

In the House of Representatives, U. S.,

September 17, 2019.

Resolved, That the bill from the Senate (S. 1790) entitled “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.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

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 Author-*
9 *izations.*

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

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

- 1 (4) *Division D—Funding Tables.*
- 2 (b) *TABLE OF CONTENTS.—The table of contents for*
- 3 *this Act is as follows:*

Sec. 1. Short title.

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

Sec. 3. Congressional defense committees.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

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Sec. 101. Authorization of appropriations.

Subtitle B—Navy Programs

Sec. 111. Modification of annual report on cost targets for certain aircraft carriers.

Sec. 112. Repeal of requirement to adhere to Navy cost estimates for certain aircraft carriers.

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.

Sec. 115. Design and construction of amphibious transport dock designated LPD-31.

Sec. 116. Limitation on availability of funds pending quarterly updates on the CH-53K King Stallion helicopter program.

Sec. 117. Limitation on availability of funds for VH-92A helicopter.

Sec. 118. National Defense Reserve Fleet Vessel.

Sec. 119. Report on plans to support and maintain aircraft at Marine Corps air stations.

Subtitle C—Air Force Programs

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Sec. 122. Modification of limitation on use of funds for KC-46A aircraft.

Sec. 123. F-15EX aircraft program.

Sec. 124. Prohibition on availability of funds for reduction in KC-10 primary mission aircraft inventory.

Sec. 125. Limitation on availability of funds for VC-25B aircraft.

Sec. 126. Limitation on availability of funds for retirement of RC-135 aircraft.

Sec. 127. Report on aircraft fleet of the Civil Air Patrol.

Sec. 128. Increase in funding for RC-135 aircraft.

Sec. 129. Provisions relating to RC-26B manned intelligence, surveillance, and reconnaissance aircraft.

Sec. 130. Air Force Aggressor Squadron Modernization.

Sec. 130A. Open Skies Treaty aircraft recapitalization program.

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

Sec. 131. Economic order quantity contracting and buy-to-budget acquisition for F-35 aircraft program.

Sec. 132. Program requirements for the F-35 aircraft program.

- Sec. 133. Reports on F-35 aircraft program.*
Sec. 134. Requirement to seek compensation for failure to deliver non-Ready-For-Issue spare parts for the F-35 aircraft program.
Sec. 135. Procurement authority for light attack aircraft.

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- Sec. 201. Authorization of appropriations.*

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- Sec. 211. Program on enhancement of preparation of dependents of members of Armed Forces for careers in science, technology, engineering, and mathematics.*
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Sec. 213. Joint Hypersonics Transition Office.
Sec. 214. Modification of proof of concept commercialization program.
Sec. 215. Contract for national security research studies.
Sec. 216. JASON Scientific Advisory Group.
Sec. 217. Direct Air Capture and Blue Carbon Removal Technology Program.
Sec. 218. Foreign malign influence operations research program.
Sec. 219. Sensor data integration for fifth generation aircraft.
Sec. 220. Documentation relating to Advanced Battle Management System.
Sec. 221. Documentation relating to B-52 commercial engine replacement program.
Sec. 222. Diversification of the science, technology, research, and engineering workforce of the Department of Defense.
Sec. 223. Policy on the talent management of digital expertise and software professionals.
Sec. 224. Development and implementation of digital engineering capability and automated software testing and evaluation.
Sec. 225. Process to align policy formulation and emerging technology development.
Sec. 226. Limitation on transition of Strategic Capabilities Office of the Department of Defense.
Sec. 227. Sense of Congress on the importance of continued coordination of studies and analysis research of the Department of Defense.
Sec. 228. Global positioning system modernization.
Sec. 229. Musculoskeletal injury prevention research.
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- Sec. 231. Master plan for implementation of authorities relating to science and technology reinvention laboratories.*
Sec. 232. Master plan for infrastructure required to support research, development, test, and evaluation missions.

- Sec. 233. Strategy and implementation plan for fifth generation information and communications technologies.*
- Sec. 234. Department-wide software science and technology strategy.*
- Sec. 235. Artificial intelligence education strategy.*
- Sec. 236. Biannual report on the Joint Artificial Intelligence Center.*
- Sec. 237. Quarterly updates on the Optionally Manned Fighting Vehicle program.*
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- Sec. 252. Requirement for annual report summarizing the operational test and evaluation activities of the Department of Defense.*
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- Sec. 256. Efforts to counter manipulated media content.*

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- Sec. 319. Prohibition of uncontrolled release of fluorinated aqueous film-forming foam at military installations.*
- Sec. 320. Prohibition on use of fluorinated aqueous film forming foam for training exercises.*
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- Sec. 324. Removal of barriers that discourage investments to increase resiliency to climate change.*
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- Sec. 330A. PFAS designation, effluent limitations, and pretreatment standards.*
- Sec. 330B. Prohibition on Perfluoroalkyl Substances and Polyfluoroalkyl Substances in Meals Ready-to-Eat Food Packaging.*
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- Sec. 330E. Prohibition on use of perfluoroalkyl substances and polyfluoroalkyl substances for land-based applications of firefighting foam.*
- Sec. 330F. Agreements to share monitoring data relating to perfluoroalkyl and polyfluoroalkyl substances and other contaminants of concern.*
- Sec. 330G. Detection of perfluorinated compounds.*
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- Sec. 343. Report on Navy ship depot maintenance budget.*
- Sec. 344. Report on Runit Dome.*
- Sec. 345. Comptroller General study of out-of-pocket costs for service dress uniforms.*
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- Sec. 347. Report on plan to decontaminate sites formerly used by the Department of the Army that have since been transferred to units of local government and are affected by pollutants that are, in whole or in part, a result of activity by the Department of Defense.*

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- 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. 1268. Amendments relating to civilian casualty matters.*
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- 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.*
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- Sec. 1270F. Limitation on use of funds from the Special Defense Acquisition Fund.*
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- Sec. 1270H. Prohibition on support for military participation against the Houthis.*
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- 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.*
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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 nonrecurring 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.*
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- 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.*
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and timing capabilities of global positioning system.*
- Sec. 1610. Report on space debris.*
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pabilities.*

Subtitle B—Defense Intelligence and Intelligence-Related Activities

- Sec. 1611. Modifications to ISR Integration Council and annual briefing require-
ments.*
- Sec. 1612. Survey and report on alignment of intelligence collections capabilities
and activities with Department of Defense requirements.*
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- 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.*
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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.
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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.
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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

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- 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 resiliency, 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.

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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 101(a)(16)*
4 *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 fis-*
8 *cal year 2020 for procurement for the Army, the Navy and*
9 *the Marine Corps, the Air Force, and Defense-wide activi-*
10 *ties, 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 CARRIERS.***

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

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

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

23 *(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 “costs
 5 described in subsection (b)” and inserting “cost
 6 targets”;

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

10 (D) in subparagraph (G), by striking “costs
 11 specified in subsection (b)” and inserting “cost
 12 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 Au-
 17 thorization Act for Fiscal Year 2007 (Public Law 109–364;
 18 120 Stat. 2104), as most recently amended by section
 19 121(a) of the National Defense Authorization Act for Fiscal
 20 Year 2018 (Public Law 115–91; 131 Stat. 1309), is re-
 21 pealed.

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

24 Before accepting delivery of the Ford class aircraft car-
 25 rier designated CVN–79, the Secretary of the Navy shall

1 *ensure that the aircraft carrier is capable of operating and*
 2 *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 this*
 6 *Act or otherwise made available for fiscal year 2020 for the*
 7 *Department of Defense may be obligated or expended to re-*
 8 *duce the number of operational aircraft carriers of the Navy*
 9 *below the number specified in section 8062(b) of title 10,*
 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 enter*
 16 *into a contract, beginning with the fiscal year 2020 pro-*
 17 *gram year, for the design and construction of the amphib-*
 18 *ious transport dock designated LPD-31.*

19 *(b) USE OF INCREMENTAL FUNDING.—With respect to*
 20 *the contract entered into under subsection (a), the Secretary*
 21 *may use incremental funding to make payments under the*
 22 *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 appro-*
 3 *priations 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 appro-*
 8 *priated by this Act or otherwise made available for fiscal*
 9 *year 2020 for aircraft procurement, Navy, for the CH-53K*
 10 *King Stallion helicopter program, not more than 50 percent*
 11 *may be obligated or expended until a period of 30 days*
 12 *has elapsed following the date on which the Secretary of*
 13 *the Navy provides the first briefing required under sub-*
 14 *section (b).*

15 *(b) QUARTERLY BRIEFINGS REQUIRED.—*

16 *(1) IN GENERAL.—Beginning not later than Oc-*
 17 *tober 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 pro-*
 22 *gram.*

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

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

2 (B) *A statement of the total cost of the pro-*
3 *gram as of the date of the briefing, including the*
4 *costs of development, testing, and production.*

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

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

13 (E) *An update on the correction of technical*
14 *deficiencies under the program, including—*

15 (i) *identification of the technical defi-*
16 *ciencies that have been corrected as of the*
17 *date of the briefing;*

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

21 (iii) *an estimate of the total cost of*
22 *correcting technical deficiencies under the*
23 *program; and*

24 (iv) *an explanation of any significant*
25 *deviations from the testing and program*

1 *schedule that are anticipated due to the dis-*
 2 *covery and correction of technical defi-*
 3 *ciencies.*

4 **SEC. 117. LIMITATION ON AVAILABILITY OF FUNDS FOR VH-**
 5 **92A HELICOPTER.**

6 (a) *LIMITATION.*—*Of the funds authorized to be appro-*
 7 *priated by this Act or otherwise made available for fiscal*
 8 *year 2020 for procurement for the VH–92A helicopter, not*
 9 *more than 75 percent may be obligated or expended until*
 10 *the date on which the Secretary of Navy submits to the*
 11 *Committee on Armed Services of the House of Representa-*
 12 *tives the report required under subsection (b).*

13 (b) *REPORT REQUIRED.*—*The Secretary of the Navy*
 14 *shall submit to the Committee on Armed Services of the*
 15 *House of Representatives a report assessing the status of*
 16 *the VH–92A helicopter program industrial base and the po-*
 17 *tential impact of proposed manufacturing base changes on*
 18 *the acquisition program. The report shall include a descrip-*
 19 *tion of—*

20 (1) *estimated effects on the manufacturing readi-*
 21 *ness level of the VH–92 program due to planned*
 22 *changes to the program manufacturing base;*

23 (2) *the estimated costs and assessment of cost*
 24 *risk to the program due to planned changes to the*
 25 *program manufacturing base;*

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

5 (4) *an assessment of the effect of changes to the*
 6 *manufacturing base on VH-92A sustainment; and*

7 (5) *the impact of such changes on production*
 8 *and sustainment capacity for the MH-60 and CH-*
 9 *53K helicopters of the Navy.*

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

11 (a) *IN GENERAL.*—*Subject to the availability of appro-*
 12 *priations, the Secretary of the Navy, acting through the ex-*
 13 *ecutive agent described in subsection (e), shall seek to enter*
 14 *into a contract for the construction of one sealift vessel for*
 15 *the National Defense Reserve Fleet.*

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

19 (c) *DESIGN AND CONSTRUCTION REQUIREMENTS.*—

20 (1) *USE OF EXISTING DESIGN.*—*The design of*
 21 *the sealift vessel shall be based on a domestic or for-*
 22 *foreign design that exists as of the date of the enactment*
 23 *of this Act.*

24 (2) *COMMERCIAL STANDARDS AND PRACTICES.*—
 25 *Subject to paragraph (1), the sealift vessel shall be*

1 *constructed using commercial design standards and*
 2 *commercial construction practices that are consistent*
 3 *with the best interests of the Federal Government.*

4 (3) *DOMESTIC SHIPYARD.*—*The sealift vessel*
 5 *shall be constructed in a shipyard that is located in*
 6 *the United States.*

7 (d) *CERTIFICATE AND ENDORSEMENT.*—*The sealift*
 8 *vessel shall meet the requirements necessary to receive a cer-*
 9 *tificate of documentation and a coastwise endorsement*
 10 *under chapter 121 of title 46, United States Code, and the*
 11 *Secretary of the Navy shall ensure that the completed vessel*
 12 *receives such a certificate and endorsement.*

13 (e) *EXECUTIVE AGENT.*—

14 (1) *IN GENERAL.*—*The Secretary of the Navy*
 15 *shall seek to enter into a contract or other agreement*
 16 *with a private-sector entity under which the entity*
 17 *shall act as executive agent for the Secretary for pur-*
 18 *poses of the contract under subsection (a).*

19 (2) *RESPONSIBILITIES.*—*The executive agent de-*
 20 *scribed in paragraph (1) shall be responsible for—*

21 (A) *selecting a shipyard for the construction*
 22 *of the sealift vessel;*

23 (B) *managing and overseeing the construc-*
 24 *tion of the sealift vessel; and*

1 (C) *such other matters as the Secretary of*
 2 *the Navy determines to be appropriate*

3 (f) *USE OF INCREMENTAL FUNDING.*—*With respect to*
 4 *the contract entered into under subsection (a), the Secretary*
 5 *of the Navy may use incremental funding to make pay-*
 6 *ments under the contract.*

7 (g) *SEALIFT VESSEL DEFINED.*—*In this section, the*
 8 *term “sealift vessel” means the sealift vessel constructed for*
 9 *the National Defense Reserve Fleet pursuant to the contract*
 10 *entered into under subsection (a).*

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

13 (a) *REPORT REQUIRED.*—*No later than 90 days after*
 14 *the date of the enactment of this Act, the Secretary of the*
 15 *Navy shall submit to the congressional defense committees*
 16 *a report on the plans of the Secretary to support and main-*
 17 *tain aircraft assigned to Marine Corps air stations that are*
 18 *transitioning from the F-18 Hornet aircraft to the F-35*
 19 *Lightning aircraft.*

20 (b) *ELEMENTS.*—*The report under subsection (a) shall*
 21 *include—*

22 (1) *the number and composition of squadrons as-*
 23 *signed to each air station;*

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

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

7 ***Subtitle C—Air Force Programs***

8 ***SEC. 121. MODIFICATION OF REQUIREMENT TO PRESERVE*** 9 ***CERTAIN C-5 AIRCRAFT.***

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

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

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

21 ***SEC. 122. MODIFICATION OF LIMITATION ON USE OF FUNDS*** 22 ***FOR KC-46A AIRCRAFT.***

23 *Section 146(a)(1) of the John S. McCain National De-*
 24 *fense Authorization Act for Fiscal Year 2019 (Public Law*
 25 *115-232) is amended by striking “the military type certifi-*

1 cation” and inserting “either the military type certification
2 or a military flight release”.

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

4 (a) *DESIGNATION OF MAJOR SUBPROGRAM.*—In ac-
5 cordance with section 2430a of title 10, United States Code,
6 the Secretary of Defense shall designate the F-15EX pro-
7 gram as a major subprogram of the F-15 aircraft program.

8 (b) *LIMITATION.*—Except as provided in subsection
9 (c), none of the funds authorized to be appropriated by this
10 Act or otherwise made available for fiscal year 2020 for the
11 Air Force may be obligated or expended to procure an F-
12 15EX aircraft until a period of 30 days has elapsed fol-
13 lowing the date on which the Secretary of the Air Force
14 submits to the congressional defense committees the fol-
15 lowing documentation relating to the F-15EX program:

16 (1) *A program acquisition strategy.*

17 (2) *An acquisition program baseline.*

18 (3) *A test and evaluation master plan.*

19 (4) *A life-cycle sustainment plan.*

20 (5) *A post-production fielding strategy.*

21 (c) *EXCEPTION FOR PRODUCTION OF PROTOTYPES.*—

22 (1) *IN GENERAL.*—Notwithstanding subsection

23 (b), the Secretary of the Air Force may use the funds
24 described in paragraph (2) to develop, produce, and

1 *test not more than two prototypes of the F-15EX air-*
 2 *craft.*

3 (2) *FUNDS DESCRIBED.*—*The funds described in*
 4 *this paragraph are funds authorized to be appro-*
 5 *priated by this Act or otherwise made available for*
 6 *fiscal year 2020 for the Air Force for any of the fol-*
 7 *lowing:*

8 (A) *Research and development, non-*
 9 *recurring engineering.*

10 (B) *Aircraft procurement.*

11 (d) *F-15EX PROGRAM DEFINED.*—*In this section, the*
 12 *term “F-15EX program” means the F-15EX aircraft pro-*
 13 *gram of the Air Force as described in the materials sub-*
 14 *mitted to Congress by the Secretary of Defense in support*
 15 *of the budget of the President for fiscal year 2020 (as sub-*
 16 *mitted to Congress under section 1105(a) of title 31, United*
 17 *States Code).*

18 **SEC. 124. PROHIBITION ON AVAILABILITY OF FUNDS FOR**
 19 **REDUCTION IN KC-10 PRIMARY MISSION AIR-**
 20 **CRAFT INVENTORY.**

21 *None of the funds authorized to be appropriated by this*
 22 *Act or otherwise made available for fiscal year 2020 for the*
 23 *Air Force may be obligated or expended to reduce the num-*
 24 *ber of KC-10 aircraft in the primary mission aircraft in-*
 25 *ventory of the Air Force.*

1 **SEC. 125. LIMITATION ON AVAILABILITY OF FUNDS FOR VC-**
2 **25B AIRCRAFT.**

3 (a) *LIMITATION.*—None of the funds authorized to be
4 appropriated by this Act or otherwise made available for
5 fiscal year 2020 or any subsequent fiscal year for the Air
6 Force may be obligated or expended to carry out over-and-
7 above work on the VC-25B aircraft until the date on which
8 the Secretary of the Air Force certifies to the congressional
9 defense committees that—

10 (1) *with respect to work relating to aircraft*
11 *paint scheme, interiors and livery, such work will not*
12 *result in changes to the VC-25B aircraft that cause*
13 *the aircraft to exceed—*

14 (A) *the specification requirements applica-*
15 *ble to the VC-25A aircraft; or*

16 (B) *the quality or grade of the VC-25A air-*
17 *craft;*

18 (2) *the livery for the VC-25B aircraft will com-*
19 *ply with the criteria set forth in the report of the Boe-*
20 *ing Company titled “Phase II Aircraft Livery and*
21 *Paint Study Final Report” as submitted to the Fed-*
22 *eral Government in April 2017;*

23 (3) *such work is not a result of late design*
24 *changes made by the Federal Government to the inte-*
25 *rior design of the VC-25B aircraft; and*

1 (4) *such work is not a result of rework that ex-*
 2 *ceeds the criteria set forth in the report of the Boeing*
 3 *Company titled “Presidential Quality Interior Ac-*
 4 *ceptance Standards Report” as submitted to the Fed-*
 5 *eral Government in September 2018.*

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

10 (1) *is within the general scope of the contract*
 11 *pursuant to which such efforts are carried out;*

12 (2) *is not covered by a line item for the basic*
 13 *work under the contract; and*

14 (3) *is necessary in order to satisfactorily com-*
 15 *plete the contract.*

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

18 (a) *LIMITATION.—Except as provided in subsection*
 19 (b), *none of the funds authorized to be appropriated by this*
 20 *Act or otherwise made available for fiscal year 2020 for the*
 21 *Air Force may be obligated or expended to retire, or prepare*
 22 *to retire, any RC-135 aircraft until a period of 60 days*
 23 *has elapsed following the date on which the Secretary of*
 24 *Defense certifies to the congressional defense committees*
 25 *that—*

15 *SEC. 127. REPORT ON AIRCRAFT FLEET OF THE CIVIL AIR*
16 *PATROL.*

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

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1 *sponsibilities assigned to the Civil Air Patrol, includ-*
 2 *ing—*

3 *(A) flight proficiency and training;*

4 *(B) operational mission training; and*

5 *(C) support for cadet orientation and cadet*
 6 *flight training programs in the Civil Air Patrol*
 7 *wing of each State.*

8 *(2) The ideal overall size of the Civil Air Patrol*
 9 *aircraft fleet, including a description of the factors*
 10 *used to determine that ideal size.*

11 *(3) The process used by the Civil Air Patrol and*
 12 *the Air Force to determine the number and location*
 13 *of aircraft operating locations and whether State*
 14 *Civil Air Patrol wing commanders are appropriately*
 15 *involved in that process.*

16 *(4) The process used by the Civil Air Patrol, the*
 17 *Air Force, and other relevant entities to determine the*
 18 *type and number of aircraft that are needed to sup-*
 19 *port the emergency, operational, and training mis-*
 20 *sions of the Civil Air Patrol.*

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

22 *(a) INCREASE FOR RC-135.—Notwithstanding the*
 23 *amounts set forth in the funding tables in division D, the*
 24 *amount authorized to be appropriated in section 101 for*
 25 *procurement, as specified in the corresponding funding*

1 *table in section 4101, for Aircraft Procurement, Air Force,*
2 *other aircraft, RC-135, line 055 is hereby increased by*
3 *\$171,000,000.*

4 *(b) INCREASE FOR DARP RC-135.—Notwithstanding*
5 *the amounts set forth in the funding tables in division D,*
6 *the amount authorized to be appropriated in section 101*
7 *for procurement, as specified in the corresponding funding*
8 *table in section 4101, for other procurement, Air Force, spe-*
9 *cial support projects, DARP RC135, line 063 is hereby in-*
10 *creased by \$29,000,000.*

11 *(c) OFFSETS.—*

12 *(1) Notwithstanding the amounts set forth in the*
13 *funding tables in division D, the amount authorized*
14 *to be appropriated in section 301 for operation and*
15 *maintenance, as specified in the corresponding fund-*
16 *ing table in section 4301, for operation and mainte-*
17 *nance, Defense-wide, admin & servicewide activities,*
18 *Defense Contract Management Agency, line 200 is*
19 *hereby reduced by \$25,000,000.*

20 *(2) Notwithstanding the amounts set forth in the*
21 *funding tables in division D, the amount authorized*
22 *to be appropriated in section 301 for operation and*
23 *maintenance, as specified in the corresponding fund-*
24 *ing table in section 4301, for operation and mainte-*
25 *nance, Defense-wide, admin & servicewide activities,*

1 *Office of the Secretary of Defense, line 460 is hereby*
2 *reduced by \$25,000,000.*

3 *(3) Notwithstanding the amounts set forth in the*
4 *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 Aircraft Procurement, Air Force, Initial*
8 *Spares/Repair Parts, line 069 is hereby reduced by*
9 *\$40,000,000.*

10 *(4) Notwithstanding the amounts set forth in the*
11 *funding tables in division D, the amount authorized*
12 *to be appropriated in section 101 for procurement, as*
13 *specified in the corresponding funding table in section*
14 *4101, for Aircraft Procurement, Air Force, Other Pro-*
15 *duction Charges, line 088 is hereby reduced by*
16 *\$33,000,000.*

17 *(5) Notwithstanding the amounts set forth in the*
18 *funding tables in division D, the amount authorized*
19 *to be appropriated in section 101 for procurement, as*
20 *specified in the corresponding funding table in section*
21 *4101, for Aircraft Procurement, Air Force, Flares,*
22 *line 015 is hereby reduced by \$14,000,000.*

23 *(6) Notwithstanding the amounts set forth in the*
24 *funding tables in division D, the amount authorized*
25 *to be appropriated in section 201 for research, devel-*

1 *opment, test, and evaluation, as specified in the cor-*
2 *responding funding table in section 4201, for Re-*
3 *search, Development, Test & Evaluation, Air Force,*
4 *Acq Workforce-Global Vigilance and Combat Systems,*
5 *line 130 is hereby reduced by \$25,000,000.*

6 *(7) Notwithstanding the amounts set forth in the*
7 *funding tables in division D, the amount authorized*
8 *to be appropriated in section 201 for research, devel-*
9 *opment, test, and evaluation, as specified in the cor-*
10 *responding funding table in section 4201, for Re-*
11 *search, Development, Test & Evaluation, Air Force,*
12 *Acq Workforce-Global Battle Management, line 133 is*
13 *hereby reduced by \$16,000,000.*

14 *(8) Notwithstanding the amounts set forth in the*
15 *funding tables in division D, the amount authorized*
16 *to be appropriated in section 201 for research, devel-*
17 *opment, test, and evaluation, as specified in the cor-*
18 *responding funding table in section 4201, for Re-*
19 *search, Development, Test & Evaluation, Air Force,*
20 *Acq Workforce-Capability Integration, line 134 is*
21 *hereby reduced by \$22,000,000.*

1 **SEC. 129. PROVISIONS RELATING TO RC-26B MANNED IN-**
2 **TELLIGENCE, SURVEILLANCE, AND RECON-**
3 **NAISSANCE AIRCRAFT.**

4 (a) *LIMITATION OF FUNDS.*—None of the funds author-
5 ized to be appropriated by this Act or otherwise made avail-
6 able for fiscal year 2020 for the Air Force may be obligated
7 or expended to retire, divest, realign, or place in storage
8 or on backup aircraft inventory status, or prepare to retire,
9 divest, realign, or place in storage or on backup aircraft
10 inventory status, any RC-26B aircraft until a period of
11 60 days has elapsed following the date on which the Sec-
12 retary of Defense certifies to the congressional defense com-
13 mittees that—

14 (1) *technologies or platforms other than the RC-*
15 *26B aircraft provide capacity and capabilities equiv-*
16 *alent to the capacity and capabilities of the RC-26B*
17 *aircraft; and*

18 (2) *the capacity and capabilities of such other*
19 *technologies or platforms meet the requirements of*
20 *combatant commanders with respect to indications*
21 *and warning, intelligence preparation of the oper-*
22 *ational environment, and direct support for kinetic*
23 *and non-kinetic operations.*

24 (b) *EXCEPTION.*—The limitation in subsection (a)
25 shall not apply to individual RC-26 aircraft that the Sec-
26 retary of the Air Force determines, on a case-by-case basis,

1 *to be no longer mission capable because of mishaps or other*
 2 *damage.*

3 (c) *FUNDING FOR RC-26B MANNED INTELLIGENCE,*
 4 *SURVEILLANCE, AND RECONNAISSANCE PLATFORM.—*

5 (1) *Of the amount authorized to be appropriated*
 6 *in section 301 for operation and maintenance, as*
 7 *specified in the corresponding funding table in 4301,*
 8 *for operation and maintenance, Air National Guard,*
 9 *the Secretary of the Air Force may transfer up to*
 10 *\$15,000,000 for the purposes of the RC-26B manned*
 11 *intelligence, surveillance, and reconnaissance plat-*
 12 *form.*

13 (2) *Of the amount authorized to be appropriated*
 14 *in section 421 for military personnel, as specified in*
 15 *the corresponding funding table in 4401, the Sec-*
 16 *retary of the Air Force may transfer up to*
 17 *\$16,000,000 from military personnel, Air National*
 18 *Guard for personnel who operate and maintain the*
 19 *RC-26B manned intelligence, surveillance, and recon-*
 20 *naissance platform.*

21 (d) *MEMORANDUM OF AGREEMENT.—Notwithstanding*
 22 *any other provision of law, the Chief of the National Guard*
 23 *Bureau may enter into one or more Memorandum of Agree-*
 24 *ment with other Federal entities for the purposes of assist-*
 25 *ing with the missions and activities of such entities.*

1 (e) *AIR FORCE REPORT*.—Not later than 90 days after
2 enactment of this Act, the Secretary of the Air Force shall
3 submit to congressional defense committees a report detail-
4 ing the manner in which the Secretary would provide
5 manned and unmanned intelligence, surveillance, and re-
6 connaissance mission support or manned and unmanned
7 incident awareness and assessment mission support to mili-
8 tary and non-military entities in the event the RC-26B is
9 divested. The Secretary shall include a determination re-
10 garding whether or not this support would be commensurate
11 with that which the RC-26B is able to provide. The Sec-
12 retary, in consultation with the Chief of the National Guard
13 Bureau shall also contact and survey the support require-
14 ments of other Federal agencies and provide an assessment
15 for potential opportunities to enter into one or more Memo-
16 randum of Agreements with such agencies for the purposes
17 of assisting with the missions and activities of such entities,
18 such as domestic or, subject to legal authorities, foreign op-
19 erations, including but not limited to situational aware-
20 ness, damage assessment, evacuation monitoring, search
21 and rescue, chemical, biological, radiological, and nuclear
22 assessment, hydrographic survey, dynamic ground coordi-
23 nation, and cyberspace incident response.

