program growth		[-35,000]
Safety and environmental operations	119,000	110,000
Unjustified program growth		[-9,000]
Maintenance and repair of facilities	456,000	456,000
Recapitalization:		
Infrastructure and safety	447,657	447,657
Capability based investments	135,341	109,057
Unjustified program growth		[-26,284]
Total, Recapitalization	582,998	556,714
Construction:		
19-D-670, 138kV Power Transmission System Replacement, NNSS	6,000	6,000
18-D-690, Lithium Processing Facility, Y-12 (formerly Lithium Production Capability, Y-12)	32,000	39,000
Program increase		[7,000]
18-D-650, Tritium Finishing Facility, SRS	27,000	27,000
17-D-640, U1a Complex Enhancements Project, NNSS	35,000	35,000
15-D-612, Emergency Operations Center, LLNL	5,000	5,000
15-D-611, Emergency Operations Center, SNL	4,000	4,000
15-D-301, HE Science & Engineering Facility, PX	123,000	123,000
06-D-141 Uranium processing facility Y-12, Oak Ridge, TN	745,000	745,000
04-D-125, Chemistry and Metallurgy Research Replacement Project, LANL	168,444	168,444
Total, Construction	1,145,444	1,152,444
Total, Infrastructure and operations	3,208,442	3,145,158
Secure transportation asset		
Operations and equipment	209,502	209,502
Program direction	107,660	107,660
Total, Secure transportation asset	317,162	317,162
Defense nuclear security		
Operations and maintenance	778,213	750,000
Excess to need		[-28,213]
Total, Defense nuclear security	778,213	750,000
Information technology and cybersecurity	309,362	309,362
Legacy contractor pensions	91,200	91,200
Total, Weapons Activities	12,408,603	11,807,074
Defense Nuclear Nonproliferation		
Defense Nuclear Nonproliferation Programs		
Global material security		
International nuclear security	48,839	48,839
Domestic radiological security	90,513	90,513
International radiological security	60,827	80,827
Secure additional radiologic materials		[20,000]
Nuclear smuggling detection and deterrence	142,171	142,171
Total, Global material security	342,350	362,350
Material management and minimization		
HEU reactor conversion	114,000	114,000
Nuclear material removal	32,925	32,925
Material disposition	186,608	186,608
Total, Material management & minimization	333,533	333,533
Nonproliferation and arms control	137,267	137,267
Defense nuclear nonproliferation R&D	495,357	525,357
Proliferation detection research		[15,000]
Additional verification and detection effort		[15,000]
Nonproliferation Construction:		
18-D-150 Surplus Plutonium Disposition Project	79,000	79,000
99-D-143 Mixed Oxide (MOX) Fuel Fabrication Facility, SRS	220,000	213,500
Program decrease		[-6,500]
Total, Nonproliferation construction	299,000	292,500

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2020 Request	House Authorized
Total, Defense Nuclear Nonproliferation Programs	1,607,507	1,651,007
Legacy contractor pensions	13,700	13,700
Nuclear counterterrorism and incident response program	372,095	340,380
Unjustified cost growth		[-31,715]
Total, Defense Nuclear Nonproliferation	1,993,302	2,005,087
Naval Reactors		
Naval reactors development	531,205	514,951
Unjustified growth		[-16,254]
Columbia-Class reactor systems development	75,500	75,500
S8G Prototype refueling	155,000	155,000
Naval reactors operations and infrastructure	553,591	553,591
Construction:		
20-D-931, KL Fuel Development Laboratory	23,700	23,700
19-D-930, KS Overhead Piping	20,900	20,900
14-D-901 Spent fuel handling recapitalization project, NRF	238,000	238,000
Total, Construction	282,600	282,600
Program direction	50,500	50,500
Total, Naval Reactors	1,648,396	1,632,142
Federal Salaries And Expenses		
Program direction	434,699	410,000
Unjustified growth		[-24,699]
Total, Office Of The Administrator	434,699	410,000
Defense Environmental Cleanup		
Closure sites:		
Closure sites administration	4,987	4,987
Richland:		
River corridor and other cleanup operations	139,750	139,750
Central plateau remediation	472,949	522,949
Program increase		[50,000]
Richland community and regulatory support	5,121	5,121
Construction:		
18-D-404 WESF Modifications and Capsule Storage	11,000	11,000
Total, Construction	11,000	11,000
Total, Hanford site	628,820	678,820
Office of River Protection:		
Waste Treatment Immobilization Plant Commissioning	15,000	15,000
Rad liquid tank waste stabilization and disposition	677,460	705,460
Program increase		[28,000]
Construction:		
18-D-16 Waste treatment and immobilization plant—LLBL/Direct feed LAW	640,000	640,000
01-D-16 D, High-level waste facility	30,000	30,000
01-D-16 E—Pretreatment Facility	20,000	20,000
Total, Construction	690,000	690,000
ORP Low-level waste offsite disposal	10,000	10,000
Total, Office of River Protection	1,392,460	1,420,460
Idaho National Laboratory:		
Idaho cleanup and waste disposition	331,354	331,354
Idaho community and regulatory support	3,500	3,500
Total, Idaho National Laboratory	334,854	334,854
NNSA sites and Nevada off-sites		
Lawrence Livermore National Laboratory	1,727	1,727
LLNL Excess facilities R&D	128,000	128,000
Nuclear facility D & D		
Separations Process Research Unit	15,300	15,300
Nevada	60,737	60,737
Sandia National Laboratories	2,652	2,652