1 **SEC. 130. AIR FORCE AGGRESSOR SQUADRON MODERNIZA-**
 2 **TION.**

3 (a) *SENSE OF THE HOUSE OF REPRESENTATIVES.—*

4 *It is the sense of the House of Representatives that—*

5 (1) *it is critical that the Air Force has the capa-*
 6 *bility to train against an advanced air adversary in*
 7 *order to be prepared for conflicts against a modern*
 8 *enemy force;*

9 (2) *in order to have this capability, Air Force*
 10 *must have access to an advanced adversary force*
 11 *prior to United States adversaries fielding a 5th-gen-*
 12 *eration operational capability; and*

13 (3) *the Air Force's plan to use low-rate initial*
 14 *production F-35As as aggressor aircraft reflects a rec-*
 15 *ognition of the need to field a modernized aggressor*
 16 *fleet.*

17 (b) *REPORT.—*

18 (1) *IN GENERAL.—No later than 6 months prior*
 19 *to the transfer of any low-rate initial production F-*
 20 *35 aircraft for use as aggressor aircraft, the Chief of*
 21 *Staff of the Air Force shall submit to the congres-*
 22 *sional defense committees, and the Member of Con-*
 23 *gress and the Senators who represent bases from*
 24 *where aircraft may be transferred, a comprehensive*
 25 *plan and report on the strategy for modernizing the*
 26 *organic aggressor fleet.*

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

3 (A) *Potential locations for F-35A aggressor*
4 *aircraft, including an analysis of installations*
5 *that—*

6 (i) *have the size and availability of*
7 *airspace necessary to meet flying operations*
8 *requirements;*

9 (ii) *have sufficient capacity and avail-*
10 *ability of range space;*

11 (iii) *are capable of hosting advanced-*
12 *threat training exercises; and*

13 (iv) *meet or require minimal addition*
14 *to the environmental requirements associ-*
15 *ated with the basing action.*

16 (B) *An analysis of the potential cost and*
17 *benefits of expanding aggressor squadrons cur-*
18 *rently operating 18 Primary Assigned Aircraft*
19 *(PAA) to a level of 24 PAA each.*

20 (C) *An analysis of the cost and timelines*
21 *associated with modernizing the current Air*
22 *Force aggressor squadrons to include upgrading*
23 *aircraft's radar, infrared search-and-track sys-*
24 *tems, radar warning receiver, tactical datalink,*
25 *threat-representative jamming pods, and other*

1 *upgrades necessary to provide a realistic ad-*
 2 *vanced adversary threat.*

3 *(D) Any costs associated with moving the*
 4 *aircraft.*

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

7 **SEC. 130A. OPEN SKIES TREATY AIRCRAFT RECAPITALIZA-**
 8 **TION PROGRAM.**

9 *(a) IN GENERAL.—The Secretary of the Air Force shall*
 10 *ensure that any Request for Proposals for the procurement*
 11 *of an OC–135B aircraft under the Open Skies Treaty air-*
 12 *craft recapitalization program meets the requirements for*
 13 *full and open competition as set forth in section 2304 of*
 14 *title 10, United States Code, and incorporates a full com-*
 15 *petitive bidding process, to include both new production*
 16 *aircraft and recently manufactured low-hour, low-cycle air-*
 17 *craft*

18 *(b) OPEN SKIES TREATY DEFINED.—The term “Open*
 19 *Skies Treaty” means the Treaty on Open Skies, done at*
 20 *Helsinki March 24, 1992, and entered into force January*
 21 *1, 2002.*

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

3 ***SEC. 131. ECONOMIC ORDER QUANTITY CONTRACTING AND***
 4 ***BUY-TO-BUDGET ACQUISITION FOR F-35 AIR-***
 5 ***CRAFT PROGRAM.***

6 *(a) ECONOMIC ORDER QUANTITY CONTRACT AUTHOR-*
 7 *ITY.—*

8 *(1) IN GENERAL.—Subject to paragraphs (2)*
 9 *through (5), from amounts made available for obliga-*
 10 *tion under the F-35 aircraft program for fiscal year*
 11 *2020, the Secretary of Defense may enter into one or*
 12 *more contracts, beginning with the fiscal year 2020*
 13 *program year, for the procurement of economic order*
 14 *quantities of material and equipment that has com-*
 15 *pleted formal hardware qualification testing for the*
 16 *F-35 aircraft program for use in procurement con-*
 17 *tracts to be awarded for such program during fiscal*
 18 *years 2021, 2022, and 2023.*

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

22 *(3) PRELIMINARY FINDINGS.—Before entering*
 23 *into a contract under paragraph (1), the Secretary of*
 24 *Defense shall make each of the following findings with*
 25 *respect to such contract:*

1 (A) *The use of such a contract will result in*
2 *significant savings of the total anticipated costs*
3 *of carrying out the program through annual con-*
4 *tracts.*

5 (B) *The minimum need for the property to*
6 *be procured is expected to remain substantially*
7 *unchanged during the contemplated contract pe-*
8 *riod in terms of production rate, procurement*
9 *rate, and total quantities.*

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

14 (D) *That there is a stable, certified, and*
15 *qualified design for the property to be procured*
16 *and that the technical risks and redesign risks*
17 *associated with such property are low.*

18 (E) *The estimates of both the cost of the con-*
19 *tract and the anticipated cost avoidance through*
20 *the use of an economic order quantity contract*
21 *are realistic.*

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

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

8 (A) *A sufficient number of end items of the*
9 *system being acquired under such contract have*
10 *been delivered at or within the most recently*
11 *available estimates of the program acquisition*
12 *unit cost or procurement unit cost for such sys-*
13 *tem to determine that the estimates of the unit*
14 *costs are realistic.*

15 (B) *During the fiscal year in which such*
16 *contract is to be awarded, sufficient funds will be*
17 *available to perform the contract in such fiscal*
18 *year, and the future-years defense program sub-*
19 *mitted to Congress under section 221 of title 10,*
20 *United States Code, for that fiscal year will in-*
21 *clude the funding required to execute the pro-*
22 *gram without cancellation.*

23 (C) *The contract is a fixed-price type con-*
24 *tract.*

1 (D) *The proposed contract provides for pro-*
2 *duction at not less than minimum economic*
3 *rates given the existing tooling and facilities.*

4 (E) *The Secretary has determined that each*
5 *of the conditions described in subparagraphs (A)*
6 *through (F) of paragraph (3) will be met by such*
7 *contract and has provided the basis for such de-*
8 *termination to the congressional defense commit-*
9 *tees.*

10 (F) *The determination under subparagraph*
11 *(E) was made after the completion of a cost*
12 *analysis performed by the Director of Cost As-*
13 *essment and Program Evaluation for the pur-*
14 *pose of section 2334 of title 10, United States*
15 *Code, and the analysis supports that determina-*
16 *tion.*

17 (5) *EXCEPTION.—Notwithstanding paragraph*
18 *(4), the Secretary of Defense may enter into a con-*
19 *tract under paragraph (1) on or after March 1, 2020,*
20 *if—*

21 (A) *the Director of Cost Assessment and*
22 *Program Evaluation has not completed a cost*
23 *analysis of the preliminary findings made by the*
24 *Secretary under paragraph (3) with respect to*
25 *the contract;*

1 (B) the Secretary certifies to the congres-
 2 sional defense committees, in writing, that each
 3 of the conditions described in subparagraphs (A)
 4 through (E) of paragraph (4) is satisfied; and

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

8 (b) *BUY-TO-BUDGET ACQUISITION.*—Subject to section
 9 2308 of title 10, United States Code, using funds authorized
 10 to be appropriated by this Act for the procurement of F-
 11 35 aircraft, the Secretary of Defense may procure a quan-
 12 tity of F-35 aircraft in excess of the quantity authorized
 13 by this Act if such additional procurement does not require
 14 additional funds to be authorized to be appropriated be-
 15 cause of production efficiencies or other cost reductions.

16 **SEC. 132. PROGRAM REQUIREMENTS FOR THE F-35 AIR-**
 17 **CRAFT PROGRAM.**

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

22 (b) *COST ESTIMATES.*—

23 (1) *JOINT COST ESTIMATE.*—The Secretary of the
 24 Air Force and the Secretary of the Navy shall jointly

1 *develop a joint service cost estimate for the life-cycle*
 2 *costs of the F-35 aircraft program.*

3 (2) *INDEPENDENT COST ESTIMATE.—The Direc-*
 4 *tor of Cost Assessment and Program Evaluation shall*
 5 *develop an independent cost estimate for the life-cycle*
 6 *costs of the F-35 aircraft program.*

7 (3) *SUBMITTAL TO CONGRESS.—The cost esti-*
 8 *mates required under paragraphs (1) and (2) shall be*
 9 *submitted to the congressional defense committees not*
 10 *later than 180 days after the date of the enactment*
 11 *of this Act.*

12 (c) *REVISION OF PROGRAM ELEMENTS.—*

13 (1) *REVISION REQUIRED.—The Secretary of De-*
 14 *fense shall revise the program elements applicable to*
 15 *the F-35 aircraft program as follows:*

16 (A) *RESEARCH AND DEVELOPMENT.—The*
 17 *program element for research and development*
 18 *costs (as that element was specified in the mate-*
 19 *rials submitted to Congress by the Secretary of*
 20 *Defense in support of the budget of the President*
 21 *for fiscal year 2020 (as submitted to Congress*
 22 *under section 1105(a) of title 31, United States*
 23 *Code)) shall be separated into the following indi-*
 24 *vidual program elements:*

1 (i) *System development and dem-*
2 *onstration closeout.*

3 (ii) *F-35 Block 4.*

4 (iii) *Autonomic logistics information*
5 *system development and upgrades.*

6 (iv) *Dual-capable aircraft.*

7 (v) *Test infrastructure.*

8 (vi) *Additional program budget ele-*
9 *ments, as required, for each modernization*
10 *or upgrade effort initiated after F-35 Block*
11 *4.*

12 (B) *PROCUREMENT.—The program element*
13 *for procurement costs (as that element was speci-*
14 *fied in the materials submitted to Congress by*
15 *the Secretary of Defense in support of the budget*
16 *of the President for fiscal year 2020 (as sub-*
17 *mitted to Congress under section 1105(a) of title*
18 *31, United States Code)) shall be separated into*
19 *the following individual program elements:*

20 (i) *Recurring fly-away and ancillary*
21 *equipment.*

22 (ii) *Non-recurring fly-away and ancil-*
23 *lary equipment.*

24 (iii) *F-35 Block 4.*

1 (iv) *Autonomic logistics information*
 2 *system.*

3 (v) *Dual-capable aircraft.*

4 (vi) *Engineering support.*

5 (vii) *Aircraft retrofit and modifica-*
 6 *tion.*

7 (viii) *Depot activation.*

8 (ix) *Initial spares.*

9 (x) *Production support.*

10 (2) *INCLUSION IN BUDGET MATERIALS.—The*
 11 *Secretary of Defense shall ensure that each revised*
 12 *program element described in paragraph (1) is in-*
 13 *cluded, with a specific dollar amount, in the mate-*
 14 *rials relating to the F–35 aircraft program submitted*
 15 *to Congress by the Secretary of Defense in support of*
 16 *the budget of the President (as submitted to Congress*
 17 *under section 1105(a) of title 31, United States Code)*
 18 *for fiscal year 2021 and each fiscal year thereafter*
 19 *until the date on which the F–35 aircraft program*
 20 *terminates.*

21 (d) *COMPTROLLER GENERAL REPORTS.—*

22 (1) *ANNUAL REPORT REQUIRED.—Not later than*
 23 *30 days after the date on which the budget of the*
 24 *President is submitted to Congress under section*
 25 *1105(a) of title 31, United States Code, for each of*

1 *fiscal years 2021 through 2025, the Comptroller Gen-*
2 *eral of the United States shall submit to the congres-*
3 *sional defense committees a report on the F-35 air-*
4 *craft program.*

5 (2) *ELEMENTS.—Each report under paragraph*
6 *(1) shall include, with respect to the F-35 aircraft*
7 *program, the following:*

8 (A) *An assessment of the progress of manu-*
9 *facturing processes improvement under the pro-*
10 *gram.*

11 (B) *The business case analysis of the De-*
12 *partment of Defense for F-35 Block 4 follow-on*
13 *modernization efforts.*

14 (C) *The progress and results of F-35 Block*
15 *4 and other follow-on modernization development*
16 *and testing efforts.*

17 (D) *The Department's schedule for deliv-*
18 *ering software upgrades in six-month, scheduled*
19 *increments.*

20 (E) *The progress and results of any other*
21 *significant hardware development and fielding*
22 *efforts necessary for F-35 Block 4.*

23 (F) *Any other issues the Comptroller Gen-*
24 *eral determines to be appropriate.*

1 (e) *F-35 BLOCK 4 DEFINED.*—*In this section, the term*
 2 *“F-35 Block 4” means Block 4 capability upgrades for the*
 3 *F-35 aircraft program as described in the Selected Acquisi-*
 4 *tion Report for the program submitted to Congress in*
 5 *March 2019, pursuant to section 2432 of title 10, United*
 6 *States Code.*

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

8 (a) *REPORT ON F-35 RELIABILITY AND MAINTAIN-*
 9 *ABILITY METRICS.*—*The Secretary of Defense shall submit*
 10 *to the congressional defense committees a report on the reli-*
 11 *ability and maintainability metrics for the F-35 aircraft.*
 12 *The report shall include the following:*

13 (1) *The results of a review and assessment, con-*
 14 *ducted by the program office for the F-35 aircraft*
 15 *program, of the reliability and maintainability*
 16 *metrics for the aircraft as set forth in the most recent*
 17 *operational requirements document for the program.*

18 (2) *A determination of whether the reliability*
 19 *and maintainability metrics for the aircraft, as set*
 20 *forth in the most recent operational requirements doc-*
 21 *ument for the program, are feasible and attainable,*
 22 *and what changes, if any, will be made to update the*
 23 *metrics.*

1 (3) *A certification that the program office for the*
2 *F-35 aircraft program has revised the reliability and*
3 *maintainability improvement plan for the aircraft—*

4 (A) *to identify specific and measurable reli-*
5 *ability and maintainability objectives in the im-*
6 *provement plan guidance; and*

7 (B) *to identify and document which projects*
8 *included in the improvement plan will achieve*
9 *the objectives identified under subparagraph (A).*

10 (b) *REPORT ON F-35 BLOCK 4.—*

11 (1) *IN GENERAL.—The Secretary of Defense shall*
12 *submit to the congressional defense committees a re-*
13 *port on F-35 Block 4. The report shall include the*
14 *following:*

15 (A) *The results of an independent cost esti-*
16 *mate for F-35 Block 4 conducted by the Director*
17 *of Cost Assessment and Program Evaluation.*

18 (B) *A test and evaluation master plan, ap-*
19 *proved by the Director of Operational Test and*
20 *Evaluation, that addresses testing resources, test-*
21 *ing aircraft shortfalls, and testing funding.*

22 (C) *A technology readiness assessment of all*
23 *technologies and capabilities planned for F-35*
24 *Block 4 conducted by the Under Secretary of De-*
25 *fense for Research and Engineering.*

1 (D) *A review of the feasibility of the contin-*
 2 *uous capability development and delivery strat-*
 3 *egy for fielding F-35 Block 4 technologies con-*
 4 *ducted by the Under Secretary of Defense for Re-*
 5 *search and Engineering.*

6 (2) *F-35 BLOCK 4 DEFINED.*—*In this subsection,*
 7 *the term “F-35 Block 4” has the meaning given that*
 8 *term in section 132(e).*

9 (c) *REPORT ON F-35 AUTONOMIC LOGISTICS INFOR-*
 10 *MATION SYSTEM.*—*The Secretary of Defense shall submit to*
 11 *the congressional defense committees a report on the auto-*
 12 *nommic logistics information system of the F-35 aircraft.*
 13 *The report shall include a description of each of the fol-*
 14 *lowing:*

15 (1) *All shortfalls, capability gaps, and defi-*
 16 *ciencies in the system that have been identified as of*
 17 *the date of the enactment of this Act.*

18 (2) *The strategy and performance requirements*
 19 *that will be implemented to improve the system.*

20 (3) *The strategy, implementation plan, schedule,*
 21 *and estimated costs of developing and fielding—*

22 (A) *the next generation of the system; or*

23 (B) *future increments of the system.*

24 (d) *DEADLINE FOR SUBMITTAL.*—*The reports required*
 25 *under subsections (a) through (c) shall be submitted to the*

1 congressional defense committees not later than 180 days
 2 after the date of the enactment of this Act.

3 **SEC. 134. REQUIREMENT TO SEEK COMPENSATION FOR**
 4 **FAILURE TO DELIVER NON-READY-FOR-ISSUE**
 5 **SPARE PARTS FOR THE F-35 AIRCRAFT PRO-**
 6 **GRAM.**

7 *The Secretary of Defense shall take such action as nec-*
 8 *essary to seek compensation from the contractor for costs*
 9 *related to the failure to deliver non-Ready-For-Issue spare*
 10 *parts for the F-35 aircraft program as described in de-*
 11 *scribed in the report titled “Audit of F-35 Ready-For-Issue*
 12 *Spare Parts and Sustainment Performance Incentive Fees”*
 13 *(DODIG-2019-094) issued by the Department of Defense*
 14 *Inspector General on June 13, 2019.*

15 **SEC. 135. PROCUREMENT AUTHORITY FOR LIGHT ATTACK**
 16 **AIRCRAFT.**

17 *(a) PROCUREMENT AUTHORITY FOR COMBAT AIR AD-*
 18 *VISOR SUPPORT.—Subject to subsection (b), the Com-*
 19 *mander of the United States Special Operations Command*
 20 *may procure light attack aircraft for Combat Air Advisor*
 21 *mission support.*

22 *(b) CERTIFICATION REQUIRED.—The Commander of*
 23 *the United States Special Operations Command may not*
 24 *procure light attack aircraft under subsection (a) until a*
 25 *period of 60 days has elapsed following the date on which*

1 *the Commander certifies to the congressional defense com-*
 2 *mittees that a mission capability gap and special-oper-*
 3 *ations-forces-peculiar acquisition requirement exists which*
 4 *can be mitigated with procurement of a light attack aircraft*
 5 *capability.*

6 (c) *AUTHORITY TO USE OR TRANSFER FUNDS MADE*
 7 *AVAILABLE FOR LIGHT ATTACK AIRCRAFT EXPERI-*
 8 *MENTS.—The Secretary of the Air Force shall use or trans-*
 9 *fer amounts authorized to be appropriated by this Act for*
 10 *Light Attack Aircraft experiments to procure the required*
 11 *quantity of aircraft for—*

12 (1) *Air Combat Command’s Air Ground Oper-*
 13 *ations School; and*

14 (2) *Air Force Special Operations Command for*
 15 *Combat Air Advisor mission support in accordance*
 16 *with subsection (a).*

17 ***TITLE II—RESEARCH, DEVELOP-***
 18 ***MENT, TEST, AND EVALUA-***
 19 ***TION***

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

22 ***SEC. 201. AUTHORIZATION OF APPROPRIATIONS.***

23 *Funds are hereby authorized to be appropriated for fis-*
 24 *cal year 2020 for the use of the Department of Defense for*

1 research, development, test, and evaluation, as specified in
 2 the funding table in section 4201.

3 ***Subtitle B—Program Requirements,***
 4 ***Restrictions, and Limitations***

5 ***SEC. 211. PROGRAM ON ENHANCEMENT OF PREPARATION***
 6 ***OF DEPENDENTS OF MEMBERS OF ARMED***
 7 ***FORCES FOR CAREERS IN SCIENCE, TECH-***
 8 ***NOLOGY, ENGINEERING, AND MATHEMATICS.***

9 (a) *PROGRAM REQUIRED.*—Chapter 111 of title 10,
 10 United States Code, is amended by inserting after section
 11 2192a the following new section:

12 ***“§2192b. Program on enhancement of preparation of***
 13 ***dependents of members of armed forces***
 14 ***for careers in science, technology, engi-***
 15 ***neering, and mathematics***

16 ***“(a) PROGRAM REQUIRED.***—The Secretary of Defense
 17 ***shall carry out a program to—***

18 ***“(1) enhance the preparation of students at cov-***
 19 ***ered schools for careers in science, technology, engi-***
 20 ***neering, and mathematics; and***

21 ***“(2) provide assistance to teachers at covered***
 22 ***schools to enhance preparation described in para-***
 23 ***graph (1).***

24 ***“(b) COORDINATION.***—In carrying out the program,
 25 ***the Secretary shall coordinate with the following:***

1 “(1) *The Secretaries of the military departments.*

2 “(2) *The Secretary of Education.*

3 “(3) *The National Science Foundation.*

4 “(4) *Other organizations as the Secretary of De-*
5 *fense considers appropriate.*

6 “(c) *ACTIVITIES.—Activities under the program may*
7 *include the following:*

8 “(1) *Establishment of targeted internships and*
9 *cooperative research opportunities at defense labora-*
10 *tories and other technical centers for students and*
11 *teachers at covered schools.*

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

14 “(3) *Efforts and activities that improve the qual-*
15 *ity of science, technology, engineering, and mathe-*
16 *matics educational and training opportunities for*
17 *students and teachers at covered schools, including*
18 *with respect to improving the development of cur-*
19 *ricula at covered schools.*

20 “(4) *Development of travel opportunities, dem-*
21 *onstrations, mentoring programs, and informal*
22 *science education for students and teachers at covered*
23 *schools.*

24 “(d) *METRICS.—The Secretary shall establish outcome-*
25 *based metrics and internal and external assessments to*

1 *evaluate the merits and benefits of activities conducted*
 2 *under the program with respect to the needs of the Depart-*
 3 *ment of Defense.*

4 “(e) *COVERED SCHOOLS DEFINED.*—*In this section,*
 5 *the term ‘covered schools’ means elementary or secondary*
 6 *schools at which the Secretary determines a significant*
 7 *number of dependents of members of the armed forces are*
 8 *enrolled.”.*

9 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
 10 *the beginning of such chapter is amended by inserting after*
 11 *the item relating to section 2192a the following new item:*

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

12 (c) *CONFORMING REPEAL.*—*Section 233 of the Carl*
 13 *Levin and Howard P. “Buck” McKeon National Defense*
 14 *Authorization Act for Fiscal Year 2015 (Public Law 113–*
 15 *291; 10 U.S.C. 2193a note) is repealed.*

16 **SEC. 212. TEMPORARY INCLUSION OF JOINT ARTIFICIAL IN-**
 17 **TELLIGENCE CENTER OF THE DEPARTMENT**
 18 **OF DEFENSE IN PERSONNEL MANAGEMENT**
 19 **AUTHORITY TO ATTRACT EXPERTS IN**
 20 **SCIENCE AND ENGINEERING.**

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

1 “(6) *JOINT ARTIFICIAL INTELLIGENCE CEN-*
 2 *TER.—The Director of the Joint Artificial Intelligence*
 3 *Center may carry out a program of personnel man-*
 4 *agement authority provided in subsection (b) in order*
 5 *to facilitate recruitment of eminent experts in science*
 6 *or engineering for the Center. The authority to carry*
 7 *out the program under this paragraph shall terminate*
 8 *on December 31, 2024.”.*

9 (b) *SCOPE OF APPOINTMENT AUTHORITY.—Subsection*
 10 *(b)(1) of such section is amended—*

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

13 (2) *in subparagraph (E), by adding “and” at*
 14 *the end; and*

15 (3) *by adding at the end the following new sub-*
 16 *paragraph:*

17 “(F) *in the case of the Joint Artificial Intel-*
 18 *ligence Center, appoint scientists and engineers*
 19 *to a total of not more than 5 scientific and engi-*
 20 *neering positions in the Center;”.*

21 (c) *EXTENSION OF TERMS OF APPOINTMENT.—Sub-*
 22 *section (c)(2) of such section is amended by striking “or*
 23 *the Defense Innovation Unit Experimental” and inserting*
 24 *“the Defense Innovation Unit Experimental, or the Joint*
 25 *Artificial Intelligence Center”.*

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

2 *Section 218 of the John Warner National Defense Au-*
 3 *thorization Act for Fiscal Year 2007 (Public Law 109–364;*
 4 *10 U.S.C. 2358 note) is amended—*

5 *(1) in subsection (a), by striking “the program*
 6 *required under subsection (b), and shall” and insert-*
 7 *ing “the program and activities described in sub-*
 8 *sections (d) through (g), and shall”;*

9 *(2) by redesignating subsections (b) through (e)*
 10 *as subsections (d) through (g), respectively;*

11 *(3) by inserting after subsection (a) the following*
 12 *new subsections:*

13 “(b) *DIRECTOR.*—*There is a Director of the Office (re-*
 14 *ferred to in this section as the ‘Director’). The Director shall*
 15 *be appointed by the Secretary of Defense and shall serve*
 16 *as the senior official in the Department of Defense with*
 17 *principal responsibility for carrying out the program and*
 18 *activities described in subsections (d) through (g). The Di-*
 19 *rector shall report to the Assistant Director for Hypersonics*
 20 *within the Office of the Under Secretary of Defense for Re-*
 21 *search and Engineering.*

22 “(c) *UNIVERSITY CONSORTIUM.*—

23 “(1) *DESIGNATION.*—*The Director shall des-*
 24 *ignate a consortium of institutions of higher edu-*
 25 *cation (as that term is defined in section 101 of the*
 26 *Higher Education Act of 1965 (20 U.S.C. 1001)) to*

1 *lead foundational hypersonic research in research*
 2 *areas that the Director determines to be appropriate*
 3 *for the Department of Defense.*

4 “(2) *AVAILABILITY OF INFORMATION.*—*The Di-*
 5 *rector shall ensure that the research results and re-*
 6 *ports of the consortium are made available across the*
 7 *Federal Government, the private sector, and aca-*
 8 *demia, consistent with appropriate security classifica-*
 9 *tion guidance.*”;

10 (4) *in subsection (d), by striking “The Office”*
 11 *and inserting “The Director”;*

12 (5) *in subsection (e), as so redesignated—*

13 (A) *in the matter preceding paragraph (1),*
 14 *by striking “program required by subsection (b),*
 15 *the Office” and inserting “program required by*
 16 *subsection (d), the Director”;*

17 (B) *in paragraph (3)(A), by striking “pri-*
 18 *ate sector” and inserting “private-sector aca-*
 19 *demic”; and*

20 (C) *in paragraph (5), by striking “certified*
 21 *under subsection (e) as being consistent with the*
 22 *roadmap under subsection (d)” and inserting*
 23 *“certified under subsection (g) as being con-*
 24 *sistent with the roadmap under subsection (f)”;*

25 (6) *in subsection (f), as so redesignated—*

1 (A) in paragraph (3)—

2 (i) in subparagraph (C)—

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

5 (II) in clause (ii), by striking the
6 period at the end and inserting “;
7 and”; and

8 (III) by adding at the end the fol-
9 lowing new clause:

10 “(iii) the activities and resources of the
11 consortium designated by the Director
12 under subsection (c) to be leveraged by the
13 Department to meet such goals.”; and

14 (ii) in subparagraph (D), by striking
15 “facilities” both places it appears and in-
16 serting “facilities and infrastructure”; and

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

19 “(4) SUBMITTAL TO CONGRESS.—

20 “(A) INITIAL SUBMISSION.—Not later than
21 180 days after the date of the enactment of this
22 paragraph, the Secretary of Defense shall submit
23 to the congressional defense committees the road-
24 map developed under paragraph (1).

1 “(B) *SUBSEQUENT SUBMISSIONS.*—*The Sec-*
 2 *retary of Defense shall submit to the congres-*
 3 *sional defense committees each roadmap revised*
 4 *under paragraph (1) together with the budget*
 5 *submitted to Congress under section 1105 of title*
 6 *31, United States Code, for the fiscal year con-*
 7 *cerned.*”;

8 (7) *in subsection (g), as so redesignated—*

9 (A) *by striking “subsection (d)” each place*
 10 *it appears and inserting “subsection (f)”;*

11 (B) *in paragraph (1)—*

12 (i) *in the matter preceding subpara-*
 13 *graph (A), by striking “The Office” and in-*
 14 *sert “The Director”;*

15 (ii) *in subparagraph (A) by striking*
 16 *“research, development, test, and evaluation*
 17 *and demonstration programs within the De-*
 18 *partment of Defense” and inserting “de-*
 19 *fense-wide research, development, test, and*
 20 *evaluation and demonstration programs”;*
 21 *and*

22 (iii) *in subparagraph (B), by striking*
 23 *“the hypersonics” and inserting “all*
 24 *hypersonics”;*

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

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

5 (8) by adding at the end the following new sub-
6 section:

7 “(h) *FUNDING.*—The Secretary may make available
8 such funds to the Office for basic research, applied research,
9 advanced technology development, prototyping, studies and
10 analyses, and organizational support as the Secretary con-
11 siders appropriate to support the efficient and effective de-
12 velopment of hypersonics technologies and transition of
13 those systems and technologies into acquisition programs or
14 operational use.”.

15 **SEC. 214. MODIFICATION OF PROOF OF CONCEPT COMMERCIALIZATION PROGRAM.**

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

21 (b) *ADDITIONAL IMPROVEMENTS.*—Section 1603 of
22 such Act, as amended by subsection (a), is further amend-
23 ed—

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

4 (2) *in subsection (a)—*

5 (A) *by inserting “of Dual-Use Technology”*
 6 *before “Program”; and*

7 (B) *by inserting “with a focus on priority*
 8 *defense technology areas that attract public and*
 9 *private sector funding, as well as private sector*
 10 *investment capital, including from venture cap-*
 11 *ital firms in the United States,” before “in ac-*
 12 *cordance”;*

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

16 (4) *by striking subsection (d);*

17 (5) *by redesignating subsection (e) as subsection*
 18 *(d);*

19 (6) *by striking subsection (f); and*

20 (7) *by adding at the end the following new sub-*
 21 *section (e):*

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

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

4 “(2) Section 2368 of such title, relating to *Cen-*
5 *ters for Science, Technology, and Engineering Part-*
6 *nerships.*

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

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

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

13 “(6) Section 225 of the *National Defense Author-*
14 *ization Act for Fiscal Year 2018 (Public Law 115–*
15 *91; 10 U.S.C. 2359 note).*

16 “(7) Section 1711 of such Act (*Public Law 115–*
17 *91; 10 U.S.C. 2505 note), relating to a pilot program*
18 *on strengthening manufacturing in the defense indus-*
19 *trial base.*

20 “(8) Section 12 of the *Stevenson-Wydler Tech-*
21 *nology Innovation Act of 1980 (15 U.S.C. 3710a) and*
22 *section 6305 of title 31, United States Code, relating*
23 *to cooperative research and development agreements.”.*

1 **SEC. 215. CONTRACT FOR NATIONAL SECURITY RESEARCH**
2 **STUDIES.**

3 (a) *CONTRACT AUTHORITY.*—The Secretary of Defense,
4 acting through the Under Secretary of Defense for Acquisi-
5 tion and Sustainment, shall seek to enter into a contract
6 with a federally funded research and development center
7 under which the private scientific advisory group known
8 as “JASON” will provide national security research studies
9 to the Department of Defense.

10 (b) *TERMS OF CONTRACT.*—The contract entered into
11 under subsection (a) shall be an indefinite delivery-indefi-
12 nite quantity contract with terms substantially similar to
13 the terms of the contract in effect before March 28, 2019,
14 under which JASON provided national security research
15 studies to the Department of Defense (solicitation number
16 HQ0034–19–R–0011 for JASON National Security Re-
17 search Studies).

18 (c) *TERMINATION.*—The Secretary of Defense may not
19 terminate the contract under subsection (a) until a period
20 of 180 days has elapsed following the date on which the
21 Secretary notifies the congressional defense committees of
22 the intent of the Secretary to terminate the contract and
23 receives approval for such termination from the committees.

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

25 Pursuant to section 173 of title 10, United States Code,
26 the Secretary of Defense shall seek to engage the members

1 *of the private scientific advisory group to multiple Federal*
 2 *agencies known as “JASON” as advisory personnel to pro-*
 3 *vide advice, on an ongoing basis, on matters involving*
 4 *science, technology, and national security, including meth-*
 5 *ods to defeat existential and technologically-amplified*
 6 *threats to national security.*

7 **SEC. 217. DIRECT AIR CAPTURE AND BLUE CARBON RE-**
 8 **MOVAL TECHNOLOGY PROGRAM.**

9 *(a) PROGRAM AUTHORIZED.—*

10 *(1) IN GENERAL.—The Secretary of Defense, in*
 11 *coordination with the Secretary of Homeland Secu-*
 12 *rity, the Secretary of Energy, and the heads of such*
 13 *other Federal agencies as the Secretary of Defense*
 14 *considers appropriate, may carry out a program on*
 15 *research, development, testing, evaluation, study, and*
 16 *demonstration of technologies related to blue carbon*
 17 *capture and direct air capture.*

18 *(2) PROGRAM GOALS.—The goals of the program*
 19 *established under paragraph (1) are as follows:*

20 *(A) To develop technologies that capture*
 21 *carbon dioxide from seawater and the air to turn*
 22 *such carbon dioxide into clean fuels to enhance*
 23 *fuel and energy security.*

24 *(B) To develop and demonstrate technologies*
 25 *that capture carbon dioxide from seawater and*

1 *the air to reuse such carbon dioxide to create*
 2 *products for military uses.*

3 (C) *To develop direct air capture tech-*
 4 *nologies for use—*

5 *(i) at military installations or facili-*
 6 *ties of the Department of Defense; or*

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

9 (3) *PHASES.—The program established under*
 10 *paragraph (1) shall be carried out in two phases as*
 11 *follows:*

12 (A) *The first phase may consist of research*
 13 *and development and shall be carried out as de-*
 14 *scribed in subsection (b).*

15 (B) *The second phase shall consist of testing*
 16 *and evaluation and shall be carried out as de-*
 17 *scribed in subsection (c), if the Secretary deter-*
 18 *mines that the results of the research and devel-*
 19 *opment phase justify implementing the testing*
 20 *and evaluation phase.*

21 (4) *DESIGNATION.—The program established*
 22 *under paragraph (1) shall be known as the “Direct*
 23 *Air Capture and Blue Carbon Removal Technology*
 24 *Program” (in this section referred to as the “Pro-*
 25 *gram”).*

1 **(b) RESEARCH AND DEVELOPMENT PHASE.**—

2 **(1) IN GENERAL.**—*During the research and de-*
 3 *velopment phase of the Program, the Secretary of De-*
 4 *fense may conduct research and development in pur-*
 5 *suit of the goals set forth in subsection (a)(2).*

6 **(2) DIRECT AIR CAPTURE.**—*The research and de-*
 7 *velopment phase of the Program may include, with*
 8 *respect to direct air capture, a front end engineering*
 9 *and design study that includes an evaluation of direct*
 10 *air capture designs to produce fuel for use—*

11 **(A)** *at military installations or facilities of*
 12 *the Department of Defense; or*

13 **(B)** *in modes of transportation by the Navy*
 14 *or the Coast Guard.*

15 **(3) DURATION.**—*The Secretary may carry out*
 16 *the research and development phase of the Program*
 17 *commencing not later than 90 days after the date of*
 18 *the enactment of this Act.*

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

23 **(5) REPORT REQUIRED.**—*Not later than 180*
 24 *days after the date of the completion of the research*
 25 *and development phase of the Program, the Secretary*

1 *shall submit to Congress a report on the research and*
 2 *development carried out under the Program.*

3 *(c) TESTING AND EVALUATION PHASE.—*

4 *(1) IN GENERAL.—During the testing and eval-*
 5 *uation phase of the Program, the Secretary may, in*
 6 *pursuit of the goals set forth in subsection (a)(2), con-*
 7 *duct tests and evaluations of the technologies re-*
 8 *searched and developed during the research and devel-*
 9 *opment phase of the Program.*

10 *(2) DIRECT AIR CAPTURE.—The testing and*
 11 *evaluation phase of the Program may include dem-*
 12 *onstration projects for direct air capture to produce*
 13 *fuel for use—*

14 *(A) at military installations or facilities of*
 15 *the Department of Defense; or*

16 *(B) in modes of transportation by the Navy*
 17 *or the Coast Guard.*

18 *(3) DURATION.—Subject to subsection (a)(3)(B),*
 19 *the Secretary may carry out the testing and evalua-*
 20 *tion phase of the Program commencing on the date of*
 21 *the completion of the research and development phase*
 22 *described in subsection (b), except that the testing and*
 23 *evaluation phase of the Program with respect to direct*
 24 *air capture may commence at such time after a front*
 25 *end engineering and design study demonstrates to the*

1 *Secretary that commencement of such phase is appro-*
 2 *priate.*

3 (4) *GRANTS AUTHORIZED.*—*The Secretary may*
 4 *carry out the testing and evaluation phase of the Pro-*
 5 *gram through the award of grants to private persons*
 6 *and eligible laboratories.*

7 (5) *LOCATIONS.*—*The Secretary shall carry out*
 8 *the testing and evaluation phase of the Program at*
 9 *military installations or facilities of the Department*
 10 *of Defense.*

11 (6) *REPORT REQUIRED.*—*Not later than Sep-*
 12 *tember 30, 2026, the Secretary shall submit to Con-*
 13 *gress a report on the findings of the Secretary with*
 14 *respect to the effectiveness of the technologies tested*
 15 *and evaluated under the Program.*

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

17 (1) *BLUE CARBON CAPTURE.*—*The term “blue*
 18 *carbon capture” means the removal of dissolved car-*
 19 *bon dioxide from seawater through engineered or inor-*
 20 *ganic processes, including filters, membranes, or*
 21 *phase change systems.*

22 (2) *DIRECT AIR CAPTURE.*—

23 (A) *IN GENERAL.*—*The term “direct air*
 24 *capture”, with respect to a facility, technology,*
 25 *or system, means that the facility, technology, or*

1 *system uses carbon capture equipment to capture*
2 *carbon dioxide directly from the air.*

3 (B) *EXCLUSION.—The term “direct air cap-*
4 *ture” does not include any facility, technology,*
5 *or system that captures carbon dioxide—*

6 (i) *that is deliberately released from a*
7 *naturally occurring subsurface spring; or*

8 (ii) *using natural photosynthesis.*

9 (3) *ELIGIBLE LABORATORY.—The term “eligible*
10 *laboratory” means—*

11 (A) *a National Laboratory (as defined in*
12 *section 2 of the Energy Policy Act of 2005 (42*
13 *U.S.C. 15801)); or*

14 (B) *the science and technology reinvention*
15 *laboratories (as designated under section 1105 of*
16 *the National Defense Authorization Act for Fis-*
17 *cal Year 2010 (Public Law 111–84; 10 U.S.C.*
18 *2358 note));*

19 (C) *the Major Range and Test Facility Base*
20 *(as defined in section 2358a(f)(3) of title 10,*
21 *United States Code); and*

22 (D) *other facilities that support the research*
23 *development, test, and evaluation activities of the*
24 *Department of Defense or Department of Energy.*

1 **SEC. 218. FOREIGN MALIGN INFLUENCE OPERATIONS RE-**
2 **SEARCH PROGRAM.**

3 (a) *PROGRAM REQUIRED.*—The Secretary of Defense,
4 acting through the Under Secretary of Defense for Research
5 and Engineering, shall carry out a research program on
6 foreign malign influence operations research as part of the
7 university and other basic research programs of the Depart-
8 ment of Defense (such as the Minerva Research Initiative).

9 (b) *PROGRAM OBJECTIVES.*—The objectives of the re-
10 search program shall be the following:

11 (1) *To enhance the understanding of foreign ma-*
12 *lign influence operations, including activities con-*
13 *ducted on social media platforms.*

14 (2) *To facilitate the compilation, analysis, and*
15 *storage of publicly available or voluntarily provided*
16 *indicators of foreign malign influence operations, in-*
17 *cluding those appearing on social media platforms,*
18 *for the purposes of additional research.*

19 (3) *To promote the development of best practices*
20 *relating to tactics, techniques, procedures, and tech-*
21 *nology for the protection of the privacy of the cus-*
22 *tomers and users of the social media platforms and*
23 *the proprietary information of the social media com-*
24 *panies in conducting research and analysis or com-*
25 *pling and storing indicators and key trends of for-*

1 *eign malign influence operations on social media*
 2 *platforms.*

3 *(4) To promote collaborative research and infor-*
 4 *mation exchange with other relevant entities within*
 5 *the Department and with other agencies relating to*
 6 *foreign malign influence operations.*

7 *(c) PROGRAM ACTIVITIES.—In order to achieve the ob-*
 8 *jectives specified in subsection (b), the Secretary is author-*
 9 *ized to carry out the following activities:*

10 *(1) The Secretary may award research grants to*
 11 *eligible individuals and entities on a competitive*
 12 *basis.*

13 *(2) The Secretary may award financial assist-*
 14 *ance to graduate students on a competitive basis.*

15 *(d) REPORT.—Not later than March 1, 2020, the Sec-*
 16 *retary of Defense shall submit to the congressional defense*
 17 *committees a report on the progress of the Secretary in car-*
 18 *rying out the research program under this section, includ-*
 19 *ing a description of the activities and research conducted*
 20 *as part of the program.*

21 **SEC. 219. SENSOR DATA INTEGRATION FOR FIFTH GENERA-**
 22 **TION AIRCRAFT.**

23 *(a) F-35 SENSOR DATA.—The Secretary of Defense*
 24 *shall ensure that—*

1 (1) *information collected by the passive and ac-*
 2 *tive on-board sensors of the F-35 Joint Strike Fighter*
 3 *aircraft is capable of being shared, in real time, with*
 4 *joint service users in cases in which the Joint Force*
 5 *Commander determines that sharing such informa-*
 6 *tion would be operationally advantageous; and*

7 (2) *the Secretary has developed achievable, effec-*
 8 *tive, and suitable concepts and supporting technical*
 9 *architectures to collect, store, manage, and dissemi-*
 10 *nate information collected by such sensors.*

11 **(b) GAO STUDY AND REPORT.—**

12 (1) *STUDY.—The Comptroller General of the*
 13 *United States shall conduct a study of the sensor data*
 14 *collection and dissemination capability of fifth gen-*
 15 *eration aircraft of the Department of Defense.*

16 (2) *ELEMENTS.—The study required by para-*
 17 *graph (1) shall include an assessment of the fol-*
 18 *lowing—*

19 (A) *the extent to which the Department has*
 20 *established doctrinal, organizational, or techno-*
 21 *logical methods of managing the large amount of*
 22 *sensor data that is currently collected and which*
 23 *may be collected by existing and planned ad-*
 24 *vanced fifth generation aircraft;*

1 (B) *the status of the existing sensor data*
 2 *collection, storage, dissemination, and manage-*
 3 *ment capability and capacity of fifth generation*
 4 *aircraft, including the F-35, the F-22, and the*
 5 *B-21; and*

6 (C) *the ability of the F-35 aircraft and*
 7 *other fifth generation aircraft to share informa-*
 8 *tion collected by the aircraft in real-time with*
 9 *other joint service users as described in sub-*
 10 *section (a)(1).*

11 (3) *STUDY RESULTS.—*

12 (A) *INTERIM BRIEFING.—Not later than*
 13 *180 days after the date of the enactment of this*
 14 *Act, the Comptroller General shall provide to the*
 15 *congressional defense committees a briefing on*
 16 *the preliminary findings of the study conducted*
 17 *under this subsection.*

18 (B) *FINAL RESULTS.—The Comptroller*
 19 *General shall provide the final results of the*
 20 *study conducted under this subsection to the con-*
 21 *gressional defense committees at such time and*
 22 *in such format as is mutually agreed upon by*
 23 *the committees and the Comptroller General at*
 24 *the time of the briefing under subparagraph (A).*

1 **SEC. 220. DOCUMENTATION RELATING TO ADVANCED BAT-**
2 **TLE MANAGEMENT SYSTEM.**

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

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

10 (2) *The final analysis of alternatives for the Sys-*
11 *tem.*

12 (3) *An acquisition strategy for the System, in-*
13 *cluding—*

14 (A) *an outline of each increment of the Sys-*
15 *tem; and*

16 (B) *the date on which each increment will*
17 *reach initial operational capability and full*
18 *operational capability, respectively.*

19 (4) *A capability development document for the*
20 *System.*

21 (5) *An acquisition program baseline for the Sys-*
22 *tem.*

23 (6) *A test and evaluation master plan for the*
24 *System.*

25 (7) *A life-cycle sustainment plan for the System.*

1 (b) *DATE SPECIFIED.*—*The date specified in this sub-*
 2 *section is the earlier of—*

3 (1) *the date that is 180 days after the date on*
 4 *which the final analysis of alternatives for the Ad-*
 5 *vanced Battle Management System is completed; or*

6 (2) *April 1, 2020.*

7 (c) *ADVANCED BATTLE MANAGEMENT SYSTEM DE-*
 8 *FINED.*—*In this section, the term “Advanced Battle Man-*
 9 *agement System” means the Advanced Battle Management*
 10 *System of Systems capability of the Air Force, including*
 11 *each program, project, and activity that comprises such ca-*
 12 *pability.*

13 **SEC. 221. DOCUMENTATION RELATING TO B-52 COMMER-**
 14 **CIAL ENGINE REPLACEMENT PROGRAM.**

15 (a) *DOCUMENTATION REQUIRED.*—*The Secretary of*
 16 *the Air Force shall submit to the congressional defense com-*
 17 *mittees the following documentation relating to the B-52*
 18 *commercial engine replacement program of the Air Force:*

19 (1) *A capability development document for the*
 20 *program, approved by the Secretary of the Air Force.*

21 (2) *A test and evaluation master plan for the*
 22 *program, approved by the Director of Operational*
 23 *Test and Evaluation.*

24 (b) *LIMITATION.*—*Of the funds authorized to be appro-*
 25 *priated by this Act or otherwise made available for fiscal*

1 year 2020 for the Air Force, not more than 75 percent may
 2 be obligated or expended until the date on which the Sec-
 3 retary of the Air Force submits to the congressional defense
 4 committees the documentation required under subsection
 5 (a).

6 **SEC. 222. DIVERSIFICATION OF THE SCIENCE, TECH-**
 7 **NOLOGY, RESEARCH, AND ENGINEERING**
 8 **WORKFORCE OF THE DEPARTMENT OF DE-**
 9 **FENSE.**

10 (a) *ASSESSMENT REQUIRED.*—

11 (1) *IN GENERAL.*—The Secretary of Defense, act-
 12 ing through the Under Secretary of Defense for Re-
 13 search and Engineering, shall conduct an assessment
 14 of critical skillsets required across the science, tech-
 15 nology, research, and engineering workforce of the De-
 16 partment of Defense to support emerging and future
 17 warfighter technologies.

18 (2) *ELEMENTS.*—The assessment required by
 19 paragraph (1) shall include analysis of the following:

20 (A) The percentage of women and minori-
 21 ties employed in the workforce as of the date of
 22 the assessment.

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

1 (C) *The effectiveness of existing hiring and*
2 *attraction incentives, other encouragements, and*
3 *required service agreement commitments in at-*
4 *tracting and retaining minorities and women in*
5 *the workforce of the Department after such indi-*
6 *viduals complete work on Department-funded re-*
7 *search projects, grant projects, fellowships, and*
8 *STEM programs.*

9 (D) *The geographical diversification of the*
10 *workforce and the operating costs of the work-*
11 *force across various geographic regions.*

12 (b) *PLAN REQUIRED.—*

13 (1) *IN GENERAL.—Based on the results of the as-*
14 *essment conducted under subsection (a), the Sec-*
15 *retary of Defense, acting through the Under Secretary*
16 *of Defense for Research and Engineering, shall de-*
17 *velop and implement a plan to diversify and*
18 *strengthen the science, technology, research, and engi-*
19 *neering workforce of the Department of Defense.*

20 (2) *ELEMENTS.—The plan required by para-*
21 *graph (1) shall—*

22 (A) *align with science and technology strat-*
23 *egy priorities of the Department of Defense, in-*
24 *cluding the emerging and future warfighter tech-*

1 *nology requirements identified by the Depart-*
2 *ment;*

3 *(B) except as provided in subsection (c)(2),*
4 *set forth steps for the implementation of each rec-*
5 *ommendation included in the 2013 report of the*
6 *RAND corporation titled “First Steps Toward*
7 *Improving DoD STEM Workforce Diversity”;*

8 *(C) harness the full range of the Depart-*
9 *ment’s STEM programs and other Department-*
10 *sponsored programs to develop and attract top*
11 *talent;*

12 *(D) use existing authorities to attract and*
13 *retain students, academics, and other talent;*

14 *(E) establish and use contracts, agreements,*
15 *or other arrangements with institutions of higher*
16 *education (as defined in section 101 of the High-*
17 *er Education Act of 1965 (20 U.S.C. 1001)), in-*
18 *cluding historically black colleges and univer-*
19 *sities and other minority-serving institutions (as*
20 *described in section 371(a) of such Act (20*
21 *U.S.C. 1067q(a)) to enable easy and efficient ac-*
22 *cess to research and researchers for Government-*
23 *sponsored basic and applied research and studies*
24 *at each institution, including contracts, agree-*

ments, and other authorized arrangements such as those authorized under—

(i) section 217 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 2358 note); and

(ii) such other authorities as the Secretary determines to be appropriate; and

(F) include recommendations for changes in authorities, regulations, policies, or any other relevant areas, that would support the achievement of the goals set forth in the plan.

(3) *SUBMITTAL TO CONGRESS.*—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that includes—

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

(B) with respect to each recommendation described in paragraph (2)(B) that the Secretary implemented or expects to implement—

(i) a summary of actions that have been taken to implement the recommendation; and

1 (ii) a schedule, with specific mile-
2 stones, for completing the implementation of
3 the recommendation.

4 (c) *DEADLINE FOR IMPLEMENTATION.*—

5 (1) *IN GENERAL.*—*Except as provided in para-*
6 *graph (2), not later than 18 months after the date of*
7 *the enactment of this Act the Secretary of Defense*
8 *shall carry out activities to implement the plan devel-*
9 *oped under subsection (b).*

10 (2) *EXCEPTION FOR IMPLEMENTATION OF CER-*
11 *TAIN RECOMMENDATIONS.*—

12 (A) *DELAYED IMPLEMENTATION.*—*The Sec-*
13 *retary of Defense may commence implementation*
14 *of a recommendation described in subsection*
15 *(b)(2)(B) after the date specified in paragraph*
16 *(1) if the Secretary provides the congressional*
17 *defense committees with a specific justification*
18 *for the delay in implementation of such rec-*
19 *ommendation on or before such date.*

20 (B) *NONIMPLEMENTATION.*—*The Secretary*
21 *of Defense may opt not to implement a rec-*
22 *ommendation described in subsection (b)(2)(B) if*
23 *the Secretary provides to the congressional de-*
24 *fense committees, on or before the date specified*
25 *in paragraph (1)—*

1 (i) a specific justification for the deci-
 2 sion not to implement the recommendation;
 3 and

4 (ii) a summary of the alternative ac-
 5 tions the Secretary plans to take to address
 6 the issues underlying the recommendation.

7 (d) *STEM DEFINED.*—In this section, the term
 8 “STEM” means science, technology, engineering, and math-
 9 ematics.

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

13 (a) *POLICY.*—

14 (1) *IN GENERAL.*—It shall be a policy of the De-
 15 partment of Defense to promote and maintain digital
 16 expertise and software development as core com-
 17 petencies of civilian and military workforces of the
 18 Department, and as a capability to support the Na-
 19 tional Defense Strategy, which policy shall be
 20 achieved by—

21 (A) the recruitment, development, and
 22 incentivization of retention in and to the civil-
 23 ian and military workforce of the Department of
 24 individuals with aptitude, experience, proficient

1 *expertise, or a combination thereof in digital ex-*
2 *pertise and software development;*

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

13 *(C) the development and application of ap-*
14 *propriate readiness standards and metrics to*
15 *measure and report on the overall capability, ca-*
16 *capacity, utilization, and readiness of digital engi-*
17 *neering professionals to develop and deliver oper-*
18 *ational capabilities and employ modern business*
19 *practices.*

20 *(2) DEFINITIONS.—For purposes of this section,*
21 *“digital engineering” is the discipline and set of skills*
22 *involved in the creation, processing, transmission, in-*
23 *tegration, and storage of digital data, (including but*
24 *not limited to data science, machine learning, soft-*

1 ware engineering, software product management, and
2 artificial intelligence product management).

3 (b) *RESPONSIBILITY.*—

4 (1) *APPOINTMENT OF OFFICER.*—Not later than
5 270 days after the date of enactment of this Act, the
6 Secretary of Defense shall appoint a civilian official
7 responsible for the development and implementation
8 of the policy set forth in subsection (a). The official
9 shall be known as the “Chief Digital Engineering Re-
10 cruitment and Management Officer of the Department
11 of Defense” (in this section referred to as the “Offi-
12 cer”).

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

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

21 (1) *Develop for, and enhance within, the recruit-*
22 *ment programs of each Armed Force various core ini-*
23 *tiatives, programs, activities, and mechanisms, tai-*
24 *lored to the unique needs of each Armed Force, to*
25 *identify and recruit civilian employees and members*

1 *of the Armed Forces with demonstrated aptitude, in-*
2 *terest, and proficiency in digital engineering, and in*
3 *science, technology, engineering, and mathematics*
4 *(STEM) generally, including initiatives, programs,*
5 *activities, and mechanisms to target populations of*
6 *individuals not typically aware of opportunities in*
7 *the Department of Defense for a digital engineering*
8 *career.*

9 *(2) Identify and share with the military depart-*
10 *ments best practices around the development of flexi-*
11 *ble career tracks and identifiers for digital engineer-*
12 *ing and related digital competencies and meaningful*
13 *opportunities for career development, talent manage-*
14 *ment, and promotion within such career tracks.*

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

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

1 *the readiness of digital forces and progress toward*
2 *achieving the policy set forth in subsection (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 engi-*
9 *neering workforce.*

10 *(6) Assist the military departments in designing,*
11 *developing, and executing programs and incentives to*
12 *retain, track, and oversee digital expertise among ci-*
13 *vilian employees of the Department and members of*
14 *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 element,*
20 *and develop and deploy agile hiring processes to fill*
21 *such positions.*

22 *(8) Identify necessary changes in authorities,*
23 *policies, resources, or a combination thereof to further*
24 *the policy set forth in subsection (a), and submit to*
25 *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 Commit-
 3 tees on Armed Services of the House of Representatives and
 4 the Senate a plan to carry out the requirements of this sec-
 5 tion. The plan shall include the following:

6 (1) *An assessment of progress of the Secretary in*
 7 *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 require-*
 10 *ments of this section, including input from each mili-*
 11 *tary department on its unique timeline.*

12 (3) *Recommendations for any legislative or ad-*
 13 *ministrative action required to meet the requirements*
 14 *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 Director
 22 of Operational Test and Evaluation shall jointly de-
 23 sign, 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 evalua-
5 tion.

6 (2) *ELEMENTS.*—The capability developed under
7 subsection (a) shall consist of digital platforms that
8 may be accessed by individuals throughout the De-
9 partment who have responsibilities relating to the de-
10 velopment, testing, evaluation, and operation of soft-
11 ware. The platforms shall enable such individuals
12 to—

13 (A) use systems-level digital representations
14 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 pro-
19 gram 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 Di-
24 rector shall carry out pilot programs to demonstrate

1 *whether it is possible for automated testing to sat-*
2 *isfy—*

3 *(A) developmental test requirements for the*
4 *software-intensive programs of the Department of*
5 *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 than*
10 *four and not more than ten pilot programs under this*
11 *section.*

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

15 *(A) conduct a cost-benefit analysis that*
16 *compares the costs and benefits of the digital en-*
17 *gineering and automated testing approach of the*
18 *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 data*
23 *required to operate the models used under the*
24 *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 sections
8 873 and 874 of the National Defense Authorization
9 Act for Fiscal Year 2018 (Public Law 115–91).

10 (5) *REPORT.*—Not later than 90 days after the
11 date of the enactment of this Act, the Under Secretary
12 and Director shall submit to the congressional defense
13 committees a report that includes a description of—

14 (A) each pilot program that will be carried
15 out under paragraph (1);

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

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

21 (D) any recommendations for changes to ex-
22 isting law to facilitate the implementation of the
23 pilot programs; and

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

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

4 (c) *POLICIES AND GUIDANCE REQUIRED.*—

5 (1) *IN GENERAL.*—*The Under Secretary and the*
6 *Director shall issue policies and guidance to imple-*
7 *ment—*

8 (A) *the digital engineering capability and*
9 *infrastructure developed under subsection (a);*
10 *and*

11 (B) *the pilot programs carried out under*
12 *subsection (b).*

13 (2) *ELEMENTS.*—*The policies and guidance*
14 *issued under paragraph (1) shall—*

15 (A) *specify procedures for developing and*
16 *maintaining digital engineering models and the*
17 *automated testing of software throughout the pro-*
18 *gram life cycle;*

19 (B) *include processes for automated testing*
20 *of developmental test requirements and oper-*
21 *ational test requirements;*

22 (C) *include processes for automated security*
23 *testing, including—*

24 (i) *penetration testing; and*

25 (ii) *vulnerability scanning;*

1 (D) include processes for security testing
 2 performed by individuals, including red team as-
 3 sessments with zero-trust assumptions;

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

9 (F) support the high-confidence distribution
 10 of software to the field on a time-bound, repeat-
 11 able, frequent, and iterative basis;

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

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

18 (d) CONSULTATION.—In carrying out subsections (a)
 19 through (c), the Under Secretary and Director shall consult
 20 with—

21 (1) the Under Secretary of Defense for Acquisi-
 22 tion and Sustainment;

23 (2) the service acquisition executives;

24 (3) the service testing commands; and

25 (4) the Defense Digital Service.

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

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

10 (2) an explanation of how the results of the pilot
 11 programs carried out under subsection (b) will inform
 12 subsequent policy and guidance, particularly the pol-
 13 icy and guidance of the Director of Operational Test
 14 and Evaluation; and

15 (3) any recommendations for changes to existing
 16 law to facilitate the implementation of subsections (a)
 17 through (c).