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2020 Request	House Authorized
Los Alamos National Laboratory	195,462	195,462
Total, NNSA sites and Nevada off-sites	403,878	403,878
Oak Ridge Reservation:		
OR Nuclear facility D & D	93,693	93,693
Total, OR Nuclear facility D & D	93,693	93,693
U233 Disposition Program	45,000	45,000
OR cleanup and waste disposition		
OR cleanup and disposition	82,000	82,000
Construction:		
17-D-401 On-site waste disposal facility	15,269	15,269
14-D-403 Outfall 200 Mercury Treatment Facility	49,000	49,000
Total, Construction	64,269	64,269
Total, OR cleanup and waste disposition	146,269	146,269
OR community & regulatory support	4,819	4,819
OR technology development and deployment	3,000	3,000
OR Excess facilities D&D		0
Total, Oak Ridge Reservation	292,781	292,781
Savannah River Sites:		
Savannah River risk management operations		
Savannah River risk management operations	490,613	515,613
Program increase		[25,000]
Construction:		
18-D-402, Emergency Operations Center	6,792	6,792
Total, risk management operations	497,405	522,405
SR community and regulatory support	4,749	11,249
Program increase		[6,500]
Radioactive liquid tank waste stabilization and disposition	797,706	797,706
Construction:		
20-D-402 Advanced Manufacturing Collaborative Facility (AMC)	50,000	50,000
20-D-401 Saltstone Disposal Unit #10, 11, 12	500	500
18-D-402 Saltstone Disposal Unit #8/9	51,750	51,750
17-D-402 Saltstone Disposal Unit #7	40,034	40,034
05-D-405 Salt waste processing facility, Savannah River Site	20,988	20,988
Total, Construction	163,272	163,272
Total, Savannah River site	1,463,132	1,494,632
Waste Isolation Pilot Plant		
Waste Isolation Pilot Plant	299,088	299,088
Construction:		
15-D-411 Safety significant confinement ventilation system, WIPP	58,054	58,054
15-D-412 Exhaust shaft, WIPP	34,500	34,500
Total, Construction	92,554	92,554
Total, Waste Isolation Pilot Plant	391,642	391,642
Program direction	278,908	278,908
Program support	12,979	12,979
Safeguards and Security		
Safeguards and Security	317,622	317,622
Total, Safeguards and Security	317,622	317,622
Use of prior year balances	-15,562	-15,562
Total, Defense Environmental Cleanup	5,506,501	5,616,001
Other Defense Activities		
Environment, health, safety and security		
Environment, health, safety and security	139,628	139,628
Program direction	72,881	72,881
Total, Environment, Health, safety and security	212,509	212,509
Independent enterprise assessments		
Independent enterprise assessments	24,068	24,068
Program direction	57,211	57,211
Total, Independent enterprise assessments	81,279	81,279

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2020 Request	House Authorized
Specialized security activities	254,578	254,578
Office of Legacy Management		
Legacy management	283,767	283,767
Program direction	19,262	19,262
Total, Office of Legacy Management	303,029	303,029
Defense related administrative support		
Chief financial officer	54,538	54,538
Chief information officer	124,554	124,554
Total, Defense related administrative support	179,092	179,092
Office of hearings and appeals	4,852	4,852
Subtotal, Other defense activities	1,035,339	1,035,339
Total, Other Defense Activities	1,035,339	1,035,339
Defense Nuclear Waste Disposal		
Yucca mountain and interim storage	26,000	0
Program cut	0	[-26,000]
Total, Defense Nuclear Waste Disposal	26,000	0

Passed the House of Representatives July 12, 2019.

Attest: CHERYL L. JOHNSON,
Clerk.

Calendar No. 512

116TH CONGRESS
2D Session

H. R. 2500

AN ACT

To authorize appropriations for fiscal year 2020 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.

AUGUST 11, 2020

Read twice and placed on the calendar