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

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

23 (2) The term “digital engineering” means an in-
 24 tegrated digital approach that uses authoritative
 25 sources of system data and models as a continuum

1 *across disciplines to support life-cycle activities from*
 2 *concept through disposal.*

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

7 (4) *The term “red team assessment” means pene-*
 8 *tration tests and operations performed on a system to*
 9 *emulate a capable adversary to expose security*
 10 *vulnerabilities.*

11 **SEC. 225. PROCESS TO ALIGN POLICY FORMULATION AND**
 12 **EMERGING TECHNOLOGY DEVELOPMENT.**

13 (a) *ALIGNMENT OF POLICY AND TECHNOLOGICAL DE-*
 14 *VELOPMENT.—Not later than 180 days after the date of the*
 15 *enactment of this Act, the Secretary of Defense shall estab-*
 16 *lish a process to ensure that the policies of the Department*
 17 *of Defense relating to emerging technology are formulated*
 18 *and updated continuously as such technology is developed*
 19 *by the Department.*

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

22 (1) *specify the role of each covered official in en-*
 23 *sureing that the formulation of policies relating to*
 24 *emerging technology is carried out concurrently with*
 25 *the development of such technology;*

1 (2) *establish mechanisms to ensure that the*
2 *Under Secretary of Defense for Policy has the infor-*
3 *mation and resources necessary to continuously for-*
4 *mulate and update policies relating to emerging tech-*
5 *nology, including by directing the organizations and*
6 *entities of the Department of Defense responsible for*
7 *the development such technology—*

8 (A) *to share information with the Under*
9 *Secretary;*

10 (B) *to communicate plans for the fielding*
11 *and use of emerging technology to the Under Sec-*
12 *retary; and*

13 (C) *to coordinate activities relating to such*
14 *technology with the Under Secretary;*

15 (3) *incorporate procedures for the legal review*
16 *of—*

17 (A) *weapons that incorporate emerging*
18 *technology; and*

19 (B) *treaties that may be affected by such*
20 *technology; and*

21 (4) *ensure that emerging technologies procured*
22 *and used by the military will be tested, as applicable,*
23 *for algorithmic bias and discriminatory outcomes.*

24 (c) *REPORTS REQUIRED.—*

1 (1) *INTERIM REPORT*.—Not later than 60 days
2 after the date of the enactment of this Act, the Sec-
3 retary of Defense shall submit to the congressional de-
4 fense committees a report on the progress of the Sec-
5 retary in carrying out subsection (a).

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

11 (d) *DEFINITIONS*.—In this section:

12 (1) The term “covered official” means the Chair-
13 man of the Joint Chiefs of Staff, the Under Secretary
14 of Defense for Research and Engineering, the Under
15 Secretary of Defense for Policy, the commanders of
16 the combatant commands, and the Secretaries of the
17 military departments.

18 (2) The term “emerging technology” means tech-
19 nology determined to be in an emerging phase of de-
20 velopment by the Secretary of Defense and includes
21 quantum computing, technology for the analysis of
22 large and diverse sets of data (commonly known as
23 “big data analytics”), artificial intelligence, autono-
24 mous technology, robotics, directed energy,
25 hypersonics, and biotechnology.

1 **SEC. 226. LIMITATION ON TRANSITION OF STRATEGIC CA-**
2 **PABILITIES OFFICE OF THE DEPARTMENT OF**
3 **DEFENSE.**

4 (a) *LIMITATION.*—*The Secretary of Defense may not*
5 *transition or transfer the functions of the Strategic Capa-*
6 *bilities Office of the Department of Defense to another orga-*
7 *nization or element of the Department until—*

8 (1) *the plan required under subsection (b) has*
9 *been submitted to the congressional defense commit-*
10 *tees; and*

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

15 (b) *PLAN REQUIRED.*—

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

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

23 (A) *A timeline for the potential transition*
24 *or transfer of the activities, functions, programs,*
25 *plans, and resources of the Strategic Capabilities*
26 *Office.*

1 (B) *The status of funding and execution of*
2 *current Strategic Capabilities Office projects, in-*
3 *cluding a strategy for mitigating risk to current*
4 *projects during the transition or transfer.*

5 (C) *The impact of the transition or transfer*
6 *on the ability of the Department to rapidly ad-*
7 *dress Combatant Command requirements.*

8 (D) *The impact of the transition or transfer*
9 *on the cultural attributes and core competencies*
10 *of the Strategic Capabilities Office and any or-*
11 *ganization or element of the Department of De-*
12 *fense affected by the realignment of the Office.*

13 (E) *An assessment of the impact of the*
14 *transition or transfer on the relationships of the*
15 *Strategic Capabilities Office with the military*
16 *departments, Combatant Commands, Depart-*
17 *ment of Defense laboratories, the intelligence*
18 *community, and other research and development*
19 *activities.*

20 (F) *Budget and programming realignment*
21 *and prioritization of Research, Development,*
22 *Testing, and Evaluation budget activity that*
23 *will be carried out as a result of the transition*
24 *or transfer.*

1 (G) *The status of the essential authorities of*
 2 *the Director of the Strategic Capabilities Office,*
 3 *including acquisition authorities, personnel*
 4 *management authorities, the authority to enter*
 5 *into support agreements and strategic partner-*
 6 *ships, and original classification authority.*

7 (3) *FORM OF PLAN.—The plan required under*
 8 *paragraph (1) shall be submitted in unclassified form,*
 9 *but may include a classified annex.*

10 **SEC. 227. SENSE OF CONGRESS ON THE IMPORTANCE OF**
 11 **CONTINUED COORDINATION OF STUDIES**
 12 **AND ANALYSIS RESEARCH OF THE DEPART-**
 13 **MENT OF DEFENSE.**

14 *It is the sense of Congress that the Secretary of Defense*
 15 *shall continue to work to create a Department of Defense-*
 16 *wide process under which the heads of the military depart-*
 17 *ments and Defense Agencies responsible for managing re-*
 18 *quests for studies and analysis research coordinate annual*
 19 *research requests and ongoing research efforts to optimize*
 20 *both the benefits to the Department and the efficiency of*
 21 *the research.*

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

23 (a) *DESIGNATION OF RESPONSIBLE ENTITY.—As part*
 24 *of the efforts the Department of Defense with respect to GPS*
 25 *military code (commonly known as “M-code”) receiver card*

1 *acquisition planning, the Secretary of Defense shall des-*
2 *ignate an entity within the Department to have principal*
3 *responsibility for—*

4 (1) *systematically collecting integration test*
5 *data, lessons learned, and design solutions relating to*
6 *M-code receiver cards;*

7 (2) *making such data, lessons learned, and de-*
8 *sign solutions available to all programs expected to*
9 *integrate M-code receiver cards.*

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

12 (1) *take such actions as are necessary to reduce*
13 *duplication and fragmentation in the implementation*
14 *of M-code receiver card modernization across the De-*
15 *partment;*

16 (2) *clarify the role of the Chief Information Offi-*
17 *cer in leading the M-code receiver card modernization*
18 *effort; and*

19 (3) *ensure that the Department’s Positioning,*
20 *Navigation, and Timing Enterprise Oversight Coun-*
21 *cil will collect integration test data, designs solutions,*
22 *and lessons learned, and confirm that such additional*
23 *steps are taking place.*

1 **SEC. 229. MUSCULOSKELETAL INJURY PREVENTION RE-**
2 **SEARCH.**

3 (a) *PROGRAM REQUIRED.*—The Secretary of Defense
4 shall carry out a program on musculoskeletal injury pre-
5 vention research to identify risk factors for musculoskeletal
6 injuries among members of the Armed Forces and to create
7 a better understanding for adaptive bone formation during
8 initial entry military training.

9 (b) *FUNDING.*—

10 (1) *INCREASE.*—Notwithstanding the amounts
11 set forth in the funding tables in division D, the
12 amount authorized to be appropriated in section 201
13 for research, development, test, and evaluation, as
14 specified in the corresponding funding table in section
15 4201, for research, development, test, and evaluation,
16 Army, applied research, medical technology, line 040
17 (PE 0602787A) is hereby increased by \$4,800,000
18 (with the amount of such increase to be made avail-
19 able to carry out the program on musculoskeletal in-
20 jury prevention research under subsection (a)).

21 (2) *OFFSET.*—Notwithstanding the amounts set
22 forth in the funding tables in division D, the amount
23 authorized to be appropriated in section 101 for pro-
24 curement, as specified in the corresponding funding
25 table in section 4101, for shipbuilding and conver-

1 *sion, Navy, ship to shore connector, line 024 is hereby*
2 *reduced by \$4,800,000.*

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

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

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

10 *(2) These jobs exist within the organic industrial*
11 *base, research, development, and engineering centers,*
12 *life-cycle management commands, and logistics cen-*
13 *ters of the Department.*

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

17 *(4) It is known that the demographics of per-*
18 *sonnel of the Department indicate that many of the*
19 *STEM personnel of the Department will be eligible to*
20 *retire in the next few years.*

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

1 (b) *ASSESSMENTS AND PLAN OF ACTION.*—The Sec-
 2 retary of Defense, in conjunction with the Secretary of each
 3 military department, shall—

4 (1) *perform an assessment of the STEM work-*
 5 *force for organizations within the Department of De-*
 6 *fense, including the numbers and types of positions*
 7 *and the expectations for losses due to retirements and*
 8 *voluntary departures;*

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

11 (3) *determine the shortfall between lost STEM*
 12 *personnel and future requirements;*

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

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

19 (6) *deliver to Congress, not later than December*
 20 *31, 2020, a report specifying such plan of action.*

21 **SEC. 230A. SENSE OF CONGRESS ON FUTURE VERTICAL**
 22 **LIFT TECHNOLOGIES.**

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

(2) Specifically, investments in maturation technologies to accelerate the deployment of future vertical lift programs is paramount.

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

(4) Congress is concerned that the Army is not adequately resourcing programs to improve pilot situational awareness, increase flight operations safety, and diminish operation and maintenance costs.

14 (b) *SENSE OF CONGRESS.—It is the sense of Congress*
15 *that the Army should to continue to invest in research, de-*
16 *velopment, test, and evaluation programs to mature future*
17 *vertical lift technologies.*

18 **SEC. 230B. MODIFICATION OF DEFENSE QUANTUM INFOR-**
19 **MATION SCIENCE AND TECHNOLOGY RE-**
20 **SEARCH AND DEVELOPMENT PROGRAM.**

21 *Section 234 of the John S. McCain National Defense*
22 *Authorization Act for Fiscal Year 2019 (Public Law 115–*
23 *232; 10 U.S.C. 2358 note) is amended—*

24 (1) in subsection (c)—

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

4 “(A) the National Quantum Coordination
 5 Office;

6 “(B) the subcommittee on Quantum Infor-
 7 mation Science and the subcommittee on Eco-
 8 nomic and Security Implications of Quantum
 9 Science of the National Science and Technology
 10 Council;

11 “(C) the Quantum Economic Development
 12 Consortium;

13 “(D) the Under Secretary of Defense for Ac-
 14 quisition and Sustainment;

15 “(E) the Industrial Policy office of the De-
 16 partment of Defense;

17 “(F) industry;

18 “(G) academic institutions; and

19 “(H) national laboratories;”;

20 (B) by redesignating paragraphs (3) and
 21 (4) as paragraphs (5) and (8), respectively;

22 (C) by inserting after paragraph (2) the fol-
 23 lowing new paragraphs:

24 “(3) develop, in coordination with the entities
 25 listed in paragraph (2), plans for workforce develop-

1 *ment, enhancing awareness and reducing risk of cy-*
 2 *bersecurity threats, and the development of ethical*
 3 *guidelines for the use of quantum technology;*

4 “(4) develop, in coordination with the National
 5 *Institute of Standards and Technology, a quantum*
 6 *science taxonomy and requirements for technology*
 7 *and standards;”;*

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

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

12 “(6) support efforts to increase the technology
 13 readiness level of quantum technologies under develop-
 14 ment in the United States;

15 “(7) coordinate quantum technology initiatives
 16 with allies of the United States, including by coordi-
 17 nating with allies through The Technical Cooperation
 18 Program; and”;

19 (F) in paragraph (8) (as so redesignated),
 20 by striking “meeting the long-term challenges
 21 and achieving the specific technical goals” and
 22 inserting “carrying out the program required by
 23 subsection (a)”;

24 (2) in subsection (d)—

1 (A) by redesignating subparagraphs (C)
2 through (E) as subparagraphs (E) through (G),
3 respectively; and

4 (B) by inserting after subparagraph (B) the
5 following new subparagraphs:

6 “(C) A quantum technology roadmap indi-
7 cating the likely timeframes for development and
8 military deployment of quantum technologies,
9 and likely relative national security impact of
10 such technologies.

11 “(D) A description of efforts to update clas-
12 sification and cybersecurity practices sur-
13 rounding quantum technology, including—

14 “(i) security processes and require-
15 ments for engagement with allied countries;
16 and

17 “(ii) a plan for security-cleared work-
18 force development.”.

19 **SEC. 230C. TRUSTED SUPPLY CHAIN AND OPERATIONAL SE-**
20 **CURITY STANDARDS FOR MICROELEC-**
21 **TRONICS.**

22 (a) *TRUSTED SUPPLY CHAIN AND OPERATIONAL SE-*
23 *CURITY STANDARDS.—*

24 (1) *STANDARDS REQUIRED.—Not later than Jan-*
25 *uary 1, 2021, the Secretary shall establish trusted*

1 *supply chain and operational security standards for*
2 *the purchase of microelectronics products and services*
3 *by the Department.*

4 (2) *CONSULTATION REQUIRED.—In developing*
5 *standards under paragraph (1), the Secretary shall*
6 *consult with the following:*

7 (A) *The Secretary of Homeland Security,*
8 *the Secretary of State, the Secretary of Com-*
9 *merce, and the Director of the National Institute*
10 *of Standards and Technology.*

11 (B) *Suppliers of microelectronics products*
12 *and services from the United States and allies*
13 *and partners of the United States.*

14 (C) *Representatives of major United States*
15 *industry sectors that rely on a trusted supply*
16 *chain and the operational security of microelec-*
17 *tronics products and services.*

18 (D) *Representatives of the United States in-*
19 *surance industry.*

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

1 (4) *GENERAL APPLICABILITY.*—*The standards es-*
2 *tablished pursuant to paragraph (1) shall be, to the*
3 *greatest extent practicable, generally applicable to the*
4 *trusted supply chain and operational security needs*
5 *and use cases of the United States Government and*
6 *commercial industry, such that the standards could be*
7 *widely adopted by government and commercial indus-*
8 *try.*

9 (5) *ANNUAL REVIEW.*—*Not later than October 1*
10 *of each year, the Secretary shall review the standards*
11 *established pursuant to paragraph (1) and issue up-*
12 *dates or modifications as the Secretary considers nec-*
13 *essary or appropriate.*

14 (b) *ENSURING ABILITY TO SELL COMMERCIALY.*—

15 (1) *IN GENERAL.*—*The Secretary shall, to the*
16 *greatest extent practicable, ensure that suppliers of*
17 *microelectronics products for the Federal Government*
18 *who meet the standards established under subsection*
19 (i) *are able and incentivized to sell products commer-*
20 *cially that are produced on the same production lines*
21 *as the microelectronics products supplied to the Fed-*
22 *eral Government.*

23 (2) *EFFECT OF REQUIREMENT AND ACQUISI-*
24 *TIONS.*—*The Secretary shall, to the greatest extent*
25 *practicable, ensure that the requirements of the De-*

1 *partment and the acquisition by the Department of*
 2 *microelectronics enable the success of a dual-use*
 3 *microelectronics industry.*

4 *(c) MAINTAINING COMPETITION AND INNOVATION.—*
 5 *The Secretary shall take such actions as the Secretary con-*
 6 *siders necessary and appropriate, within the Secretary's*
 7 *authorized activities to maintain the health of the defense*
 8 *industrial base, to ensure that—*

9 *(1) providers of microelectronics products and*
 10 *services that meet the standards established under*
 11 *subsection (a) are exposed to competitive market pres-*
 12 *ures to achieve competitive pricing and sustained in-*
 13 *novation; and*

14 *(2) the industrial base of microelectronics prod-*
 15 *ucts and services that meet the standards established*
 16 *under subsection (a) includes providers producing in*
 17 *or belonging to countries that are allies or partners*
 18 *of the United States.*

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

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

24 *(a) PLAN REQUIRED.—The Secretary of Defense, act-*
 25 *ing through the Under Secretary of Defense for Research*

1 *and Engineering, shall develop a master plan for using cur-*
2 *rent authorities and responsibilities to strengthen and mod-*
3 *ernize the workforce and capabilities of the science and tech-*
4 *nology reinvention laboratories of the Department of De-*
5 *fense (referred to in this section as the “laboratories”) to*
6 *enhance the ability of the laboratories to execute missions*
7 *in the most efficient and effective manner.*

8 (b) *ELEMENTS.—The master plan required under sub-*
9 *section (a) shall include, with respect to the laboratories,*
10 *the following:*

11 (1) *A summary of hiring and staffing defi-*
12 *ciencies at laboratories, by location, and the effect of*
13 *such deficiencies on the ability of the laboratories—*

14 (A) *to meet existing and future require-*
15 *ments of the Department of Defense; and*

16 (B) *to recruit and retain qualified per-*
17 *sonnel.*

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

21 (3) *An explanation of the laboratory staffing ca-*
22 *pabilities required for each mission area identified*
23 *under paragraph (2).*

1 (4) *Identification of specific projects, including*
2 *hiring efforts and management reforms, that will be*
3 *carried out—*

4 (A) *to address the deficiencies identified in*
5 *paragraph (1); and*

6 (B) *to support the existing and emerging*
7 *mission areas identified in paragraph (2).*

8 (5) *For each project identified under paragraph*
9 (4)—

10 (A) *a summary of the plan for the project;*

11 (B) *an explanation of the level of priority*
12 *that will be given to the project; and*

13 (C) *a schedule of required investments that*
14 *will be made as part of the project.*

15 (6) *A description of how the Department, includ-*
16 *ing each military department concerned, will carry*
17 *out the projects identified in paragraph (3) using—*

18 (A) *current authorities and responsibilities;*

19 *and*

20 (B) *such other authorities as are determined*
21 *to be relevant by the Secretary of Defense.*

22 (7) *Identification of any statutory barriers to*
23 *implementing the master plan and legislative pro-*
24 *posals to address such barriers.*

1 (c) *CONSULTATION.*—*In developing the master plan re-*
2 *quired under subsection (a), the Secretary of Defense and*
3 *the Under Secretary of Defense for Research and Engineer-*
4 *ing shall consult with—*

5 (1) *the Secretary of each military department;*

6 (2) *the Service Acquisition Executives with re-*
7 *sponsibilities relevant to the laboratories;*

8 (3) *the commander of each military command*
9 *with responsibilities relating to research and engi-*
10 *neering that is affected by the master plan; and*

11 (4) *any other officials determined to be relevant*
12 *by the Secretary of Defense and the Under Secretary*
13 *of Defense for Research and Engineering.*

14 (d) *INITIAL REPORT.*—*Not later than 180 days after*
15 *the date of the enactment of this Act, the Under Secretary*
16 *of Defense for Research and Engineering shall submit to*
17 *the congressional defense committees a report that identifies*
18 *any barriers that prevent the full use and implementation*
19 *of current authorities and responsibilities and such other*
20 *authorities as are determined to be relevant by the Sec-*
21 *retary of Defense, including any barriers presented by the*
22 *policies, authorities, and activities of—*

23 (1) *organizations and elements of the Depart-*
24 *ment of Defense; and*

25 (2) *organizations outside the Department.*

1 (e) *FINAL REPORT*.—Not later than October 30, 2020,
 2 the Under Secretary of Defense for Research and Engineer-
 3 ing shall submit to the congressional defense committees—

4 (1) the master plan developed under subsection
 5 (a); and

6 (2) a report on the activities carried out under
 7 this section.

8 **SEC. 232. MASTER PLAN FOR INFRASTRUCTURE REQUIRED**
 9 **TO SUPPORT RESEARCH, DEVELOPMENT,**
 10 **TEST, AND EVALUATION MISSIONS.**

11 (a) *PLAN REQUIRED*.—The Secretary of Defense, in
 12 consultation with the Secretaries of the military depart-
 13 ments, shall develop and implement a master plan that ad-
 14 dresses the research, development, test, and evaluation in-
 15 frastructure and modernization requirements of the Depart-
 16 ment of Defense, including the science and technology re-
 17 invention laboratories and the facilities of the Major Range
 18 and Test Facility Base.

19 (b) *EARTHQUAKE-DAMAGED INFRASTRUCTURE RES-*
 20 *TORATION MASTER PLAN*.—

21 (1) *IN GENERAL*.—In the case of any base dam-
 22 aged by the July 2019 earthquakes within the R-2508
 23 Special Use Airspace Complex (including U.S. Air
 24 Force Plant 42), the Secretary of Defense shall com-
 25 plete and submit to the congressional defense commit-

1 *tees the master plan required by subsection (a), by not*
 2 *later than October 1, 2019. If additional funding is*
 3 *required to repair or improve the installations' re-*
 4 *search, development, test, evaluation, training, and*
 5 *related infrastructure to a modern standard as a re-*
 6 *sult of damage caused by the earthquakes, the request*
 7 *for funding shall be made in either a disaster or sup-*
 8 *plemental appropriations request to Congress or the*
 9 *Secretary of Defense shall include the request for*
 10 *funding in the annual budget submission of the Presi-*
 11 *dent under section 1105(a) of title 31, United States*
 12 *Code, whichever comes first. The request for addi-*
 13 *tional funding may be included in both requests if*
 14 *appropriate.*

15 (2) *POLICY OF THE UNITED STATES.—*

16 (A) *SENSE OF CONGRESS.—It is the sense of*
 17 *Congress that—*

18 (i) *the military installations located*
 19 *within the R-2508 Special Use Airspace*
 20 *Complex, including Edwards Air Force*
 21 *Base, Fort Irwin, and Naval Air Weapons*
 22 *Station China Lake, are national assets of*
 23 *critical importance to our country's defense*
 24 *system;*

1 (ii) the R-2508 Special Use Airspace
2 Complex is comprised of all airspace and
3 associated land used and managed by the
4 412 Test Wing at Edwards Air Force Base,
5 the National Training Center at Fort
6 Irwin, and the Naval Air Warfare Center
7 Weapons Division at China Lake, Cali-
8 fornia;

9 (iii) the essential research, develop-
10 ment, test, and evaluation missions con-
11 ducted at Edwards Air Force Base and
12 Naval Air Weapons Station China Lake,
13 along with the critical combat preparation
14 training conducted at Fort Irwin, make
15 these installations vital cornerstones within
16 our National Defense architecture inte-
17 grating all operational domains, air, land,
18 sea, space, and cyberspace;

19 (iv) any damage to these military in-
20 stallations caused by the earthquakes and
21 the negative impact on the installations'
22 missions as a result are a cause for concern;

23 (v) the proud men and women, both in
24 uniform and their civilian counterparts,
25 who work at these military installations de-

1 *velop, test, and evaluate the best tools and*
 2 *impart the training needed for our*
 3 *warfighters, so that our military remains*
 4 *second to none;*

5 *(vi) in light of the earthquakes in July*
 6 *2019, the Secretary of Defense should repro-*
 7 *gram or marshal, to the fullest extent the*
 8 *law allows, all available resources that are*
 9 *necessary and appropriate to ensure—*

10 *(I) the safety and security of the*
 11 *base employees, both civilian and those*
 12 *in uniform, including those who have*
 13 *been evacuated;*

14 *(II) the bases are mission capable;*
 15 *and*

16 *(III) that all the damage caused*
 17 *by any earthquake is repaired and im-*
 18 *proved as expeditiously as possible.*

19 *(B) POLICY.—It is the policy of the United*
 20 *States, when planning or making repairs on*
 21 *military installations damaged by natural disas-*
 22 *ters, the current and future requirements of these*
 23 *military installations, as identified in the Na-*
 24 *tional Defense Strategy, shall, to the fullest ex-*
 25 *tent practical, be made.*

1 (c) *ELEMENTS.*—*The master plan required under sub-*
2 *section (a) shall include, with respect to the research, devel-*
3 *opment, test, and evaluation infrastructure of the Depart-*
4 *ment of Defense, the following:*

5 (1) *A summary of deficiencies in the infrastruc-*
6 *ture, by location, and the effect of the deficiencies on*
7 *the ability of the Department—*

8 (A) *to meet current and future military re-*
9 *quirements identified in the National Defense*
10 *Strategy;*

11 (B) *to support science and technology devel-*
12 *opment and acquisition programs; and*

13 (C) *to recruit and train qualified personnel.*

14 (2) *A summary of existing and emerging mili-*
15 *tary research, development, test, and evaluation mis-*
16 *sion areas, by location, that require modernization*
17 *investments in the infrastructure—*

18 (A) *to improve operations in a manner that*
19 *may benefit all users;*

20 (B) *to enhance the overall capabilities of the*
21 *research, development, test, and evaluation infra-*
22 *structure, including facilities and resources;*

23 (C) *to improve safety for personnel and fa-*
24 *cilities; and*

1 (D) to reduce the long-term cost of operation
2 and maintenance.

3 (3) Identification of specific infrastructure
4 projects that are required to address the infrastruc-
5 ture deficiencies identified under paragraph (1) or to
6 support the existing and emerging mission areas
7 identified under paragraph (2).

8 (4) For each project identified under paragraph
9 (3)—

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

11 (B) a cost estimate;

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

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

15 (E) a schedule of required infrastructure in-
16 vestments.

17 (5) A description of how the Department, includ-
18 ing each military department concerned, will carry
19 out the infrastructure projects identified in paragraph
20 (3) using the range of authorities and methods avail-
21 able to the Department, including—

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

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

1 (C) laboratory revitalization authority
2 under section 2805(d) of such title;

3 (D) the authority to carry out facility re-
4 pair projects, including the conversion of existing
5 facilities, under section 2811 of such title;

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

11 (F) methods that leverage funding from en-
12 tities outside the Department, including public-
13 private partnerships, enhanced use leases, real
14 property exchanges; and

15 (G) any other authorities and methods de-
16 termined to be appropriate by the Secretary of
17 Defense.

18 (6) An updated description of real property asset
19 military construction needs at MRTFBs compared to
20 those reported by the Department of Defense in re-
21 sponse to House Report 114–102, to accompany H.R.
22 1735, the National Defense Authorization Act of Fis-
23 cal Year 2016.

24 (7) An assessment of the Department of Defense
25 Test and Resource Management Center’s ability to

1 *support testing for future warfare needs at MRTFBs,*
 2 *including those identified in the Department of De-*
 3 *fense 2018 National Defense Strategy.*

4 *(8) Identification of any statutory, regulatory, or*
 5 *policy barriers to implementing the master plan and*
 6 *regulatory, policy, or legislative proposals to address*
 7 *such barriers.*

8 *(d) CONSULTATION AND USE OF CONTRACT AUTHOR-*
 9 *ITY.—In implementing the plan required under subsection*
 10 *(a), the Secretary of Defense shall—*

11 *(1) consult with existing and anticipated users of*
 12 *the Major Range and Test Facility Base; and*

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

16 *(e) SUBMISSION TO CONGRESS.—Not later than Octo-*
 17 *ber 30, 2020, the Secretary of Defense shall submit to the*
 18 *congressional defense committees the master plan developed*
 19 *under subsection (a).*

20 *(f) RESEARCH AND DEVELOPMENT INFRASTRUCTURE*
 21 *DEFINED.—In this section, the term “research, develop-*
 22 *ment, test, and evaluation infrastructure” means the infra-*
 23 *structure of—*

24 *(1) the science and technology reinvention lab-*
 25 *oratories (as designated under section 1105 of the Na-*

1 *tional Defense Authorization Act for Fiscal Year 2010*
 2 *(Public Law 111–84; 10 U.S.C. 2358 note));*

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

6 *(3) other facilities that support the research de-*
 7 *velopment, test, and evaluation activities of the De-*
 8 *partment; and*

9 *(4) the United States Naval Observatory (as de-*
 10 *scribed in section 8715 of title 10, United States*
 11 *Code).*

12 **SEC. 233. STRATEGY AND IMPLEMENTATION PLAN FOR**
 13 **FIFTH GENERATION INFORMATION AND COM-**
 14 **MUNICATIONS TECHNOLOGIES.**

15 *(a) IN GENERAL.—Not later than 270 days after the*
 16 *date of the enactment of this Act, the Secretary of Defense*
 17 *shall develop—*

18 *(1) a strategy for harnessing fifth generation*
 19 *(commonly known as “5G”) information and commu-*
 20 *nications technologies to enhance military capabili-*
 21 *ties, maintain a technological advantage on the bat-*
 22 *tlefield, and accelerate the deployment of new com-*
 23 *mercial products and services enabled by 5G networks*
 24 *throughout the Department of Defense; and*

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

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

5 (1) *Adoption and use of secure fourth generation*
6 *(commonly known as “4G”) communications tech-*
7 *nologies and the transition to advanced and secure*
8 *5G communications technologies for military applica-*
9 *tions.*

10 (2) *Science, technology, research, and develop-*
11 *ment efforts to facilitate the advancement and adop-*
12 *tion of 5G technology and new uses of 5G systems,*
13 *subsystems, and components, including—*

14 (A) *5G testbeds for developing military ap-*
15 *plications; and*

16 (B) *spectrum-sharing technologies and*
17 *frameworks.*

18 (3) *Strengthening engagement and outreach with*
19 *industry, academia, international partners, and other*
20 *departments and agencies of the Federal Government*
21 *on issues relating to 5G technology.*

22 (4) *Defense industrial base supply chain risk,*
23 *management, and opportunities.*

1 (5) *Preserving the ability of the Joint Force to*
2 *achieve objectives in a contested and congested spec-*
3 *trum environment.*

4 (6) *Strengthening the ability of the Joint Force*
5 *to conduct full spectrum operations that enhance the*
6 *military advantages of the United States.*

7 (7) *Securing the information technology and*
8 *weapon systems of the Department against malicious*
9 *activity.*

10 (8) *Such other matters as the Secretary of De-*
11 *fense determines to be relevant.*

12 (c) *CONSULTATION.—In developing the strategy and*
13 *implementation plan required under subsection (a), the*
14 *Secretary of Defense shall consult with the following:*

15 (1) *The Chief Information Officer of the Depart-*
16 *ment of Defense.*

17 (2) *The Under Secretary of Defense for Research*
18 *and Engineering.*

19 (3) *The Under Secretary of Defense for Acquisi-*
20 *tion and Sustainment.*

21 (4) *The Under Secretary of Defense for Intel-*
22 *ligence.*

23 (5) *Service Acquisition Executives of each mili-*
24 *tary service.*

1 (d) *BRIEFING.*—Not later than 180 days after the date
2 of the enactment of this Act, the Secretary of Defense shall
3 provide to the congressional defense committees a briefing
4 on the progress of the Secretary in developing the strategy
5 and implementation plan required under subsection (a).

6 **SEC. 234. DEPARTMENT-WIDE SOFTWARE SCIENCE AND**
7 **TECHNOLOGY STRATEGY.**

8 (a) *DESIGNATION OF SENIOR OFFICIAL.*—Not later
9 than 180 days after the date of the enactment of this Act,
10 the Secretary of Defense, acting through the Under Sec-
11 retary of Defense for Research and Engineering and in con-
12 sultation with the Under Secretary of Defense for Acquisi-
13 tion and Sustainment, shall designate a single official or
14 existing entity within the Department of Defense as the offi-
15 cial or entity (as the case may be) with principal responsi-
16 bility for guiding the direction of research and development
17 of next generation software and software intensive systems
18 for the Department, including the research and development
19 of—

20 (1) *new technologies for the creation of highly se-*
21 *cure, reliable, and mission-critical software; and*

22 (2) *new approaches to software development,*
23 *data-based analytics, and next generation manage-*
24 *ment tools.*

1 (b) *DEVELOPMENT OF STRATEGY.*—*The official or en-*
2 *tity designated under subsection (a) shall develop a Depart-*
3 *ment-wide strategy for the research and development of next*
4 *generation software and software intensive systems for the*
5 *Department of Defense, including strategies for—*

6 (1) *types of software innovation efforts within*
7 *the science and technology portfolio of the Depart-*
8 *ment;*

9 (2) *investment in new approaches to software de-*
10 *velopment, data-based analytics, and next generation*
11 *management tools;*

12 (3) *ongoing research and other support of aca-*
13 *demic, commercial, and development community ef-*
14 *forts to innovate the software development, engineer-*
15 *ing, and testing process;*

16 (4) *to the extent practicable, implementing the*
17 *recommendations set forth in—*

18 (A) *the final report of the Defense Innova-*
19 *tion Board submitted to the congressional defense*
20 *committees under section 872 of the National De-*
21 *fense Authorization Act for Fiscal Year 2018*
22 *(Public Law 115–91; 131 Stat. 1497); and*

23 (B) *the final report of the Defense Science*
24 *Board Task Force on the Design and Acquisition*
25 *of Software for Defense Systems described in sec-*

1 *tion 868 of the John S. McCain National Defense*
2 *Authorization Act for Fiscal Year 2019 (Public*
3 *Law 115–232; 10 U.S.C. 2223 note);*

4 *(5) supporting the acquisition, technology devel-*
5 *opment, and test and operational needs of the Depart-*
6 *ment through the development of capabilities, includ-*
7 *ing personnel and infrastructure, and programs in—*

8 *(A) the science and technology reinvention*
9 *laboratories (as designated under section 1105 of*
10 *the National Defense Authorization Act for Fis-*
11 *cal Year 2010 (Public Law 111–84; 10 U.S.C.*
12 *2358 note));*

13 *(B) the facilities of the Major Range and*
14 *Test Facility Base (as defined in section*
15 *2358a(f)(3) of title 10, United States Code); and*

16 *(C) the Defense Advanced Research Projects*
17 *Agency; and*

18 *(6) the transition of relevant capabilities and*
19 *technologies to information technology programs of*
20 *the Department, including software intensive tactical*
21 *systems, enterprise systems, and business systems.*

22 *(c) SUBMITTAL TO CONGRESS.—Not later than one*
23 *year after the date of the enactment of this Act, the official*
24 *or entity designated under subsection (a) shall submit to*

1 *the congressional defense committees the strategy developed*
 2 *under subsection (b).*

3 **SEC. 235. ARTIFICIAL INTELLIGENCE EDUCATION STRAT-**
 4 **EGY.**

5 *(a) STRATEGY REQUIRED.—*

6 *(1) IN GENERAL.—The Secretary of Defense shall*
 7 *develop a strategy for educating service members in*
 8 *relevant occupational fields on matters relating to ar-*
 9 *tificial intelligence.*

10 *(2) ELEMENTS.—The strategy developed under*
 11 *subsection (a) shall include a curriculum designed to*
 12 *give service members a basic knowledge of artificial*
 13 *intelligence. The curriculum shall include instruction*
 14 *in—*

15 *(A) artificial intelligence design;*

16 *(B) software coding;*

17 *(C) potential military applications for arti-*
 18 *ficial intelligence;*

19 *(D) the impact of artificial intelligence on*
 20 *military strategy and doctrine;*

21 *(E) artificial intelligence decisionmaking*
 22 *via machine learning and neural networks;*

23 *(F) ethical issues relating to artificial intel-*
 24 *ligence;*

1 (G) *the potential biases of artificial intel-*
2 *ligence;*

3 (H) *potential weakness in artificial intel-*
4 *ligence technology;*

5 (I) *opportunities and risks; and*

6 (J) *any other matters the Secretary of De-*
7 *fense determines to be relevant.*

8 (b) *IMPLEMENTATION PLAN.—*

9 (1) *IN GENERAL.—The Secretary of Defense shall*
10 *develop a plan for implementing the strategy devel-*
11 *oped under subsection (a).*

12 (2) *ELEMENTS.—The implementation plan re-*
13 *quired under paragraph (1) shall identify the fol-*
14 *lowing:*

15 (A) *The military occupational specialties*
16 *(applicable to enlisted members and officers) that*
17 *are most likely to involve interaction with artifi-*
18 *cial intelligence technology.*

19 (B) *The specific occupational specialties*
20 *that will receive training in accordance with the*
21 *curriculum described in subsection (a)(2).*

22 (C) *The duration of the training.*

23 (D) *The context in which the training will*
24 *be provided, which may include basic training,*

1 *occupationally specific training, and profes-*
 2 *sional military education.*

3 *(E) Metrics for evaluating the effectiveness*
 4 *of the training and curriculum.*

5 *(F) Any other issues the Secretary of De-*
 6 *fense determines to be relevant.*

7 *(c) SUBMITTAL TO CONGRESS.—Not later than 270*
 8 *days after the date of the enactment of this Act, the Sec-*
 9 *retary of Defense shall submit to the congressional defense*
 10 *committees—*

11 *(1) the strategy developed under subsection (a);*
 12 *and*

13 *(2) the implementation plan developed under*
 14 *subsection (b).*

15 **SEC. 236. BIENNIAL REPORT ON THE JOINT ARTIFICIAL IN-**
 16 **TELLIGENCE CENTER.**

17 *(a) REPORT.—Not later than 90 days after the date*
 18 *of the enactment of this Act and biennially thereafter*
 19 *through the end of 2023, the Secretary of Defense shall sub-*
 20 *mit to the congressional defense committees a report on the*
 21 *Joint Artificial Intelligence Center (referred to in this sec-*
 22 *tion as the “Center”).*

23 *(b) ELEMENTS.—Each report under subsection (a)*
 24 *shall include the following:*

1 (1) *Information relating to the mission and ob-*
2 *jectives of the Center.*

3 (2) *A description of the National Mission Initia-*
4 *tives, Component Mission Initiatives, and any other*
5 *initiatives of the Center, including a description of—*

6 (A) *the activities carried out under the ini-*
7 *tiatives;*

8 (B) *any investments made or contracts en-*
9 *tered into under the initiatives; and*

10 (C) *the progress of the initiatives.*

11 (3) *A description of how the Center has sought*
12 *to leverage lessons learned, share best practices, avoid*
13 *duplication of efforts, and transition artificial intel-*
14 *ligence research efforts into operational capabilities*
15 *by—*

16 (A) *collaborating with other organizations*
17 *and elements of the Department of Defense, in-*
18 *cluding the Defense Agencies and the military*
19 *departments; and*

20 (B) *deconflicting the activities of the Center*
21 *with the activities of other organizations and ele-*
22 *ments of the Department.*

23 (4) *A description any collaboration between—*

24 (A) *the Center and the private sector and*
25 *academia; and*

1 (B) the Center and international allies and
2 partners.

3 (5) The total number of military, contractor, and
4 civilian personnel who are employed by the Center,
5 assigned to the Center, and performing functions in
6 support of the Center.

7 (6) A description of the organizational structure
8 and staffing of the Center.

9 (7) A detailed description of the frameworks,
10 metrics, and capabilities established to measure the ef-
11 fectiveness of the Center and the Center's investments
12 in the National Mission Initiatives and Component
13 Mission Initiatives.

14 (8) A description of any new policies, standards,
15 or guidance relating to artificial intelligence that
16 have been issued by the Chief Information Officer of
17 the Department.

18 (c) *JOINT ARTIFICIAL INTELLIGENCE CENTER DE-*
19 *FINED.*—In this section, the term “Joint Artificial Intel-
20 *ligence Center*” means the Joint Artificial Intelligence Cen-
21 *ter of the Department of Defense established pursuant to*
22 *section 238 of the John S. McCain National Defense Au-*
23 *thorization Act for Fiscal Year 2019 (Public Law 115–232).*

1 **SEC. 237. QUARTERLY UPDATES ON THE OPTIONALLY**
2 **MANNED FIGHTING VEHICLE PROGRAM.**

3 (a) *IN GENERAL.*—Beginning not later than October
4 1, 2019, and on a quarterly basis thereafter through October
5 1, 2025, the Assistant Secretary of the Army for Acquisition,
6 Logistics, and Technology, in consultation with the
7 Commander of the Army Futures Command, shall provide
8 to the Committee on Armed Services of the House of Representatives
9 a briefing on the progress of the Optionally
10 Manned Fighting Vehicle program of the Army.

11 (b) *ELEMENTS.*—Each briefing under subsection (a)
12 shall include, with respect to the Optionally Manned Fighting
13 Vehicle program, the following elements:

14 (1) *An overview of funding for the program, including*
15 *identification of—*

16 (A) *any obligations and expenditures that*
17 *have been made under the program; and*

18 (B) *any obligations and expenditures that*
19 *are planned for the program.*

20 (2) *An overview of the program schedule.*

21 (3) *A description of each contract awarded under*
22 *the program, including a description of the type of*
23 *contract and the status of the contract.*

24 (4) *An assessment of the status of the program*
25 *with respect to—*

- 1 (A) the development and approval of tech-
- 2 nical requirements;
- 3 (B) technological maturity;
- 4 (C) testing;
- 5 (D) delivery; and
- 6 (E) program management.

7 **SEC. 238. GRANTS FOR CIVICS EDUCATION PROGRAMS.**

8 (a) *IN GENERAL.*—The Secretary of Defense shall
 9 carry out a program under which the Secretary makes
 10 grants to eligible entities, on a competitive basis, to support
 11 the development and evaluation of civics education pro-
 12 grams.

13 (b) *APPLICATION.*—To be eligible to receive a grant
 14 under this section an eligible entity shall submit to the Sec-
 15 retary of Defense an application at such time, in such man-
 16 ner, and containing such information as the Secretary may
 17 require. Applications submitted under this subsection shall
 18 be evaluated on the basis of merit pursuant to competitive
 19 procedures prescribed by the Secretary of Defense.

20 (c) *SELECTION CRITERIA.*—To be selected to receive a
 21 grant under this section an eligible entity shall demonstrate
 22 each of the following to the satisfaction of the Secretary:

- 23 (1) *The civics education program proposed by*
- 24 *the entity will include innovative approaches for im-*
- 25 *proving civics education.*

1 (2) *The entity will dedicate sufficient resources*
 2 *to the program.*

3 (3) *As part of the program, the entity will con-*
 4 *duct evaluations in accordance with subsection*
 5 *(f)(1)(B).*

6 (4) *The entity will carry out activities to dis-*
 7 *seminate the results of the evaluations described in*
 8 *such subsection, including publication of the results*
 9 *in peer-reviewed academic journals.*

10 (d) *GEOGRAPHIC DISTRIBUTION.—To the extent prac-*
 11 *ticable, the Secretary of Defense shall ensure an equitable*
 12 *geographic distribution of grants under this section.*

13 (e) *CONSULTATION.—In awarding grants under this*
 14 *section, the Secretary of Defense shall consult with the Sec-*
 15 *retary of Education.*

16 (f) *USES OF FUNDS.—*

17 (1) *REQUIRED USES OF FUNDS.—An eligible en-*
 18 *tity that receives a grant under this section shall use*
 19 *such grant—*

20 (A) *to establish a civics education program*
 21 *or to improve an existing civics education pro-*
 22 *gram; and*

23 (B) *to evaluate the effect of the program on*
 24 *participants, including with respect to—*

- 1 (i) *critical thinking and media lit-*
- 2 *eracy;*
- 3 (ii) *voting and other forms of political*
- 4 *and civic engagement;*
- 5 (iii) *interest in employment, and ca-*
- 6 *reers, in public service;*
- 7 (iv) *understanding of United States*
- 8 *law, history, and Government; and*
- 9 (v) *the ability of participants to col-*
- 10 *laborate and compromise with others to*
- 11 *solve problems.*

12 (2) *ALLOWABLE USES OF FUNDS.*—*An eligible*
 13 *entity that receives a grant under this section may*
 14 *use such grant for—*

- 15 (A) *the development or modification of cur-*
- 16 *ricula relating to civics education;*
- 17 (B) *classroom activities, thesis projects, in-*
- 18 *dividual or team projects, internships, or com-*
- 19 *munity service activities relating to civics;*
- 20 (C) *collaboration with government entities,*
- 21 *nonprofit organizations, or consortia of such en-*
- 22 *tities and organizations to provide participants*
- 23 *with civics-related experiences;*
- 24 (D) *civics-related faculty development pro-*
- 25 *grams;*

1 (E) recruitment of educators who are highly
 2 qualified in civics education to teach civics or to
 3 assist with the development of curricula for
 4 civics education;

5 (F) presentation of seminars, workshops,
 6 and training for the development of skills associ-
 7 ated with civic engagement;

8 (G) activities that enable participants to
 9 interact with government officials and entities;

10 (H) expansion of civics education programs
 11 and outreach for members of the Armed Forces,
 12 dependents and children of such members and
 13 employees of the Department of Defense; and

14 (I) opportunities for participants to obtain
 15 work experience in fields relating to civics.

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

17 (1) *The term “civics education program” means*
 18 *an educational program that provides participants*
 19 *with—*

20 (A) *knowledge of law, government, and the*
 21 *rights of citizens; and*

22 (B) *skills that enable participants to re-*
 23 *sponsibly participate in democracy.*

24 (2) *The term “eligible entity” means a Depart-*
 25 *ment of Defense domestic dependent elementary or*

1 *secondary school (as described in section 2164 of title*
2 *10, United States Code).*

3 **SEC. 239. TECHNOLOGY AND NATIONAL SECURITY FELLOW-**
4 **SHIP.**

5 *(a) FELLOWSHIP PROGRAM.—*

6 *(1) IN GENERAL.—Not later than 180 days after*
7 *the date of the enactment of this Act, the Secretary of*
8 *Defense, acting through the Under Secretary of De-*
9 *fense for Research and Engineering, may establish a*
10 *civilian fellowship program designed to place eligible*
11 *individuals within the Department of Defense to in-*
12 *crease the number of national security professionals*
13 *with science, technology, engineering, and mathe-*
14 *matics credentials employed by the Department.*

15 *(2) DESIGNATION.—The fellowship program es-*
16 *tablished under paragraph (1) shall be known as the*
17 *“Technology and National Security Fellowship” (in*
18 *this section referred to as the “fellows program”).*

19 *(3) EMPLOYMENT.—Fellows will be assigned to a*
20 *one year tour of duty within the Department of De-*
21 *fense.*

22 *(4) PAY AND BENEFITS.—An individual assigned*
23 *to a position under the fellows program shall be com-*
24 *pensated at the rate of compensation for employees at*
25 *level GS–10 of the General Schedule, and shall be*

1 *treated as an employee of the United States during*
2 *the term of assignment.*

3 (b) *ELIGIBLE INDIVIDUALS.*—*For purposes of this sec-*
4 *tion, and subject to subsection (f)(3), an eligible individual*
5 *is any individual who—*

6 (1) *is a citizen of the United States; and*

7 (2) *either—*

8 (A) *expects to be awarded an associate, un-*
9 *dergraduate, or graduate degree that, as deter-*
10 *mined by the Secretary, focuses on science, tech-*
11 *nology, engineering, or mathematics course work*
12 *not later than 180 days after the date on which*
13 *the individual submits an application for par-*
14 *ticipation in the fellows program; or*

15 (B) *possesses an associate, undergraduate,*
16 *or graduate degree that, as determined by the*
17 *Secretary, focuses on science, technology, engi-*
18 *neering, or mathematics course work that was*
19 *awarded not earlier than one year before the date*
20 *on which the individual submits an application*
21 *for participation in the fellows program.*

22 (c) *APPLICATION REQUIRED.*—*Each individual seek-*
23 *ing to participate in the fellows program shall submit to*
24 *the Secretary an application therefor at such time and in*
25 *such manner as the Secretary shall specify.*

1 (d) *COORDINATION.*—

2 (1) *IN GENERAL.*—*In carrying out this section,*
 3 *the Secretary may consider coordinating or*
 4 *partnering with the entities specified in paragraph*
 5 (2).

6 (2) *ENTITIES SPECIFIED.*—*The entities specified*
 7 *in this paragraph are the following:*

8 (A) *The National Security Innovation Net-*
 9 *work.*

10 (B) *Universities affiliated with Hacking for*
 11 *Defense.*

12 (f) *MODIFICATIONS TO FELLOWS PROGRAM.*—*As the*
 13 *Secretary considers necessary to modify the fellows pro-*
 14 *gram, and in coordination with the entities specified in*
 15 *subsection (d)(2), as the Secretary considers appropriate,*
 16 *the Secretary may—*

17 (1) *determine the length of a fellowship term;*

18 (2) *establish the rate of compensation for an in-*
 19 *dividual selected to participate in the fellows pro-*
 20 *gram; and*

21 (3) *change the eligibility requirements for par-*
 22 *ticipation in the fellows program, including who is*
 23 *considered an eligible individual for purposes of the*
 24 *fellows program.*

1 (g) *CONSULTATION.*—*The Secretary may consult with*
 2 *the heads of the agencies, components, and other elements*
 3 *of the Department of Defense and such institutions of higher*
 4 *education and private entities engaged in work on national*
 5 *security and emerging technologies as the Secretary con-*
 6 *siders appropriate for purposes of the fellows program, in-*
 7 *cluding fellowship assignments.*

8 **SEC. 240. NATIONAL SECURITY COMMISSION ON DEFENSE**
 9 **RESEARCH AT HISTORICALLY BLACK COL-**
 10 **LEGES AND UNIVERSITIES AND OTHER MI-**
 11 **NORITY INSTITUTIONS.**

12 (a) *ESTABLISHMENT.*—

13 (1) *IN GENERAL.*—*There is established in the ex-*
 14 *ecutive branch an independent Commission to review*
 15 *the state of defense research at covered institutions.*

16 (2) *TREATMENT.*—*The Commission shall be con-*
 17 *sidered an independent establishment of the Federal*
 18 *Government as defined by section 104 of title 5,*
 19 *United States Code, and a temporary organization*
 20 *under section 3161 of such title.*

21 (3) *DESIGNATION.*—*The Commission established*
 22 *under paragraph (1) shall be known as the “National*
 23 *Security Commission on Defense Research At Histori-*
 24 *cally Black Colleges and Universities and Other Mi-*
 25 *nority Institutions”.*

1 (4) *MEMBERSHIP.*—

2 (A) *COMPOSITION.*—*The Commission shall*
3 *be composed of 11 members appointed as follows:*

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 Com-*
12 *mittee on Armed Services of the Senate*
13 *shall appoint 1 member.*

14 (v) *The Chairman of the Committee on*
15 *Armed Services of the House of Representa-*
16 *tives shall appoint 1 member.*

17 (vi) *The Ranking Member of the Com-*
18 *mittee on Armed Services of the House of*
19 *Representatives shall appoint 1 member.*

20 (vii) *The Chairman of the Committee*
21 *on Health, Education, Labor, and Pensions*
22 *of the Senate shall appoint 1 member.*

23 (viii) *The Ranking Member of the*
24 *Committee on Health, Education, Labor,*

1 *and Pensions of the Senate shall appoint 1*
2 *member.*

3 *(ix) The Chairman of the Committee*
4 *on Education and Labor of the House of*
5 *Representatives shall appoint 1 member.*

6 *(x) The Ranking Member of the Com-*
7 *mittee on Education and Labor of the*
8 *House of Representatives shall appoint 1*
9 *member.*

10 *(B) DEADLINE FOR APPOINTMENT.—Mem-*
11 *bers shall be appointed to the Commission under*
12 *subparagraph (A) not later than 90 days after*
13 *the date on which the commission is established.*

14 *(C) EFFECT OF LACK OF APPOINTMENT BY*
15 *APPOINTMENT DATE.—If one or more appoint-*
16 *ments under subparagraph (A) is not made by*
17 *the appointment date specified in subparagraph*
18 *(B), or if a position described in subparagraph*
19 *(A) is vacant for more than 90 days, the author-*
20 *ity to make such appointment shall transfer to*
21 *the Chair of the Commission.*

22 *(5) CHAIR AND VICE CHAIR.—The Commission*
23 *shall elect a Chair and Vice Chair from among its*
24 *members.*

1 (6) *TERMS.*—*Members shall be appointed for the*
2 *life of the Commission. A vacancy in the Commission*
3 *shall not affect its powers and shall be filled in the*
4 *same manner as the original appointment was made.*

5 (7) *STATUS AS FEDERAL EMPLOYEES.*—*Notwith-*
6 *standing the requirements of section 2105 of title 5,*
7 *United States Code, including the required super-*
8 *vision under subsection (a)(3) of such section, the*
9 *members of the Commission shall be deemed to be*
10 *Federal employees.*

11 (b) *DUTIES.*—

12 (1) *IN GENERAL.*—*The Commission shall carry*
13 *out the review described in paragraph (2). In car-*
14 *rying out such review, the Commission shall consider*
15 *the methods and means necessary to advance research*
16 *capacity at covered institutions to comprehensively*
17 *address the national security and defense needs of the*
18 *United States.*

19 (2) *SCOPE OF THE REVIEW.*—*In conducting the*
20 *review under paragraph (1), the Commission shall*
21 *consider the following:*

22 (A) *The competitiveness of covered institu-*
23 *tions in developing, pursuing, capturing, and*
24 *executing defense research with the Department*
25 *of Defense through contracts and grants.*

1 (B) Means and methods for advancing the
2 capacity of covered institutions to conduct re-
3 search related to national security and defense.

4 (C) The advancements and investments nec-
5 essary to elevate covered institutions to R2 status
6 on the Carnegie Classification of Institutions of
7 Higher Education, covered institutions to R1
8 status on the Carnegie Classification of Institu-
9 tions of Higher Education, one covered institu-
10 tion or a consortium of multiple covered institu-
11 tions to the capability of a University Affiliated
12 Research Center, and identify the candidate in-
13 stitutions for each category.

14 (D) The facilities and infrastructure for de-
15 fense-related research at covered institutions as
16 compared to the facilities and infrastructure at
17 universities classified as R1 status on the Car-
18 negie Classification of Institutions of Higher
19 Education.

20 (E) Incentives to attract, recruit, and re-
21 tain leading research faculty to covered institu-
22 tions.

23 (F) The legal and organizational structure
24 of the contracting entity of covered institutions
25 as compared to the legal and organizational

1 *structure of the contracting entity of covered in-*
2 *stitutions at universities classified as R1 status*
3 *on the Carnegie Classification of Institutions of*
4 *Higher Education.*

5 (G) *The ability of covered institutions to de-*
6 *velop, protect, and commercialize intellectual*
7 *property created through defense-related research.*

8 (H) *The amount of defense research funding*
9 *awarded to all colleges and universities through*
10 *contracts and grants for the fiscal years of 2010*
11 *through 2019, including—*

12 (i) *the legal mechanism under which*
13 *the organization was formed;*

14 (ii) *the total value of contracts and*
15 *grants awarded to the organization during*
16 *fiscal years 2010 to 2019;*

17 (iii) *the overhead rate of the organiza-*
18 *tion for fiscal year 2019;*

19 (iv) *the Carnegie Classification of In-*
20 *stitutions of Higher Education of the associ-*
21 *ated university or college;*

22 (v) *if the associated university or col-*
23 *lege qualifies as a historically Black college*
24 *or university or a minority institution.*

1 (I) *Areas for improvement in the programs*
 2 *executed under section 2362 of title 10, United*
 3 *States Code, the existing authorization to en-*
 4 *hance defense-related research and education at*
 5 *covered institutions.*

6 (J) *Previous executive or legislative actions*
 7 *by the Federal Government to address the imbal-*
 8 *ance in federal research funding, such as the Es-*
 9 *tablished Program to Stimulate Competitive Re-*
 10 *search (commonly known as “EPSCoR”).*

11 (K) *The effectiveness of the Department of*
 12 *Defense in attracting and retaining students spe-*
 13 *cializing in STEM from covered institutions for*
 14 *the Department’s programs on emerging capa-*
 15 *bilities and technologies.*

16 (L) *Any other matters the Commission*
 17 *deems relevant to the advancing the defense re-*
 18 *search capacity of covered institutions.*

19 (c) *REPORTS.—*

20 (1) *INITIAL REPORT.—Not later than 180 days*
 21 *after the date of the enactment of this Act, the Com-*
 22 *mission shall submit to the President and Congress*
 23 *an initial report on the findings of the Commission*
 24 *and such recommendations that the Commission may*
 25 *have for action by the executive branch and Congress*

1 *related to the covered institutions participating in*
 2 *Department of Defense research and actions necessary*
 3 *to expand their research capacity.*

4 (2) *FINAL REPORT.*—*Prior to the date on which*
 5 *the commission terminates under subsection (d), the*
 6 *Commission shall submit to the President and Con-*
 7 *gress a comprehensive report on the results of the re-*
 8 *view required under subsection (b).*

9 (3) *FORM OF REPORTS.*—*Reports submitted*
 10 *under this subsection shall be made publically avail-*
 11 *able.*

12 (d) *LIST OF COVERED INSTITUTIONS.*—*The Commis-*
 13 *sion, in consultation with the Secretary of Education and*
 14 *the Secretary of Defense, shall make available a list identi-*
 15 *fying each covered institution. The list shall be made avail-*
 16 *able on a publicly accessible website of the Department of*
 17 *Defense and the Department of Education and shall be up-*
 18 *dated not less frequently than once annually during the life*
 19 *of the Commission.*

20 (e) *TERMINATION.*—*The Commission shall terminate*
 21 *on December 31, 2021.*

22 (f) *COVERED INSTITUTION DEFINED.*—*In this section,*
 23 *the term “covered institution” means—*

1 (1) a part B institution (as that term is defined
2 in section 322(2) of the Higher Education Act of 1965
3 (20 U.S.C. 1061(2)); or

4 (2) any other institution of higher education (as
5 that term is defined in section 101 of such Act (20
6 U.S.C. 1001)) at which not less than 50 percent of the
7 total student enrollment consists of students from eth-
8 nic groups that are underrepresented in the fields of
9 science and engineering.

10 **SEC. 241. INCREASE IN FUNDING FOR BASIC OPERATIONAL**
11 **MEDICAL RESEARCH SCIENCE.**

12 (a) *INCREASE.*—Notwithstanding the amounts set
13 forth in the funding tables in division D, the amount au-
14 thorized to be appropriated in section 201 for research, de-
15 velopment, test, and evaluation, as specified in the cor-
16 responding funding table in section 4201, for research, de-
17 velopment, test, and evaluation, Defense-wide, basic re-
18 search, basic operational medical research science, line 004
19 (PE 0601117E) is hereby increased by \$5,000,000 (with the
20 amount of such increase to be made available for partnering
21 with universities to research brain injuries).

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 mainte-
25 nance, as specified in the corresponding funding table in

1 *section 4301, for operation and maintenance, Defense-wide,*
 2 *operating forces, Special Operations Command manage-*
 3 *ment/operational headquarters, line 080 is hereby reduced*
 4 *by \$5,000,000.*

5 **SEC. 242. INCREASE IN FUNDING FOR UNIVERSITY RE-**
 6 **SEARCH INITIATIVES.**

7 (a) *INCREASE.*—*Notwithstanding the amounts set*
 8 *forth in the funding tables in division D, the amount au-*
 9 *thorized to be appropriated in section 201 for research, de-*
 10 *velopment, test, and evaluation, as specified in the cor-*
 11 *responding funding table in section 4201, for research, de-*
 12 *velopment, test, and evaluation, Army, basic research, uni-*
 13 *versity research initiatives, line 003 (PE 0601103A) is*
 14 *hereby increased by \$5,000,000 (with the amount of such*
 15 *increase to be made available for studying ways to increase*
 16 *the longevity and resilience of infrastructure on military*
 17 *bases).*

18 (b) *OFFSET.*—*Notwithstanding the amounts set forth*
 19 *in the funding tables in division D, the amount authorized*
 20 *to be appropriated in section 301 for operation and mainte-*
 21 *nance, as specified in the corresponding funding table in*
 22 *section 4301, for operation and maintenance, Defense-wide,*
 23 *operating forces, Special Operations Command manage-*
 24 *ment/operational headquarters, line 080 is hereby reduced*
 25 *by \$5,000,000.*

1 **SEC. 243. QUANTUM INFORMATION SCIENCE INNOVATION**
2 **CENTER.**

3 (a) *ESTABLISHMENT.*—The Secretary of Defense, in
4 consultation with the Secretary of the Air Force, shall estab-
5 lish a Quantum Information Science Innovation Center to
6 accelerate the research and development of quantum infor-
7 mation sciences by the Air Force.

8 (b) *PURPOSES.*—The purposes of the Quantum Infor-
9 mation Science Innovation Center shall be to—

10 (1) *provide an environment where researchers*
11 *from the Air Force, Government, industry, and aca-*
12 *demia can collaborate to solve difficult problems using*
13 *quantum information technology;*

14 (2) *accelerate the research and development of*
15 *new computing technologies, including quantum in-*
16 *formation sciences; and*

17 (3) *stimulate research and development of quan-*
18 *tum information sciences technologies by building*
19 *upon the quantum information technology developed*
20 *at the Air Force Research Laboratory Information*
21 *Directorate, including secure communication net-*
22 *works and advanced computing technology.*

23 (c) *FUNDING.*—

24 (1) *INCREASE.*—Notwithstanding the amounts
25 set forth in the funding tables in division D, the
26 amount authorized to be appropriated in section 201

1 *for research, development, test, and evaluation, as*
 2 *specified in the corresponding funding table in section*
 3 *4201, for research, development, test, and evaluation,*
 4 *Air Force, applied research, dominant information*
 5 *sciences and methods, line 014 is hereby increased by*
 6 *\$10,000,000 (to be made available for the establish-*
 7 *ment of the Quantum Information Science Innovation*
 8 *Center under subsection (a)).*

9 (2) *OFFSET.—Notwithstanding the amounts set*
 10 *forth in the funding tables in division D, the amount*
 11 *authorized to be appropriated in section 301 for oper-*
 12 *ation and maintenance, as specified in the cor-*
 13 *responding funding table in section 4301, for oper-*
 14 *ation and maintenance, Defense-wide, operating*
 15 *forces, Special Operations Command Operational*
 16 *Support, line 090 is hereby reduced by \$10,000,000.*

17 **SEC. 244. INCREASE IN FUNDING FOR NAVAL UNIVERSITY**
 18 **RESEARCH INITIATIVES.**

19 (a) *INCREASE.—Notwithstanding the amounts set*
 20 *forth in the funding tables in division D, the amount au-*
 21 *thorized to be appropriated in section 201 for research, de-*
 22 *velopment, test, and evaluation, as specified in the cor-*
 23 *responding funding table in section 4201 for research, devel-*
 24 *opment, test, and evaluation, Navy, basic research, Univer-*

1 *sity Research Initiatives, Line 001 (PE 0601103N) is here-*
 2 *by 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 mainte-*
 6 *nance, as specified in the corresponding funding table in*
 7 *section 4301, for operation and maintenance, Defense-wide,*
 8 *operating forces, Special Operations Command Theater*
 9 *Forces, line 100 is hereby reduced by \$5,000,000.*

10 **SEC. 245. INCREASE IN FUNDING FOR UNIVERSITY AND IN-**
 11 **DUSTRY RESEARCH CENTERS.**

12 (a) *INCREASE.—Notwithstanding the amounts set*
 13 *forth in the funding tables in division D, the amount au-*
 14 *thorized to be appropriated in section 201 for research, de-*
 15 *velopment, test, and evaluation, as specified in the cor-*
 16 *responding funding table in section 4201, for research, de-*
 17 *velopment, test, and evaluation, Army, basic research for*
 18 *university and industry research centers, line 004 (PE*
 19 *0601104A) 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 in section 301 for operation and mainte-*
 23 *nance, as specified in the corresponding funding table in*
 24 *section 4301, for operation and maintenance, Air Force,*
 25 *operational systems development, AF integrated personnel*

1 *and pay system (AF-IPPS), line 158 (PE 0605018F) is*
 2 *hereby reduced by \$5,000,000.*

3 **SEC. 246. INCREASE IN FUNDING FOR NATIONAL SECURITY**

4 **INNOVATION CAPITAL.**

5 *(a) INCREASE.—Notwithstanding the amounts set*
 6 *forth in the funding tables in division D, the amount au-*
 7 *thorized to be appropriated in section 201 for research, de-*
 8 *velopment, test, and evaluation, as specified in the cor-*
 9 *responding funding table in section 4201, for research, de-*
 10 *velopment, test, and evaluation, Defense-wide, for Defense*
 11 *Innovation Unit (DIU) Prototyping is hereby increased by*
 12 *\$75,000,000 (to be used in support of national security in-*
 13 *novation capital).*

14 *(b) OFFSET.—Not withstanding the amounts set forth*
 15 *in the funding tables in division D, the amount authorized*
 16 *to be appropriated in section 201 for research, development,*
 17 *test, and evaluation, as specified in the corresponding fund-*
 18 *ing table in section 4201, for research, development, test,*
 19 *and evaluation, Defense-wide, advanced component develop-*
 20 *ment and prototypes, advanced innovative technologies, line*
 21 *096 (PE 0604250D8Z) is hereby reduced by \$75,000,000.*

22 **SEC. 247. INCREASE IN FUNDING FOR AIR FORCE UNIVER-**
 23 **SITY RESEARCH INITIATIVES.**

24 *(a) INCREASE.—Notwithstanding the amounts set*
 25 *forth in the funding tables in division D, the amount au-*

1 *thorized to be appropriated in section 201 for research, de-*
 2 *velopment, test, and evaluation, as specified in the cor-*
 3 *responding funding table in section 4201, for research, de-*
 4 *velopment, test, and evaluation, Air Force, basic research,*
 5 *University Research Initiatives, line 002 (PE 0601103F)*
 6 *is hereby increased by \$5,000,000.*

7 (b) *OFFSET.—Notwithstanding the amounts set forth*
 8 *in the funding tables in division D, the amount authorized*
 9 *to be appropriated in section 301 for operation and mainte-*
 10 *nance, as specified in the corresponding funding table in*
 11 *section 4301, for operation and maintenance, Defense-wide,*
 12 *operating forces, Special Operations Command Theater*
 13 *Forces, line 100 is hereby reduced by \$5,000,000.*

14 **SEC. 248. INCREASE IN FUNDING FOR NAVAL UNIVERSITY**
 15 **RESEARCH INITIATIVES.**

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, de-*
 19 *velopment, test, and evaluation, as specified in the cor-*
 20 *responding funding table in section 4201 for Navy basic*
 21 *research, University Research Initiatives, line 001 (PE*
 22 *0601103N) is hereby increased by \$5,000,000.*

23 (b) *OFFSET.—Notwithstanding the amounts set forth*
 24 *in the funding tables in division D, the amount authorized*
 25 *to be appropriated in section 301 for operation and mainte-*

1 nance, as specified in the corresponding funding table in
 2 section 4301, for operation and maintenance, Defense-wide,
 3 operating forces, Special Operations Command Theater
 4 Forces, line 100 is hereby reduced by \$5,000,000.

5 **SEC. 249. STUDY AND REPORT ON LAB-EMBEDDED ENTRE-**
 6 **PRENEURIAL FELLOWSHIP PROGRAM.**

7 (a) *STUDY.*—The Under Secretary of Defense for Re-
 8 search and Engineering, in consultation with the Director
 9 of the Advanced Manufacturing Office of the Department
 10 of Energy, shall conduct a study on the feasibility and po-
 11 tential benefits of establishing a lab-embedded entrepre-
 12 neurial fellowship program.

13 (b) *ELEMENTS.*—The study under subsection (a) shall
 14 include, with respect to a lab-embedded entrepreneurial fel-
 15 lowship program, the following:

16 (1) *An estimate of administrative and pro-*
 17 *grammatic costs and materials, including appro-*
 18 *priate levels of living stipends and health insurance*
 19 *to attract a competitive pool of applicants.*

20 (2) *An assessment of capacity for entrepreneurial*
 21 *fellows to use laboratory facilities and equipment.*

22 (3) *An assessment of the benefits for participants*
 23 *in the program through access to mentorship, edu-*
 24 *cation, and networking and exposure to leaders from*
 25 *academia, industry, government, and finance.*

1 (4) *Assessment of the benefits for the Department*
2 *of Defense science and technology activities through*
3 *partnerships and exchanges with program fellows.*

4 (5) *An estimate of the economic benefits created*
5 *by the implementation of this program, based in part*
6 *on similar entrepreneurial programs.*

7 (c) *CONSULTATION.*—*In conducting the study under*
8 *subsection (a), the Under Secretary of Defense for Research*
9 *and Engineering shall consult with the following, as nec-*
10 *essary:*

11 (1) *The Director of the Defense Advanced Re-*
12 *search Projects Agency.*

13 (2) *The Director of Research for each military*
14 *service.*

15 (3) *Relevant research facilities, including the De-*
16 *partment of Energy National Laboratories (as defined*
17 *in section 2 of the Energy Policy Act of 2005 (42*
18 *U.S.C. 15801)).*

19 (d) *REPORT.*—

20 (1) *IN GENERAL.*—*Not later than 180 days after*
21 *the date of the enactment of this Act, the Under Sec-*
22 *retary of Defense for Research and Engineering shall*
23 *submit to the designated recipients a report on the re-*
24 *sults of the study conducted under subsection (a). At*
25 *minimum, the report shall include an explanation of*

1 *the results of the study with respect to each element*
 2 *set forth in subsection (b).*

3 (2) *NONDUPLICATION OF EFFORTS.—The Under*
 4 *Secretary of Defense for Research and Engineering*
 5 *may use or add to any existing reports completed by*
 6 *the Department in order to meet the reporting re-*
 7 *quirement under paragraph (1).*

8 (3) *FORM OF REPORT.—The report under para-*
 9 *graph (1) shall be submitted in unclassified form, but*
 10 *may include a classified annex.*

11 (e) *DEFINITIONS.—In this section:*

12 (1) *The term “designated recipients” means the*
 13 *following:*

14 (A) *The Committee on Armed Services, the*
 15 *Committee on Science, Space, and Technology,*
 16 *and the Committee on Appropriations of the*
 17 *House of Representatives.*

18 (B) *The Committee on Armed Services, the*
 19 *Committee on Energy and Natural Resources,*
 20 *and the Committee on Appropriations of the*
 21 *Senate.*

22 (C) *The Secretary of Defense.*

23 (D) *The Secretary of Energy.*

24 (2) *The term “lab-embedded entrepreneurial fel-*
 25 *lowship program” means a competitive, two-year pro-*

1 *gram in which participants (to be known as “fel-*
 2 *lows”)* are selected from a pool of applicants to work
 3 *in a Federal research facility where the fellows will*
 4 *conduct research, development, and demonstration ac-*
 5 *tivities, commercialize technology, and train to be en-*
 6 *trepreneurs.*

7 **SEC. 250. INDEPENDENT STUDY ON THREATS TO UNITED**
 8 **STATES NATIONAL SECURITY FROM DEVEL-**
 9 **OPMENT OF HYPERSONIC WEAPONS BY FOR-**
 10 **EIGN NATIONS.**

11 *(a) INDEPENDENT STUDY.—Not later than 30 days*
 12 *after the date of the enactment of this Act, the Secretary*
 13 *of Defense shall seek to enter into a contract with a federally*
 14 *funded research and development center under which the*
 15 *center will conduct a study on the development of*
 16 *hypersonic weapons capabilities by foreign nations and the*
 17 *threat posed by such capabilities to United States territory,*
 18 *forces and overseas bases, and allies.*

19 *(b) ELEMENTS OF STUDY.—The study required under*
 20 *subsection (a) shall—*

21 *(1) describe the hypersonic weapons capabilities*
 22 *in development in the People’s Republic of China, the*
 23 *Russian Federation, and other nations;*

1 (2) *assess the proliferation risk that nations that*
2 *develop hypersonic weapons capabilities might trans-*
3 *fer this technology to other nations;*

4 (3) *attempt to describe the rationale for why*
5 *each nation that is developing hypersonic weapons ca-*
6 *pabilities is undertaking such development; and*

7 (4) *examine the unique threats created to United*
8 *States national security by hypersonic weapons due*
9 *to both their maneuverability and speed, distin-*
10 *guishing between hypersonic glide vehicles delivered*
11 *by rocket boosters (known as boost-glide systems) and*
12 *hypersonic cruise missiles, and further distinguishing*
13 *between longer-range systems that can reach United*
14 *States territory and shorter or medium range systems*
15 *that might be used in a regional conflict.*

16 (c) *SUBMISSION TO DEPARTMENT OF DEFENSE.—Not*
17 *later than 270 days after the date of the enactment of this*
18 *Act, the federally funded research and development center*
19 *that conducts the study under subsection (a) shall submit*
20 *to the Secretary of Defense a report on the results of the*
21 *study in both classified and unclassified form.*

22 (d) *SUBMISSION TO CONGRESS.—Not later than 30*
23 *days after the date on which the Secretary of Defense re-*
24 *ceives the report under subsection (c), the Secretary shall*
25 *submit to the congressional defense committees an unaltered*

1 *copy of the report in both classified and unclassified form,*
2 *and any comments of the Secretary with respect to the re-*
3 *port.*

4 **SEC. 251. REPORT ON INNOVATION INVESTMENTS AND**
5 **MANAGEMENT.**

6 *(a) REPORT REQUIRED.—Not later than December 31,*
7 *2019, the Under Secretary of Defense for Research and En-*
8 *gineering shall submit to the congressional defense commit-*
9 *tees a report on the efforts of the Department of Defense*
10 *to improve innovation investments and management.*

11 *(b) ELEMENTS.—The report required under subsection*
12 *(a) shall include an explanation of each of the following:*

13 *(1) How incremental and disruptive innovation*
14 *investments for each military department are defined.*

15 *(2) How such investments are assessed.*

16 *(3) Whether the Under Secretary has defined a*
17 *science and technology management framework that—*

18 *(A) emphasizes greater use of existing flexi-*
19 *ble approaches to more quickly initiate and dis-*
20 *continue projects to respond to the rapid pace of*
21 *innovation;*

22 *(B) incorporates acquisition stakeholders*
23 *into technology development programs to ensure*
24 *that they are relevant to customers; and*

1 (C) promotes advanced prototyping of dis-
 2 ruptive technologies within the labs so that the
 3 science and technology community can prove
 4 that these technologies work to generate demand
 5 from future acquisition programs.

6 **SEC. 252. REQUIREMENT FOR ANNUAL REPORT SUMMA-**
 7 **RIZING THE OPERATIONAL TEST AND EVAL-**
 8 **UATION ACTIVITIES OF THE DEPARTMENT OF**
 9 **DEFENSE.**

10 Section 139(h)(2) of title 10, United States Code, is
 11 amended by striking “, through January 31, 2021”.

12 **SEC. 253. INCREASE IN FUNDING FOR ARMY UNIVERSITY**
 13 **RESEARCH INITIATIVES.**

14 (a) *INCREASE*.—Notwithstanding the amounts set
 15 forth in the funding tables in division D, the amount au-
 16 thorized to be appropriated in section 201 for research, de-
 17 velopment, test, and evaluation, as specified in the cor-
 18 responding funding table in section 4201 for Army basic
 19 research, University Research Initiatives, Line 003 (PE
 20 0601103A) is hereby increased by \$5,000,000.

21 (b) *OFFSET*.—Notwithstanding the amounts set forth
 22 in the funding tables in division D, the amount authorized
 23 to be appropriated in section 201 for research, development,
 24 test, and evaluation, as specified in the corresponding fund-
 25 ing table in section 4201 for research, development, test, and

1 *evaluation, Army, system development and demonstration,*
 2 *integrated personnel and pay system-Army (IPPS-A), Line*
 3 *143 (PE 0605018A), is hereby reduced by \$5,000,000.*

4 **SEC. 254. FUNDING FOR ANTI-TAMPER HETEROGENOUS IN-**
 5 **TEGRAED MICROELECTRONICS.**

6 (a) *INCREASE.—Notwithstanding the amounts set*
 7 *forth in the funding tables in division D, the amount au-*
 8 *thorized to be appropriated in section 201 for research, de-*
 9 *velopment, test, and evaluation, as specified in the cor-*
 10 *responding funding table in section 4201, for research, de-*
 11 *velopment, test, and evaluation, Defense-wide, advanced*
 12 *technology development, defense-wide manufacturing*
 13 *science and technology program, line 047 (PE*
 14 *0603680D8Z) is hereby increased by \$5,000,000 (with the*
 15 *amount of such increase to be made available for anti-tam-*
 16 *per heterogeneous integrated microelectronics).*

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 101 for procurement, as speci-*
 20 *fied in the corresponding funding table in section 4101, for*
 21 *other procurement, Army, elect equip-automation, general*
 22 *fund enterprise business systems fam, line 114 is hereby re-*
 23 *duced by \$5,000,000.*

1 **SEC. 255. BRIEFING ON USE OF BLOCKCHAIN TECHNOLOGY**
2 **FOR DEFENSE PURPOSES.**

3 (a) *BRIEFING REQUIRED.*—Not later than 180 days
4 after the date of the enactment of this Act, the Under Sec-
5 retary of Defense for Research and Engineering shall pro-
6 vide to the congressional defense committees a briefing on
7 the potential use of distributed ledger technology for defense
8 purposes.

9 (b) *ELEMENTS.*—The briefing under subsection (a)
10 shall include the following:

11 (1) *An explanation of how distributed ledger*
12 *technology may be used by the Department of Defense*
13 *to—*

14 (A) *improve cybersecurity, beginning at the*
15 *hardware level, of vulnerable assets such as en-*
16 *ergy, water and transport grids, through distrib-*
17 *uted versus centralized computing;*

18 (B) *reduce single points of failure in emer-*
19 *gency and catastrophe decision-making by sub-*
20 *jecting the decision to consensus validation*
21 *through distributed ledger technologies;*

22 (C) *improve the efficiency of defense logis-*
23 *tics and supply chain operations;*

24 (D) *enhance the transparency of procure-*
25 *ment auditing; and*

1 (E) allow innovations to be adapted by the
2 private sector for ancillary uses.

3 (2) Such other information as the Under Sec-
4 retary of Defense for Research and Engineering deter-
5 mines to be appropriate.

6 **SEC. 256. EFFORTS TO COUNTER MANIPULATED MEDIA**
7 **CONTENT.**

8 (a) *BRIEFING REQUIRED.*—

9 (1) *IN GENERAL.*—Not later than 180 days after
10 the date of the enactment of this Act, the Secretary of
11 Defense shall provide to the congressional defense com-
12 mittees a briefing on initiatives of the Department of
13 Defense to identify and address, as appropriate and
14 as authorized in support of Department of Defense
15 operations, manipulated media content, specifically
16 “deepfakes”.

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

19 (A) Status of efforts to develop technology to
20 identify manipulated content impacting the na-
21 tional security of the United States.

22 (B) Challenges to detecting, labeling, and
23 preventing foreign actors’ manipulation of im-
24 ages and video impacting national security.

1 (C) *Plans to make deepfake detection tech-*
 2 *nology available to the public and other Federal*
 3 *agencies for use in identifying manipulated*
 4 *media.*

5 (D) *The efforts of the Department of De-*
 6 *fense, as appropriate, to engage academia and*
 7 *industry stakeholders to combat deliberately ma-*
 8 *nipulated or deceptive information from state*
 9 *and non-state actors on social media platforms*
 10 *impacting operations overseas.*

11 (E) *An assessment of the ability of adver-*
 12 *saries to generate deepfakes.*

13 (F) *Recommendations for a long-term tran-*
 14 *sition partner organization.*

15 (b) *FUNDING.—*

16 (1) *INCREASE.—Notwithstanding the amounts*
 17 *set forth in the funding tables in division D, the*
 18 *amount authorized to be appropriated in section 201*
 19 *for research, development, test, and evaluation, as*
 20 *specified in the corresponding funding table in section*
 21 *4201, for research, development, test, and evaluation,*
 22 *Defense-wide, applied research, SOF technology devel-*
 23 *opment, line 022 (PE 1160401BB) is hereby in-*
 24 *creased by \$5,000,000 (with the amount of such in-*
 25 *crease to be made available for Media Forensics).*

1 (2) *OFFSET.*—*Notwithstanding the amounts set*
 2 *forth in the funding tables in division D, the amount*
 3 *authorized to be appropriated in section 201 for re-*
 4 *search, development, test, and evaluation, as specified*
 5 *in the corresponding funding table in section 4201 for*
 6 *research, development, test, and evaluation, Air Force,*
 7 *operational systems development, AF integrated per-*
 8 *sonnel and pay system (AF-IPPS), line 158 (PE*
 9 *0605018F) is hereby reduced by \$5,000,000.*

10 (c) *RULE OF CONSTRUCTION.*—*Nothing in this section*
 11 *shall be construed to authorize an activity that will impact*
 12 *the privacy or civil liberties of United States persons.*

13 ***TITLE III—OPERATION AND*** 14 ***MAINTENANCE***

15 ***Subtitle A—Authorization of*** 16 ***Appropriations***

17 ***SEC. 301. AUTHORIZATION OF APPROPRIATIONS.***

18 *Funds are here by 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 ex-*
 21 *penses, not otherwise provided for, for operation and main-*
 22 *tenance, as specified in the funding table in section 4301.*

23 ***SEC. 302. FUNDING FOR ARMY COMMUNITY SERVICES.***

24 (a) *INCREASE.*—*Notwithstanding the amounts set*
 25 *forth in the funding tables in division D, the amount au-*

1 *thorized to be appropriated in section 301 for operation and*
 2 *maintenance for Army base operations support, line 100,*
 3 *as specified in the corresponding funding table in section*
 4 *4301, for Army Community Services is hereby increased by*
 5 *\$30,000,000.*

6 (b) *OFFSET.—Notwithstanding the amounts set forth*
 7 *in the funding tables in division D, the amount authorized*
 8 *to be appropriated in section 301 for operation and mainte-*
 9 *nance, for Army Force Readiness Operations Support, line*
 10 *070, as specified in the corresponding funding table in sec-*
 11 *tion 4301, is hereby reduced by \$15,000,000.*

12 (c) *OFFSET.—Notwithstanding the amounts set forth*
 13 *in the funding tables in division D, the amount authorized*
 14 *to be appropriated in section 301 for operation and mainte-*
 15 *nance, for Army Land Forces Operations Support, as speci-*
 16 *fied in the corresponding funding table in section 4301, line*
 17 *050, is hereby reduced by \$15,000,000.*

18 **SEC. 303. INCREASE IN FUNDING FOR CIVIL MILITARY PRO-**
 19 **GRAMS.**

20 (a) *INCREASE.—Notwithstanding the amounts set*
 21 *forth in the funding tables in division D, the amount au-*
 22 *thorized to be appropriated for operation and maintenance,*
 23 *Defense-wide, as specified in the corresponding funding*
 24 *table in section 4301, for Civil Military Programs is hereby*

1 increased by \$50,000,000 (to be used in support of the Na-
 2 tional Guard Youth Challenge Program).

3 (b) *OFFSET*.—Notwithstanding the amounts set forth
 4 in the funding tables in division D, the amount authorized
 5 to be appropriated for operation and maintenance, Defense-
 6 wide, as specified in the corresponding funding table in sec-
 7 tion 4301, for Operation and Maintenance, Defense-wide is
 8 hereby reduced by \$50,000,000.

9 ***Subtitle B—Energy and*** 10 ***Environment***

11 ***SEC. 311. TIMELINE FOR CLEARINGHOUSE REVIEW OF AP-***
 12 ***PLICATIONS FOR ENERGY PROJECTS THAT***
 13 ***MAY HAVE AN ADVERSE IMPACT ON MILITARY***
 14 ***OPERATIONS AND READINESS.***

15 Section 183a(c)(1) of title 10, United States Code, is
 16 amended by striking “60 days” and inserting “90 days”.

17 ***SEC. 312. AUTHORITY TO MAKE FINAL FINDING ON DES-***
 18 ***IGNATION OF GEOGRAPHIC AREAS OF CON-***
 19 ***CERN FOR PURPOSES OF ENERGY PROJECTS***
 20 ***WITH ADVERSE IMPACTS ON MILITARY OPER-***
 21 ***ATIONS AND READINESS.***

22 Section 183a(d)(2)(E) of title 10, United States Code,
 23 is amended—

24 (1) by striking “or a Principal” and inserting
 25 “a”; and

1 (2) by inserting “, an Assistant Secretary of De-
 2 fense, or a Deputy Assistant Secretary of Defense”
 3 after “Deputy Under Secretary of Defense”.

4 **SEC. 313. AUTHORITY TO ACCEPT CONTRIBUTIONS OF**
 5 **FUNDS FROM APPLICANTS FOR ENERGY**
 6 **PROJECTS FOR MITIGATION OF IMPACTS ON**
 7 **MILITARY OPERATIONS AND READINESS.**

8 Section 183a(f) of title 10, United States Code, is
 9 amended by striking “for a project filed with the Secretary
 10 of Transportation pursuant to section 44718 of title 49”
 11 and inserting “for an energy project”.

12 **SEC. 314. DEPARTMENT OF DEFENSE IMPROVEMENT OF**
 13 **PREVIOUSLY CONVEYED UTILITY SYSTEMS**
 14 **SERVING MILITARY INSTALLATIONS.**

15 Section 2688 of title 10, United States Code, is amend-
 16 ed—

17 (1) by redesignating subsection (k) as subsection
 18 (l); and

19 (2) by inserting after subsection (j) the following
 20 new subsection (k):

21 “(k) **IMPROVEMENT OF CONVEYED UTILITY SYS-**
 22 **TEMS.**—In the case of a utility system that is conveyed
 23 under this section and that only provides utility services
 24 to a military installation, the Secretary concerned may use
 25 amounts authorized to be appropriated for military con-

1 *struction to improve the reliability, resilience, efficiency,*
 2 *physical security, or cybersecurity of the utility system.”.*

3 **SEC. 315. FIVE-YEAR AUTHORITY FOR NATIONAL GUARD EN-**
 4 **VIRONMENTAL RESTORATION PROJECTS FOR**
 5 **ENVIRONMENTAL RESPONSES.**

6 (a) *IN GENERAL.*—Section 2707 of title 10, United
 7 States Code, is amended by adding at the end the following
 8 new subsection:

9 “(e) *TEMPORARY AUTHORITY FOR NATIONAL GUARD*
 10 *PROJECTS.*—Notwithstanding subsection (a) of this section
 11 and section 2701(c)(1) of this title, during the five-year pe-
 12 riod beginning on the date of the enactment of this sub-
 13 section, the Secretary concerned may carry out an environ-
 14 mental restoration project if the Secretary determines that
 15 the project is necessary to carry out a response to
 16 perfluorooctanoic acid or perfluorooctane sulfonate con-
 17 tamination under this chapter or CERCLA.”.

18 (b) *SAVINGS CLAUSE.*—Nothing in this section, or the
 19 amendment made by this section, shall affect any require-
 20 ment or authority under the Comprehensive Environmental
 21 Response, Compensation, and Liability Act of 1980 (42
 22 U.S.C. 9601 et seq.).

1 **SEC. 316. SALE OF ELECTRICITY FROM ALTERNATE ENERGY**
 2 **AND COGENERATION PRODUCTION FACILI-**
 3 **TIES.**

4 *Section 2916(b)(3) of title 10, United States Code, is*
 5 *amended—*

6 *(1) in subparagraph (A), by striking “and” at*
 7 *the end; and*

8 *(2) in subparagraph (B)—*

9 *(A) by striking “shall be available” and all*
 10 *that follows and inserting “shall be provided di-*
 11 *rectly to the commander of the military installa-*
 12 *tion in which the geothermal energy resource is*
 13 *located to be used for—”; and*

14 *(B) by adding at the end the following new*
 15 *clauses:*

16 *“(i) military construction projects described*
 17 *in paragraph (2) that benefit the military in-*
 18 *stallation where the geothermal energy resource*
 19 *is located; or*

20 *“(ii) energy or water security projects*
 21 *that—*

22 *“(I) benefit the military installation*
 23 *where the geothermal energy resource is lo-*
 24 *cated;*

25 *“(II) the commander of the military*
 26 *installation determines are necessary; and*

1 “(III) are directly coordinated with
 2 local area energy or groundwater governing
 3 authorities.”.

4 **SEC. 317. TRANSFER AUTHORITY FOR FUNDING OF STUDY**
 5 **AND ASSESSMENT ON HEALTH IMPLICATIONS**
 6 **OF PER- AND POLYFLUOROALKYL SUB-**
 7 **STANCES CONTAMINATION IN DRINKING**
 8 **WATER BY AGENCY FOR TOXIC SUBSTANCES**
 9 **AND DISEASE REGISTRY.**

10 Section 316(a)(2)(B)(ii) of the National Defense Au-
 11 thorization Act for Fiscal Year 2018 (Public Law 115–91;
 12 131 Stat. 1350), as amended by section 315(a) of the John
 13 S. McCain National Defense Authorization Act for Fiscal
 14 Year 2019 (Public Law 115–232), is amended by striking
 15 “2019 and 2020” and inserting “2019, 2020, and 2021”.

16 **SEC. 318. REPLACEMENT OF FLUORINATED AQUEOUS FILM-**
 17 **FORMING FOAM WITH FLUORINE-FREE FIRE-**
 18 **FIGHTING AGENT.**

19 (a) **USE OF FLUORINE-FREE FOAM AT MILITARY IN-**
 20 **STALLATIONS.**—Not later than January 31, 2023, the Sec-
 21 retary of the Navy shall publish a military specification
 22 for a fluorine-free fire-fighting agent for use at all military
 23 installations to ensure such agent is available for use by
 24 not later than December 31, 2024.

1 (b) *PROHIBITION ON USE.*—*Fluorinated aqueous film-*
 2 *forming foam may not be used at any military installation*
 3 *on or after September 30, 2025, or before such date, if pos-*
 4 *sible.*

5 (c) *WAIVER.*—

6 (1) *IN GENERAL.*—*Subject to paragraph (2), the*
 7 *Secretary of Defense may grant a waiver to the prohi-*
 8 *bition under subsection (b) with respect to the use of*
 9 *fluorinated aqueous film-forming foam at a specific*
 10 *military installation if the Secretary submits to the*
 11 *congressional defense committees, by not later than 30*
 12 *days prior to issuing the waiver—*

13 (A) *notice of the waiver; and*

14 (B) *certification, in writing, that the waiv-*
 15 *er is necessary for the protection of life and safe-*
 16 *ty.*

17 (2) *BASIS FOR WAIVER.*—*Any certification sub-*
 18 *mitted under paragraph (1)(B) shall document the*
 19 *basis for the waiver and, at a minimum, shall include*
 20 *the following:*

21 (A) *A detailed description of the threat jus-*
 22 *tifying the waiver and a description of the im-*
 23 *minence, urgency, and severity of such threat.*

24 (B) *An analysis of potential populations*
 25 *impacted by continued use of fluorinated aque-*

1 ous film forming foam and why the waiver out-
2 weighs the impact to such populations.

3 (C) *An analysis of potential economic ef-*
4 *fects, including with respect to agriculture, live-*
5 *stock, and water systems of continued use of*
6 *fluorinated aqueous film forming foam and why*
7 *the waiver outweighs such effects.*

8 (3) *LIMITATION.*—*A waiver under this subsection*
9 *shall apply for a period that does not exceed one year.*
10 *The Secretary may extend any such waiver once for*
11 *an additional period that does not exceed one year.*

12 **SEC. 319. PROHIBITION OF UNCONTROLLED RELEASE OF**
13 **FLUORINATED AQUEOUS FILM-FORMING**
14 **FOAM AT MILITARY INSTALLATIONS.**

15 (a) *PROHIBITION.*—*Except as provided by subsection*
16 *(b), the Secretary of Defense shall prohibit the uncontrolled*
17 *release of fluorinated aqueous film-forming foam (herein-*
18 *after in this section referred to as “AFFF”) at military in-*
19 *stallations.*

20 (b) *EXCEPTIONS.*—*Notwithstanding subsection (a),*
21 *fluorinated AFFF may be released at military installations*
22 *as follows:*

23 (1) *AFFF may be released for purposes of an*
24 *emergency response.*

1 (2) *A non-emergency release of AFFF may be*
 2 *made for the purposes of testing of equipment or*
 3 *training of personnel, if complete containment, cap-*
 4 *ture, and proper disposal mechanisms are in place to*
 5 *ensure no AFFF is released into the environment.*

6 **SEC. 320. PROHIBITION ON USE OF FLUORINATED AQUE-**
 7 **OUS FILM FORMING FOAM FOR TRAINING EX-**
 8 **ERCISES.**

9 *The Secretary of Defense shall prohibit the use of*
 10 *fluorinated aqueous film forming foam for training exer-*
 11 *cises at military installations.*

12 **SEC. 321. REAL-TIME NOISE-MONITORING STUDY AT NAVY**
 13 **AND AIR FORCE INSTALLATIONS WHERE TAC-**
 14 **TICAL FIGHTER AIRCRAFT OPERATE.**

15 (a) *REAL-TIME MONITORING.*—*The Secretary of the*
 16 *Navy and the Secretary of the Air Force shall each conduct*
 17 *a real-time noise-monitoring study at no fewer than three*
 18 *Navy installations and three Air Force installations. In*
 19 *conducting such study, the Secretaries shall—*

20 (1) *select installations where tactical fighter air-*
 21 *craft operate and noise contours have been developed*
 22 *through noise modeling to validate the noise contours*
 23 *developed through analysis and modeling at those in-*
 24 *stallations; and*

1 (2) *ensure that such monitoring is conducted*
2 *during times of high, medium, and low activity.*

3 (b) *REPORT REQUIRED.*—*Not later than December 1,*
4 *2020, the Secretary of the Navy and the Secretary of the*
5 *Air Force shall jointly submit to the Committees on Armed*
6 *Services of the Senate and House of Representatives a re-*
7 *port on the real-time noise monitoring required under sub-*
8 *section (a). Such report shall include—*

9 (1) *the results of such monitoring;*

10 (2) *a comparison of such monitoring and the*
11 *noise contours previously developed with the analysis*
12 *and modeling methods previously used;*

13 (3) *an overview of any changes to the analysis*
14 *and modeling process that have been made or are*
15 *being considered as a result of the findings of such*
16 *monitoring; and*

17 (4) *any other matters that the Secretaries deter-*
18 *mine appropriate.*

19 **SEC. 322. DEVELOPMENT OF CLIMATE VULNERABILITY AND**
20 **RISK ASSESSMENT TOOL.**

21 (a) *IN GENERAL.*—*Not later than 180 days after the*
22 *date of the enactment of this Act, the Secretary of Defense*
23 *shall develop a climate vulnerability and risk assessment*
24 *tool to assist the military departments in measuring how*
25 *the risks associated with climate change impact networks,*

1 *systems, installations, facilities, and other assets, as well*
2 *as the operational plans and capabilities of the Department*
3 *of Defense.*

4 (b) *CONSULTATION.*—*In developing the tool under sub-*
5 *section (a), the Secretary shall consult with the Adminis-*
6 *trator of the Environmental Protection Agency, the Sec-*
7 *retary of Energy, the Secretary of the Interior, the Adminis-*
8 *trator of the National Oceanic and Atmospheric Adminis-*
9 *tration, the Administrator of the Federal Emergency Man-*
10 *agement Agency, the Commander of the Army Corps of En-*
11 *gineers, the Administrator of the National Aeronautics and*
12 *Space Administration, a federally funded research and de-*
13 *velopment center, and the heads of such other relevant Fed-*
14 *eral agencies as the Secretary of Defense determines appro-*
15 *priate.*

16 (c) *PREVAILING SCIENTIFIC CONSENSUS.*—*Before*
17 *completing development of the tool under subsection (a), the*
18 *Secretary shall obtain from a federally funded research and*
19 *development center with which the Secretary has consulted*
20 *under subsection (b) a certification in writing that the tool*
21 *contains a methodology that adequately incorporates the*
22 *prevailing scientific consensus on climate change.*

23 (d) *REPORT.*—

24 (1) *IN GENERAL.*—*Not later than 180 days after*
25 *the date of the enactment of this Act, the Secretary*

1 *shall submit to the congressional defense committees a*
2 *report describing the tool developed under subsection*
3 *(a).*

4 (2) *CLASSIFIED ANNEX.*—*The report under para-*
5 *graph (1) shall be submitted in unclassified form but*
6 *may contain a classified annex if necessary.*

7 (3) *PUBLICATION.*—*Upon submittal of the report*
8 *under paragraph (1), the Secretary shall publish the*
9 *unclassified portion of the report on an internet*
10 *website of the Department that is available to the*
11 *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—*

24 (A) *submit to the congressional defense com-*
25 *mittees a report describing such update; and*

1 (B) publish the unclassified version of such
2 report on an internet website of the Department
3 that is available to the public.

4 **SEC. 323. PROVISION OF UNCONTAMINATED WATER FOR**
5 **AGRICULTURAL USE ON LAND CONTAMI-**
6 **NATED BY PFOS AND PFOA USED ON MILI-**
7 **TARY INSTALLATIONS.**

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

9 (1) *Perfluorooctanesulfonic acid (in this section*
10 *referred to as “PFOS”) and perfluorooctanoic acid*
11 *(in this section referred to as “PFOA”) are part of*
12 *a class of man-made chemicals that have been used in*
13 *a variety of industrial and consumer products to*
14 *make the products resist heat, stains, water, and*
15 *grease. Because PFOS and PFOA extinguish petro-*
16 *leum fires quickly, the Department of Defense and*
17 *commercial airports began using aqueous film form-*
18 *ing foam containing PFOS and PFOA in the 1970s.*

19 (2) *PFOS and PFOA can accumulate and stay*
20 *in the body for long periods of time. Exposure to*
21 *PFOS and PFOA may cause health problems, includ-*
22 *ing issues with the reproductive system, liver and kid-*
23 *ney damage, developmental issues in children, and*
24 *negatively impacted immune system, and cancer.*

1 (3) *A common method of human exposure to*
2 *PFOS and PFOA is by consuming contaminated*
3 *drinking water.*

4 (4) *The Environmental Protection Agency issued*
5 *lifetime health advisories under the Safe Drinking*
6 *Water Act for individual or combined PFOS and*
7 *PFOA concentrations at 70 parts per trillion in*
8 *2016, but has not yet issued any guidance or regula-*
9 *tion for groundwater or agricultural water.*

10 (5) *The Department of Defense has provided*
11 *mitigations in many communities where drinking*
12 *water has tested at or above the lifetime health advi-*
13 *sory level, including bottled water and drinking water*
14 *filtration systems. Due to the lack of regulatory guid-*
15 *ance, these mitigations have not been mirrored in ag-*
16 *ricultural water systems.*

17 (6) *As a result, farmers located adjacent to mili-*
18 *tary installations with PFOS and PFOA contamina-*
19 *tion that has migrated off-installation are potentially*
20 *impacted, and in at least one case, such contamina-*
21 *tion has had a serious impact on the livelihood of a*
22 *dairy farmer.*

23 (b) *AUTHORITY TO PROVIDE UNCONTAMINATED*
24 *WATER FOR AGRICULTURAL PURPOSES.—*

1 (1) *IN GENERAL.*—If an area has been identified
2 under paragraph (2), and a military installation has
3 been determined to be the source of that contamina-
4 tion, the Secretary of Defense or the Secretary con-
5 cerned may provide, for the purpose of producing ag-
6 ricultural products destined for human consump-
7 tion—

8 (A) water sources uncontaminated with
9 perfluoroalkyl and polyfluoroalkyl substances, in-
10 cluding PFOA and PFOS, or

11 (B) treatment of contaminated waters.

12 (2) *IDENTIFICATION OF AREAS.*—An area identi-
13 fied under this paragraph is an area for which the
14 level of PFOA or PFOS contamination—

15 (A) is above the lifetime health advisory for
16 contamination for such compounds as issued by
17 the Environmental Protection Agency and print-
18 ed in the Federal Register on May 25, 2016;

19 (B) is at or above a regulatory standard set
20 by the Food and Drug Administration for PFOA
21 and PFOS in raw agricultural commodities and
22 milk; or

23 (C) is at or above a duly promulgated, non-
24 discriminatory standard promulgated by a State

1 *regulatory entity for PFOA and PFOS in raw*
2 *agricultural commodities and milk.*

3 (3) *SOURCE OF FUNDS.—Amounts used to carry*
4 *out this section shall be derived—*

5 (A) *in the case of amounts made available*
6 *by the Secretary concerned, from amounts au-*
7 *thorized to be appropriated for Operation and*
8 *Maintenance for the military department con-*
9 *cerned; or*

10 (B) *in the case of amounts made available*
11 *by the Secretary of Defense, from amounts au-*
12 *thorized to be appropriated for Operation and*
13 *Maintenance, Defense-wide.*

14 (c) *SENSE OF CONGRESS REGARDING LAND ACQUI-*
15 *SITION.—It is the sense of Congress that the Secretary con-*
16 *cerned should explore authorities under which the Secretary*
17 *could acquire land the land adjacent to military installa-*
18 *tions where the owners of the land have experienced impacts*
19 *to their livelihood due to PFOS and PFOA contamination*
20 *that has been verified to have been caused by that installa-*
21 *tion, including the authorities under sections 2663, 2864a,*
22 *and 2869 of title 10, United States Code.*

1 **SEC. 324. REMOVAL OF BARRIERS THAT DISCOURAGE IN-**
2 **VESTMENTS TO INCREASE RESILIENCY TO**
3 **CLIMATE CHANGE.**

4 *The Secretary of Defense shall—*

5 *(1) identify and seek to remove barriers that dis-*
6 *courage investments to increase resiliency to climate*
7 *change;*

8 *(2) reform policies and programs that uninten-*
9 *tionally increased the vulnerability of systems to re-*
10 *lated climate change risks; and*

11 *(3) develop, and update at least once every four*
12 *years, an adaptation plan that assessed how climate*
13 *impacts affected the ability of the department or*
14 *agency to accomplish its mission, and the short-and*
15 *long- term actions the department or agency can take*
16 *to manage climate risks.*

17 **SEC. 325. OFFSHORE ENERGY DEVELOPMENT.**

18 *(a) PROHIBITION.—The Secretary of Defense shall not*
19 *issue an offshore wind assessment that proposes wind exclu-*
20 *sion areas and may not object to an offshore energy project*
21 *filed for review by the Military Aviation and Installation*
22 *Assurance Clearinghouse (in this section referred to as the*
23 *“Clearinghouse”) until 180 days after submitting the report*
24 *required under (b).*

25 *(b) REPORT REQUIRED.—The Secretary of Defense, in*
26 *coordination with the Secretaries of the military depart-*

1 ments, shall submit a report to the congressional defense
2 committees on the process that will be used to by the Clear-
3 inghouse to review proposed offshore lease blocks and pro-
4 posed offshore energy projects. At minimum, the report
5 should include the following elements:

6 (1) The process and metrics used in evaluating
7 proposed offshore lease blocks or specific offshore en-
8 ergy projects for compatibility with, or unacceptable
9 risk to, military operations and readiness.

10 (2) The process for coordinating with the De-
11 partment of Interior on assessing proposed offshore
12 lease blocks and military operations and readiness ac-
13 tivities that occur in those proposed lease blocks.

14 (3) The process for working with the proponent
15 of a proposed energy development to identify and
16 evaluate possible mitigations to enable energy develop-
17 ments that are compatible with military operations
18 and readiness.

19 (4) Any legislative changes to section 183a of
20 title 10, United States Code, to enable the Clearing-
21 house to perform its new role in reviewing proposed
22 offshore lease blocks and offshore energy projects.

1 **SEC. 326. USE OF PROCEEDS FROM SALE OF RECYCLABLE**
 2 **MATERIALS.**

3 *Section 2577(c) of title 10, United States Code, is*
 4 *amended by striking “\$2,000,000” and inserting*
 5 *“\$10,000,000”.*

6 **SEC. 327. DISPOSAL OF RECYCLABLE MATERIALS.**

7 *Section 2577(a) of title 10, United States Code, is*
 8 *amended by adding at the end the following new paragraph:*

9 *“(3) In this section, the term ‘recyclable materials’ in-*
 10 *cludes any quality recyclable material provided to the De-*
 11 *partment by a State or local government entity.”.*

12 **SEC. 328. CLIMATE-CONSCIOUS BUDGETING OF DEPART-**
 13 **MENT OF DEFENSE.**

14 *(a) IN GENERAL.—The Secretary of Defense shall in-*
 15 *clude in the annual budget submission of the President*
 16 *under section 1105(a) of title 31, United States Code—*

17 *(1) a dedicated budget line item for adaptation*
 18 *to, and mitigation of, climate-related risks to military*
 19 *networks, systems, installations, facilities, and other*
 20 *assets and capabilities of the Department of Defense;*
 21 *and*

22 *(2) an estimate of the anticipated adverse im-*
 23 *pacts to the readiness of the Department and the fi-*
 24 *nancial costs to the Department during the year cov-*
 25 *ered by the budget of the loss of, or damage to, mili-*
 26 *tary networks, systems, installations, facilities, and*

1 *other assets and capabilities of the Department, in-*
 2 *cluding loss of or obstructed access to training ranges,*
 3 *as a result of climate change.*

4 *(b) DISAGGREGATION OF IMPACTS AND COSTS.—The*
 5 *estimate under subsection (a)(2) shall set forth the adverse*
 6 *readiness impacts and financial costs under that subsection*
 7 *by military department, Defense Agency, and other compo-*
 8 *nent or element of the Department.*

9 **SEC. 329. FUNDING FOR DETONATION CHAMBERS IN**
 10 **VIEQUES, PUERTO RICO.**

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 4301 for environ-*
 14 *mental restoration, Navy, line 060, as specified in the cor-*
 15 *responding funding table in section 4301, for the purchase,*
 16 *deployment, and operation of a closed detonation chambers*
 17 *of the dimensions necessary to achieve a substantial reduc-*
 18 *tion in open air burning and open air detonation that will*
 19 *bring the practice of open air burning and open air detona-*
 20 *tion to the lowest practicable level, is hereby increased by*
 21 *\$10,000,000.*

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 4301 for Operations and*
 25 *Maintenance, as specified in the corresponding funding*

1 *table in section 4301, line 460, Office of the Secretary of*
 2 *Defense for Admin & SRVWIDE Activities is hereby re-*
 3 *duced by \$10,000,000.*

4 **SEC. 330. COMPTROLLER GENERAL REPORT ON ENVIRON-**
 5 **MENTAL CLEANUP OF VIEQUES AND**
 6 **CULEBRA, PUERTO RICO.**

7 *(a) SENSE OF CONGRESS.—It is the sense of Congress*
 8 *that—*

9 *(1) the Secretary of Defense should explore all*
 10 *avenues and alternatives to expedite the ongoing*
 11 *cleanup and environmental restoration process in the*
 12 *former military training sites located on the island-*
 13 *municipalities of Vieques and Culebra, Puerto Rico;*

14 *(2) the Department of Defense should work with*
 15 *the U.S. Environmental Protection Agency, the Fish*
 16 *and Wildlife Service, and the Government of Puerto*
 17 *Rico to ensure the decontamination process is con-*
 18 *ducted in a manner that causes the least possible in-*
 19 *trusion on the lives of island residents and minimizes*
 20 *public health risks; and*

21 *(3) the Federal Government should collaborate*
 22 *with local and private stakeholders to effectively ad-*
 23 *dress economic challenges and opportunities in*
 24 *Vieques, Culebra, and the adjacent communities of the*
 25 *former United States Naval Station Roosevelt Roads.*

1 (b) *GAO REPORT.*—Not later than 180 days after the
2 date of enactment of this Act, the Comptroller General of
3 the United States shall complete a study and submit a re-
4 port to the congressional defense committees on the status
5 of the Federal cleanup and decontamination process in the
6 island-municipalities of Vieques and Culebra, Puerto Rico.
7 The study shall include a comprehensive analysis of the fol-
8 lowing:

9 (1) *The pace of ongoing cleanup and environ-*
10 *mental restoration efforts in the former military*
11 *training sites in Vieques and Culebra.*

12 (2) *Potential challenges and alternatives to accel-*
13 *erate the completion of such efforts, including their*
14 *associated costs and any impact they might have on*
15 *the public health and safety of island residents.*

16 **SEC. 330A. PFAS DESIGNATION, EFFLUENT LIMITATIONS,**
17 **AND PRETREATMENT STANDARDS.**

18 (a) *IN GENERAL.*—Not later than 30 days after the
19 date of enactment of this Act, the Administrator of the En-
20 vironmental Protection Agency shall revise the list of toxic
21 pollutants described in paragraph (1) of section 307(a) of
22 the Federal Water Pollution Control Act (33 U.S.C.
23 1317(a)) to add per- and polyfluoroalkyl substances to such
24 list, and publish such revised list, without taking into ac-
25 count the factors listed in such paragraph.

1 (b) *EFFLUENT STANDARDS.*—As soon as practicable
 2 after the date on which the revised list is published under
 3 subsection (a), but not later than January 1, 2022, the Ad-
 4 ministrator shall publish in the Federal Register effluent
 5 standards under section 307(a)(2) of the Federal Water Pol-
 6 lution Control Act (33 U.S.C. 1317(a)(2)) for substances
 7 added to the list of toxic pollutants pursuant to subsection
 8 (a) of this section, in accordance with sections 301(b)(2)(A)
 9 and 304(b)(2) of such Act.

10 (c) *PRETREATMENT STANDARDS.*—Not later than Jan-
 11 uary 1, 2022, the Administrator shall promulgate
 12 pretreatment standards for per- and polyfluoroalkyl sub-
 13 stances under section 307(b) of the Federal Water Pollution
 14 Control Act (33 U.S.C. 1317(b)).

15 **SEC. 330B. PROHIBITION ON PERFLUOROALKYL SUB-**
 16 **STANCES AND POLYFLUOROALKYL SUB-**
 17 **STANCES IN MEALS READY-TO-EAT FOOD**
 18 **PACKAGING.**

19 (a) *PROHIBITION.*—Not later than October 1, 2020, the
 20 Director of the Defense Logistics Agency shall ensure that
 21 any food contact substances that are used to assemble and
 22 package meals ready-to-eat (MREs) procured by the Defense
 23 Logistics Agency do not contain any perfluoroalkyl sub-
 24 stances or polyfluoroalkyl substances.

25 (b) *DEFINITIONS.*—In this section:

1 (1) *PERFLUOROALKYL SUBSTANCE*.—The term
 2 “perfluoroalkyl substance” means a man-made chem-
 3 ical of which all of the carbon atoms are fully
 4 fluorinated carbon atoms.

5 (2) *POLYFLUOROALKYL SUBSTANCE*.—The term
 6 “polyfluoroalkyl substance” means a man-made chem-
 7 ical containing a mix of fully fluorinated carbon
 8 atoms, partially fluorinated carbon atoms, and
 9 nonfluorinated carbon atoms.

10 **SEC. 330C. COMPTROLLER GENERAL STUDY ON PFAS CON-**
 11 **TAMINATION.**

12 (a) *STUDY REQUIRED*.—The Comptroller General of
 13 the United States shall conduct a review of the efforts of
 14 the Department of Defense to clean up per- and
 15 polyfluoroalkyl substances (in this section referred to as
 16 “PFAS”) contamination in and around military bases as
 17 well as the Department’s efforts to mitigate the public
 18 health impact of the contamination.

19 (b) *ELEMENTS*.—The study required by subsection (a),
 20 shall include the following:

21 (1) *An assessment of—*

22 (A) *when the Department of Defense discov-*
 23 *ered that drinking water sources used by mem-*
 24 *bers of the Armed Forces and residents of com-*

1 *munities surrounding military bases were con-*
2 *taminated with PFAS;*

3 *(B) after learning that the drinking water*
4 *was contaminated, when the Department of De-*
5 *fense notified members of the Armed Forces and*
6 *residents of communities surrounding military*
7 *bases that their drinking water is contaminated*
8 *with PFAS;*

9 *(C) after providing such notification, how*
10 *much time lapsed before those affected were given*
11 *alternative sources of drinking water;*

12 *(D) the number of installations and sur-*
13 *rounding communities currently drinking water*
14 *that is contaminated with PFAS above the*
15 *EPA's advisory limit;*

16 *(E) the amount of money the Department of*
17 *Defense has spent on cleaning up PFAS con-*
18 *tamination through the date of enactment of this*
19 *Act;*

20 *(F) the number of sites where the Depart-*
21 *ment of Defense has taken action to remediate*
22 *PFAS contamination or other materials as a re-*
23 *sult of the use of firefighting foam on military*
24 *bases;*

1 (G) factors that might limit or prevent the
 2 Department of Defense from remediating PFAS
 3 contamination or other materials as a result of
 4 the use of firefighting foam on military bases;

5 (H) the estimated total cost of clean-up of
 6 PFAS;

7 (I) the cost to the Department of Defense to
 8 discontinue the use of PFAS in firefighting foam
 9 and to develop and procure viable replacements
 10 that meet military specifications; and

11 (J) the number of members of the Armed
 12 Forces who have been exposed to PFAS in their
 13 drinking water above the EPA's Health Advisory
 14 levels during their military service.

15 (2) An evaluation of what the Department of De-
 16 fense could have done better to mitigate the release of
 17 PFAS contamination into the environment and ex-
 18 pose service members.

19 (3) Any other elements the Comptroller General
 20 may deem necessary.

21 (c) RESULTS.—

22 (1) INTERIM BRIEFING.—Not later than 1 year
 23 after the date of the enactment of this Act, the Comp-
 24 troller General shall provide to the congressional de-
 25 fense committees, the Committee on Energy and Com-

1 *merce of the House of Representatives and the Com-*
 2 *mittee on the Environment and Public Works of the*
 3 *Senate a briefing on the preliminary findings of the*
 4 *study required by this section.*

5 (2) *FINAL RESULTS.*—*The Comptroller General*
 6 *shall provide the final results of the study required by*
 7 *this section to the congressional defense committees,*
 8 *the Committee on Energy and Commerce of the House*
 9 *of Representatives and the Committee on the Environ-*
 10 *ment and Public Works of the Senate at such time*
 11 *and in such format as is mutually agreed upon by the*
 12 *committees and the Comptroller General at the time*
 13 *of briefing under paragraph (1).*

14 **SEC. 330D. DISPOSAL OF MATERIALS CONTAINING PER-**
 15 **AND POLYFLUOROALKYL SUBSTANCES OR**
 16 **AQUEOUS FILM-FORMING FOAM.**

17 *The Secretary of Defense shall ensure that when mate-*
 18 *rials containing per- and polyfluoroalkyl substances (re-*
 19 *ferred to in this section as “PFAS”) or aqueous film form-*
 20 *ing foam are disposed—*

21 (1) *all incineration is conducted in a manner*
 22 *that eliminates PFAS while also ensuring that no*
 23 *PFAS is emitted into the air;*

1 (2) *all incineration is conducted in accordance*
 2 *with the requirements of the Clean Air Act (42 USC*
 3 *7401 et seq.), including controlling hydrogen fluoride;*

4 (3) *any materials containing PFAS that are des-*
 5 *ignated for disposal are stored in accordance with the*
 6 *requirement under part 264 of title 40, Code of Fed-*
 7 *eral Regulations; and*

8 (4) *no incineration is conducted at any facility*
 9 *that violated the requirements of the Clean Air Act*
 10 *(42 U.S.C. 7401 et seq.) during the 12-month period*
 11 *preceding the date of disposal.*

12 **SEC. 330E. PROHIBITION ON USE OF PERFLUOROALKYL**
 13 **SUBSTANCES AND POLYFLUOROALKYL SUB-**
 14 **STANCES FOR LAND-BASED APPLICATIONS OF**
 15 **FIREFIGHTING FOAM.**

16 (a) *LIMITATION.*—*After October 1, 2022, no amount*
 17 *authorized to be appropriated or otherwise made available*
 18 *for the Department of Defense may be obligated or expended*
 19 *to procure firefighting foam that contains in excess of one*
 20 *part per billion of perfluoroalkyl substances and*
 21 *polyfluoroalkyl substances.*

22 (b) *PROHIBITION ON USE OF EXISTING STOCKS.*—*Not*
 23 *later than October 1, 2023, the Secretary of Defense shall*
 24 *cease the use of firefighting foam containing in excess of*

1 one part per billion of perfluoroalkyl substances and
 2 polyfluoroalkyl substances;

3 (c) *EXEMPTION FOR SHIPBOARD USE.*—Subsections
 4 (a) and (b) shall not apply to firefighting foam for use sole-
 5 ly onboard ocean-going vessels.

6 (d) *DEFINITIONS.*—In this section:

7 (1) The term “perfluoroalkyl substances” means
 8 aliphatic substances for which all of the H atoms at-
 9 tached to C atoms in the nonfluorinated substance
 10 from which they are notionally derived have been re-
 11 placed by F atoms, except those H atoms whose sub-
 12 stitution would modify the nature of any functional
 13 groups present.

14 (2) The term “polyfluoroalkyl substances” means
 15 aliphatic substances for which all H atoms attached
 16 to at least one (but not all) C atoms have been re-
 17 placed by F atoms, in such a manner that they con-
 18 tain the perfluoroalkyl moiety C_nF_{2n+1} — (for exam-
 19 ple, $C_8F_{17}CH_2CH_2OH$).

20 **SEC. 330F. AGREEMENTS TO SHARE MONITORING DATA RE-**
 21 **LATING TO PERFLUOROALKYL AND**
 22 **POLYFLUOROALKYL SUBSTANCES AND**
 23 **OTHER CONTAMINANTS OF CONCERN.**

24 (a) *IN GENERAL.*—The Secretary of Defense shall seek
 25 to enter into agreements with municipalities or municipal

1 *drinking water utilities located adjacent to military instal-*
 2 *lations under which both the Secretary and the municipali-*
 3 *ties and utilities would share monitoring data relating to*
 4 *perfluoroalkyl substances, polyfluoroalkyl substances, and*
 5 *other emerging contaminants of concern collected at the*
 6 *military installation.*

7 (b) *PUBLIC COMMUNICATION.*—*An agreement under*
 8 *subsection (a) does not negate the responsibility of the Sec-*
 9 *retary to communicate with the public about drinking*
 10 *water contamination from perfluoroalkyl substances,*
 11 *polyfluoroalkyl substances, and other contaminants.*

12 (c) *MILITARY INSTALLATION DEFINED.*—*In this sec-*
 13 *tion, the term “military installation” has the meaning*
 14 *given that term in section 2801(c) of title 10, United States*
 15 *Code.*

16 **SEC. 330G. DETECTION OF PERFLUORINATED COMPOUNDS.**

17 (a) *PERFORMANCE STANDARD FOR THE DETECTION*
 18 *OF PERFLUORINATED COMPOUNDS.*—

19 (1) *IN GENERAL.*—*The Director of the United*
 20 *States Geologic Survey shall establish a performance*
 21 *standard for the detection of perfluorinated com-*
 22 *pounds.*

23 (2) *EMPHASIS.*—

24 (A) *IN GENERAL.*—*In developing the per-*
 25 *formance standard under subsection (a), the Di-*

1 *rector shall emphasize the ability to detect as*
2 *many perfluorinated compounds present in the*
3 *environment as possible using analytical meth-*
4 *ods that are as sensitive as is feasible and prac-*
5 *ticable.*

6 *(B) REQUIREMENT.—In developing the per-*
7 *formance standard under subsection (a), the Di-*
8 *rector may—*

9 *(i) develop quality assurance and qual-*
10 *ity control measures to ensure accurate*
11 *sampling and testing;*

12 *(ii) develop a training program with*
13 *respect to the appropriate method of sample*
14 *collection and analysis of perfluorinated*
15 *compounds; and*

16 *(iii) coordinate as necessary with the*
17 *Administrator to develop methods to detect*
18 *individual and different perfluorinated*
19 *compounds simultaneously.*

20 *(b) NATIONWIDE SAMPLING.—*

21 *(1) IN GENERAL.—The Director shall carry out*
22 *a nationwide sampling to determine the concentration*
23 *of perfluorinated compounds in estuaries, lakes,*
24 *streams, springs, wells, wetlands, rivers, aquifers, and*

1 soil using the performance standard developed under
2 subsection (a)(1).

3 (2) *REQUIREMENTS.*—In carrying out the sam-
4 pling under paragraph (1), the Director shall—

5 (A) first carry out the sampling at sources
6 of drinking water near locations with known or
7 suspected releases of perfluorinated compounds;

8 (B) when carrying out sampling of sources
9 of drinking water under paragraph (1), carry
10 out the sampling prior to any treatment of the
11 water;

12 (C) survey for ecological exposure to
13 perfluorinated compounds, with a priority in de-
14 termining direct human exposure through drink-
15 ing water; and

16 (D) consult with—

17 (i) States to determine areas that are
18 a priority for sampling; and

19 (ii) the Administrator—

20 (I) to enhance coverage of the
21 sampling; and

22 (II) to avoid unnecessary dupli-
23 cation.

24 (3) *REPORT.*—Not later than 150 days after the
25 completion of the sampling under paragraph (1), the

1 *Director shall prepare a report describing the results*
2 *of the sampling and submit the report to—*

3 *(A) the Committee on Environment and*
4 *Public Works and the Committee on Energy and*
5 *Natural Resources of the Senate;*

6 *(B) the Committee on Natural Resources*
7 *and the Committee on Energy and Commerce of*
8 *the House of Representatives;*

9 *(C) the Senators of each State in which the*
10 *Director carried out the sampling; and*

11 *(D) each Member of the House of Represent-*
12 *atives that represents a district in which the Di-*
13 *rector carried out the sampling.*

14 *(c) DATA USAGE.—*

15 *(1) IN GENERAL.—The Director shall provide the*
16 *sampling data collected under subsection (b) to—*

17 *(A) the Administrator of the Environmental*
18 *Protection Agency; and*

19 *(B) other Federal and State regulatory*
20 *agencies on request.*

21 *(2) USAGE.—The sampling data provided under*
22 *subsection (a) shall be used to inform and enhance as-*
23 *sessments of exposure, likely health and environmental*
24 *impacts, and remediation priorities.*

1 (d) *COLLABORATION.*—*In carrying out this section, the*
 2 *Director shall collaborate with—*

- 3 (1) *appropriate Federal and State regulators;*
- 4 (2) *institutions of higher education;*
- 5 (3) *research institutions; and*
- 6 (4) *other expert stakeholders.*

7 (e) *AUTHORITY FOR TRANSFER OF FUNDS.*—*Of the*
 8 *funds authorized to be appropriated by section 301, the Sec-*
 9 *retary of Defense may, without regard to section 2215 of*
 10 *title 10, United States Code, transfer not more than*
 11 *\$5,000,000 to the Secretary of the Interior to carry out na-*
 12 *tionwide sampling under this section. Any funds trans-*
 13 *ferred under this section may not be used for any other pur-*
 14 *pose, except those specified under this section.*

15 (f) *FUNDING.*—

16 (1) *INCREASE.*—*Notwithstanding the amounts*
 17 *set forth in the funding tables in division D, the*
 18 *amount authorized to be appropriated in section 301,*
 19 *as specified in the corresponding funding table in sec-*
 20 *tion 4301, Total Operation and Maintenance, De-*
 21 *fense-Wide, Line 080, for the Detection of*
 22 *Perfluorinated Compounds is hereby increased by*
 23 *\$5,000,000.*

24 (2) *OFFSET.*—*Notwithstanding the amounts set*
 25 *forth in the funding tables in division D, the amount*

1 *authorized to be appropriated in section 101 for Pro-*
2 *curement of Wheeled and Tracked Combat Vehicles,*
3 *Army, as specified in the corresponding funding table*
4 *in section 4101, for Bradley Program (Mod) is hereby*
5 *reduced by \$5,000,000.*

6 *(g) DEFINITIONS.—In this section:*

7 *(1) The term “Administrator” means the Admin-*
8 *istrator of the Environmental Protection Agency.*

9 *(2) The term “Director” means the Director of*
10 *the United States Geological Survey.*

11 *(3) The term “perfluorinated compound” means*
12 *a perfluoroalkyl substance or a polyfluoroalkyl sub-*
13 *stance that is manmade with at least 1 fully*
14 *fluorinated carbon atom.*

15 *(4) The term “fully fluorinated carbon atom”*
16 *means a carbon atom on which all the hydrogen*
17 *substituents have been replaced by fluorine.*

18 *(5) The term “nonfluorinated carbon atom”*
19 *means a carbon atom on which no hydrogen*
20 *substituents have been replaced by fluorine.*

21 *(6) The term “partially fluorinated carbon*
22 *atom” means a carbon atom on which some, but not*
23 *all, of the hydrogen substituents have been replaced by*
24 *fluorine.*

1 (7) *The term “perfluoroalkyl substance” means a*
 2 *manmade chemical of which all of the carbon atoms*
 3 *are fully fluorinated carbon atoms.*

4 (8) *The term “polyfluoroalkyl substance” means*
 5 *a manmade chemical containing a mix of fully*
 6 *fluorinated carbon atoms, partially fluorinated car-*
 7 *bon atoms, and nonfluorinated carbon atoms.*

8 **SEC. 330H. COOPERATIVE AGREEMENTS WITH STATES TO**
 9 **ADDRESS CONTAMINATION BY**
 10 **PERFLUOROALKYL AND POLYFLUOROALKYL**
 11 **SUBSTANCES.**

12 (a) *COOPERATIVE AGREEMENTS.—*

13 (1) *IN GENERAL.—Upon request from the Gov-*
 14 *ernor or chief executive of a State, the Secretary of*
 15 *Defense shall work expeditiously, pursuant to section*
 16 *2701(d) of title 10, United States Code, to finalize a*
 17 *cooperative agreement, or amend an existing coopera-*
 18 *tive agreement to address testing, monitoring, re-*
 19 *moval, and remedial actions relating to the contami-*
 20 *nation or suspected contamination of drinking, sur-*
 21 *face, or ground water from PFAS originating from*
 22 *activities of the Department of Defense by providing*
 23 *the mechanism and funding for the expedited review*
 24 *and approval of documents of the Department related*
 25 *to PFAS investigations and remedial actions from an*

1 *active or decommissioned military installation, in-*
2 *cluding a facility of the National Guard.*

3 (2) *MINIMUM STANDARDS.—A cooperative agree-*
4 *ment finalized or amended under paragraph (1) shall*
5 *meet or exceed the most stringent of the following*
6 *standards for PFAS in any environmental media:*

7 (A) *An enforceable State standard, in effect*
8 *in that State, for drinking, surface, or ground*
9 *water, as described in section 121(d)(2)(A)(ii) of*
10 *the Comprehensive Environmental Response,*
11 *Compensation, and Liability Act of 1980 (42*
12 *U.S.C. 9621(d)(2)(A)(ii)).*

13 (B) *An enforceable Federal standard for*
14 *drinking, surface, or ground water, as described*
15 *in section 121(d)(2)(A)(i) of the Comprehensive*
16 *Environmental Response, Compensation, and Li-*
17 *ability Act of 1980 (42 U.S.C. 9621(d)(2)(A)(i)).*

18 (C) *A health advisory under section*
19 *1412(b)(1)(F) of the Safe Drinking Water Act*
20 *(42 U.S.C. 300g–1(b)(1)(F)).*

21 (3) *OTHER AUTHORITY.—In addition to the re-*
22 *quirements for a cooperative agreement under para-*
23 *graph (1), when otherwise authorized to expend funds*
24 *for the purpose of addressing ground or surface water*
25 *contaminated by a perfluorinated compound, the Sec-*

1 *retary of Defense may, to expend those funds, enter*
 2 *into a grant agreement, cooperative agreement, or*
 3 *contract with—*

4 *(A) the local water authority with jurisdic-*
 5 *tion over the contamination site, including—*

6 *(i) a public water system (as defined*
 7 *in section 1401 of the Safe Drinking Water*
 8 *Act (42 U.S.C. 300f)); and*

9 *(ii) a publicly owned treatment works*
 10 *(as defined in section 212 of the Federal*
 11 *Water Pollution Control Act (33 U.S.C.*
 12 *1292)); or*

13 *(B) a State, local, or Tribal government.*

14 *(b) REPORT.—Beginning on February 1, 2020, if a co-*
 15 *operative agreement is not finalized or amended under sub-*
 16 *section (a) within one year after the request from the Gov-*
 17 *ernor or chief executive under that subsection, and annually*
 18 *thereafter, the Secretary of Defense shall submit to the ap-*
 19 *propriate committees and Members of Congress a report—*

20 *(1) explaining why the agreement has not been*
 21 *finalized or amended, as the case may be; and*

22 *(2) setting forth a projected timeline for final-*
 23 *izing or amending the agreement.*

24 *(c) DEFINITIONS.—In this section:*

1 (1) *APPROPRIATE COMMITTEES AND MEMBERS*
 2 *OF CONGRESS.*—*The term “appropriate committees*
 3 *and Members of Congress” means—*

4 (A) *the congressional defense committees;*

5 (B) *the Senators who represent a State im-*
 6 *pacted by PFAS contamination described in sub-*
 7 *section (a)(1); and*

8 (C) *the Members of the House of Represent-*
 9 *atives who represent a district impacted by such*
 10 *contamination.*

11 (2) *FULLY FLUORINATED CARBON ATOM.*—*The*
 12 *term “fully fluorinated carbon atom” means a carbon*
 13 *atom on which all the hydrogen substituents have*
 14 *been replaced by fluorine.*

15 (3) *PFAS.*—*The term “PFAS” means*
 16 *perfluoroalkyl and polyfluoroalkyl substances that are*
 17 *man-made chemicals with at least one fully*
 18 *fluorinated carbon atom.*

19 (4) *STATE.*—*The term “State” has the meaning*
 20 *given the term in section 101 of the Comprehensive*
 21 *Environmental Response, Compensation, and Liabil-*
 22 *ity Act of 1980 (42 U.S.C. 9601).*

23 **SEC. 330I. FINDINGS, PURPOSE, AND APOLOGY.**

24 *Section 2(a)(1) of the Radiation Exposure Compensa-*
 25 *tion Act (Public Law 101–426; 42 U.S.C. 2210 note) is*

1 amended by inserting “, including individuals in New Mex-
 2 ico, Idaho, Colorado, Arizona, Utah, Texas, Wyoming, Or-
 3 egon, Washington, South Dakota, North Dakota, Nevada,
 4 Guam, and the Northern Mariana Islands,” after “tests ex-
 5 posed individuals”.

6 **SEC. 330J. STUDY ON ENERGY SAVINGS PERFORMANCE**

7 **CONTRACTS.**

8 (a) *STUDY.*—The Secretary of Defense shall conduct a
 9 study on how the Secretary could enter into more energy
 10 savings performance contracts (referred to in this section
 11 as “ESPCs”). In conducting the study, the Secretary
 12 shall—

13 (1) identify any legislative or regulatory barriers
 14 to entering into more ESPCs; and

15 (2) include policy proposals for how the Depart-
 16 ment of Defense could evaluate the cost savings caused
 17 by increasing energy resiliency when evaluating
 18 whether to enter into ESPCs.

19 (b) *REPORT.*—Not later than 180 days after the date
 20 of the enactment of this Act, the Secretary shall submit to
 21 the congressional defense committees a report on the study
 22 required under subsection (a).

1 **SEC. 330K. REDUCTION OF DEPARTMENT OF DEFENSE FA-**
2 **CILITY WATER USE.**

3 (a) *IN GENERAL.*—Not later than 180 days after the
4 date of the enactment of this Act, the Secretary of Defense
5 shall submit to the congressional defense committees a re-
6 port containing plan to reduce facility water use intensity,
7 relative to the baseline of the water consumption of the facil-
8 ity for fiscal year 2018. The report shall include each of
9 the following:

10 (1) *Life-cycle cost-effective measures that will re-*
11 *duce water consumption by 2 percent annually*
12 *through the end of fiscal year 2025.*

13 (2) *Baseline development methodology for calcu-*
14 *lating a baseline of water use intensity for fiscal year*
15 *2018, defined as gallons per gross square foot per*
16 *year, that will permit all future reduction goals to be*
17 *measured relative to such baseline.*

18 (3) *An identification of life-cycle cost effective*
19 *water savings measures that can be implemented to*
20 *achieve in Department of Defense facilities a min-*
21 *imum of 2 percent annual reduction in water use*
22 *through 2025.*

23 (4) *A description of any barriers to implementa-*
24 *tion of a water use reduction program.*

25 (b) *WATER USE.*—In this section, the term “water
26 use” with respect to a facility includes—

1 (1) *all water used at the facility that is obtained*
2 *from public water systems or from natural freshwater*
3 *sources such as lakes, streams, and aquifers, where the*
4 *water is classified or permitted for human consump-*
5 *tion; and*

6 (2) *potable water used for drinking, bathing, toi-*
7 *let flushing, laundry, cleaning and food services, wa-*
8 *tering of landscaping, irrigation, and process appli-*
9 *cations such as cooling towers, boilers, and fire sup-*
10 *pression systems.*

11 **SEC. 330L. PLAN TO PHASE OUT USE OF BURN PITS.**

12 *The Secretary of Defense shall submit to Congress an*
13 *implementation plan to phase out the use of the burn pits*
14 *identified in the Department of Defense Open Burn Pit Re-*
15 *port to Congress in April 2019.*

16 **SEC. 330M. INFORMATION RELATING TO LOCATIONS OF**
17 **BURN PIT USE.**

18 *The Secretary of Defense shall provide to the Secretary*
19 *of Veterans Affairs and Congress a list of all locations at*
20 *which open-air burn pits have been used by Secretary of*
21 *Defense, for the purposes of augmenting the research,*
22 *healthcare delivery, disability compensation, and other ac-*
23 *tivities of the Secretary of Veterans Affairs.*

1 **SEC. 330N. RADIUM TESTING AT CERTAIN LOCATIONS OF**
2 **THE DEPARTMENT OF THE NAVY.**

3 (a) *IN GENERAL.*—The Secretary of the Navy shall
4 provide for an independent third-party data quality review
5 of all radium testing completed by contractors of the De-
6 partment of the Navy at a covered location.

7 (b) *COVERED LOCATION DEFINED.*—In this section,
8 the term “covered location” means any location where the
9 Secretary of the Navy is undertaking a project or activity
10 funded through one of the following accounts of the Depart-
11 ment of Defense:

12 (1) *Operation and Maintenance, Environmental*
13 *Restoration, Navy.*

14 (2) *Operation and Maintenance, Environmental*
15 *Restoration, Formerly Used Defense Sites.*

16 **SEC. 330O. DESIGNATION AS HAZARDOUS SUBSTANCES.**

17 Not later than 1 year after the date of enactment of
18 this Act, the Administrator of the Environmental Protection
19 Agency shall designate all per- and polyfluoroalkyl sub-
20 stances as hazardous substances under section 102(a) of the
21 Comprehensive Environmental Response, Compensation,
22 and Liability Act of 1980 (42 U.S.C. 9602(a)).

***Subtitle C—Logistics and
Sustainment***

SEC. 331. MATERIAL READINESS METRICS AND OBJECTIVES.

(a) MATERIAL READINESS METRICS AND OBJECTIVES.—

(1) IN GENERAL.—Chapter 2 of title 10, United States Code, is amended by inserting after section 117 the following new section:

“§ 118. Material readiness metrics and objectives

“(a) GUIDANCE.—(1) The Secretary of Defense shall issue and maintain guidance requiring the implementation and use of material readiness metrics to enable assessment of the readiness of armed forces to carry out the national defense strategy required by section 113 of this title.

“(2) Guidance issued pursuant to this section shall ensure that such material readiness metrics—

“(A) are based on standardized and consistent criteria; and

“(B) are applied, used, recorded, and reported in same manner by all components of the Department of Defense.

“(b) METRICS.—At a minimum, the material readiness metrics required by subsection (a) shall address the material availability, operational availability, and mate-

1 rial reliability of each major weapon system by designated
 2 mission design series, variant, or class.

3 “(c) *MATERIAL READINESS OBJECTIVES.*—(1) The
 4 Secretary of Defense shall establish, and annually review
 5 and revise, an objective value for each metric required by
 6 subsection (b) as a necessary component to support the re-
 7 view and revision of the national defense strategy required
 8 by section 113 of this title.

9 “(2) To the maximum extent practicable, the Secretary
 10 shall ensure that objective values established under this sub-
 11 section are unclassified.

12 “(d) *DEFINITIONS.*—In this section:

13 “(1) The term ‘major weapons system’ has the
 14 meaning given the term ‘major system’ under section
 15 2302(5) of this title, except that such term does not
 16 include an acquisition program for a defense business
 17 system (as defined in section 2222(i)(1) of this title).

18 “(2) The term ‘material availability’ means the
 19 measure of the percentage of the total inventory of a
 20 system that is operationally capable of performing an
 21 assigned mission.

22 “(3) The term ‘material reliability’ means the
 23 probability that a covered asset will perform without
 24 failure over a specified interval.

1 “(4) *The term ‘operational availability’ means*
 2 *the measure of the percentage of time a covered asset*
 3 *is operationally capable.’.*”

4 (2) *CLERICAL AMENDMENT.—The table of sec-*
 5 *tions at the beginning of such chapter is amended by*
 6 *inserting after the item relating to section 117 the fol-*
 7 *lowing new item:*

“118. Material readiness metrics and objectives.”.

8 (b) *CONFORMING AMENDMENT.—Section*
 9 *2337(b)(2)(A) of title 10, United States Code, is amended—*
 10 *(1) by inserting “to meet the material readiness*
 11 *objectives” before “for the weapon system”; and*
 12 *(2) by inserting “under section 118 of this title”*
 13 *after “weapon system”.*

14 (c) *DEADLINES.—*

15 (1) *DEADLINE FOR GUIDANCE.—The guidance*
 16 *required by section 118(a) of title 10, United States*
 17 *Code, as added by subsection (a), shall be issued by*
 18 *not later than 180 days after the date of the enact-*
 19 *ment of this Act.*

20 (2) *DEADLINE FOR ESTABLISHMENT OF MATE-*
 21 *RIAL READINESS OBJECTIVES.—The material readi-*
 22 *ness objectives required by section 118(c)(1) of title*
 23 *10, United States Code, as added by subsection (a),*
 24 *shall be established by not later than one year after*
 25 *the date of the enactment of this Act.*

1 **SEC. 332. CLARIFICATION OF AUTHORITY REGARDING USE**
 2 **OF WORKING CAPITAL FUNDS FOR UNSPEC-**
 3 **IFIED MINOR MILITARY CONSTRUCTION**
 4 **PROJECTS RELATED TO REVITALIZATION**
 5 **AND RECAPITALIZATION OF DEFENSE INDUS-**
 6 **TRIAL BASE FACILITIES.**

7 *Section 2208(u) of title 10, United States Code, is*
 8 *amended—*

9 *(1) in paragraph (1), by striking “carry out”*
 10 *and inserting “fund”;*

11 *(2) in paragraph (2)—*

12 *(A) by striking “Section 2805” and insert-*
 13 *ing “(A) Except as provided in subparagraph*
 14 *(B), section 2805”;*

15 *(B) by striking “carried out with” and in-*
 16 *serting “funded using”; and*

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

19 *“(B) For purposes of applying subparagraph (A), the*
 20 *dollar limitation specified in subsection (a)(2) of section*
 21 *2805 of this title, subject to adjustment as provided in sub-*
 22 *section (f) of such section, shall apply rather than the dollar*
 23 *limitation specified in subsection (c) of such section.”; and*

24 *(3) in paragraph (4), by striking “carry out”*
 25 *and inserting “fund”.*

1 **SEC. 333. F-35 JOINT STRIKE FIGHTER SUSTAINMENT.**

2 (a) *LIMITATION ON USE OF FUNDS.*—Of the amounts
3 authorized to be appropriated or otherwise made available
4 in this Act for the Office of the Under Secretary of Defense
5 for Acquisition and Sustainment for fiscal year 2020, not
6 more than 75 percent may be obligated or expended until
7 the date on which the Under Secretary submits the report
8 required by subsection (b).

9 (b) *REPORT REQUIRED.*—The Under Secretary of De-
10 fense for Acquisition and Sustainment shall submit to the
11 Committees on Armed Services of the Senate and House of
12 Representatives a report on steps being taken to improve
13 the availability and accountability of F-35 parts within
14 the supply chain. At a minimum, the report shall include
15 a detailed plan for each of the following elements:

16 (1) *How the accountable property system of*
17 *record will be updated with information from the*
18 *prime contractors supplying such parts on required*
19 *cost and related data with respect to the parts and*
20 *how the F-35 Program Office will ensure such con-*
21 *tractors are adhering to contractual requirements for*
22 *the management, reporting, visibility, and account-*
23 *ability of all such parts supplied by the prime con-*
24 *tractors.*

25 (2) *How the accountability property system of*
26 *record will have interfaces that allow the F-35 Pro-*

1 *gram Office and other authorized entities to have*
 2 *proper accountability of assets in accordance with ap-*
 3 *plicable Department of Defense Instructions, Depart-*
 4 *ment of Defense Manuals, and other applicable regu-*
 5 *lations.*

6 *(3) How the F-35 Program Office and the Sec-*
 7 *retary of each of the military departments will ensure*
 8 *business rules for the prioritization of F-35 parts*
 9 *across all program participants is sufficient, effective,*
 10 *and responsive.*

11 *(4) Steps being taken to ensure parts within the*
 12 *base, afloat, and deployment spares packages are com-*
 13 *patible for deploying F-35 aircraft and account for*
 14 *updated parts demand.*

15 **SEC. 334. REPORT ON STRATEGIC POLICY FOR**
 16 **PREPOSITIONED MATERIEL AND EQUIPMENT.**

17 *(a) REPORT REQUIRED.—Not later than March 1,*
 18 *2020, the Assistant Secretary of Defense for Sustainment,*
 19 *in coordination with the Joint Staff, shall submit to the*
 20 *Committees on Armed Services of the Senate and House of*
 21 *Representatives a report on the implementation plan for*
 22 *prepositioned materiel and equipment required by section*
 23 *321(b) of the National Defense Authorization Act for Fiscal*
 24 *Year 2014 (Public Law 113-66; 127 Stat. 730; 10 U.S.C.*
 25 *2229 note). Such report shall include each of the following:*

1 (1) *A comprehensive list of the prepositioned ma-*
2 *teriel and equipment programs of the Department of*
3 *Defense.*

4 (2) *A detailed description of how the plan will*
5 *be implemented.*

6 (3) *A description of the resources required to im-*
7 *plement the plan, including the amount of funds and*
8 *personnel.*

9 (4) *A description of how the plan will be re-*
10 *viewed and assessed to monitor progress.*

11 (5) *Guidance on applying a consistent definition*
12 *of prepositioning across the Department, including*
13 *the military departments, the combatant commands,*
14 *and the Defense Agencies.*

15 (6) *A detailed description of how the Secretary*
16 *will implement a joint oversight approach of the*
17 *prepositioning programs of the military departments.*

18 (b) *LIMITATION ON USE OF FUNDS.—Of the amounts*
19 *authorized to be appropriated or otherwise made available*
20 *in this Act for the Office of the Assistant Secretary of De-*
21 *fense for Sustainment for fiscal year 2020, not more than*
22 *75 percent may be obligated or expended until the date on*
23 *which the Assistant Secretary submits the report required*
24 *by subsection (a).*

1 **SEC. 335. LIMITATION ON USE OF FUNDS FOR IMPLEMENTA-**
 2 **TION OF ELEMENTS OF MASTER PLAN FOR**
 3 **REDEVELOPMENT OF FORMER SHIP REPAIR**
 4 **FACILITY IN GUAM.**

5 (a) *LIMITATION.*—*Except as provided in subsection*
 6 *(b), none of the funds authorized to be appropriated by this*
 7 *Act or otherwise made available for the Navy for fiscal year*
 8 *2020 may be obligated or expended for any construction,*
 9 *alteration, repair, or development of the real property con-*
 10 *sisting of the Former Ship Repair Facility in Guam.*

11 (b) *EXCEPTION.*—*The limitation under subsection (a)*
 12 *does not apply to any project that directly supports depot-*
 13 *level ship maintenance capabilities, including the mooring*
 14 *of a floating dry dock.*

15 (c) *FORMER SHIP REPAIR FACILITY IN GUAM.*—*In*
 16 *this section, the term “Former Ship Repair Facility in*
 17 *Guam” means the property identified by that name under*
 18 *the base realignment and closure authority carried out*
 19 *under the Defense Base Closure and Realignment Act of*
 20 *1990 (part A of title XXIX of Public Law 101–510; 10*
 21 *U.S.C. 2687 note).*

22 **SEC. 336. REPORT ON EFFECTS OF INCREASED AUTOMA-**
 23 **TION OF DEFENSE INDUSTRIAL BASE ON**
 24 **MANUFACTURING WORKFORCE.**

25 *Not later than 180 days after the date of the enactment*
 26 *of this Act, the Secretary of Defense shall submit to Congress*

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

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

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

14 (3) *an analysis of the potential threats to the na-*
15 *tional security of the United States that are unique*
16 *to the automation of the defense industry;*

17 (4) *a strategy to assist in providing workforce*
18 *training and transition preparation for workers who*
19 *may lose manufacturing jobs in the defense industry*
20 *due to automation;*

21 (5) *a description of any training necessary for*
22 *workers affected by automation to more easily transi-*
23 *tion to new types of jobs within the defense manufac-*
24 *turing industry; and*

1 (6) *any actions taken, or planned to be taken, by*
 2 *the Department of Defense to assist in worker transi-*
 3 *tion.*

4 **SEC. 337. EXTENSION OF TEMPORARY INSTALLATION RE-**
 5 **UTILIZATION AUTHORITY FOR ARSENALS, DE-**
 6 **POTS AND PLANTS.**

7 (a) *ENSURING VIABILITY OF ARSENALS, DEPOTS AND*
 8 *PLANTS.*—Section 345(d) of the National Defense Author-
 9 *ization Act for Fiscal Year 2018 (Public Law 115-91; 10*
 10 *U.S.C. 2667 note) is amended by striking “September 30,*
 11 *2020” and inserting “September 30, 2025”.*

12 (b) *REPORT REQUIRED .— Not later than March 1,*
 13 *2020, the Secretary of the Army shall submit to the congres-*
 14 *sional defense committees a report that includes—*

15 (1) *the results of a needs assessment conducted by*
 16 *the Secretary to determine the logistical, information*
 17 *technology, and security requirements to create an in-*
 18 *ternal listing service of Army assets available for lease*
 19 *at Arsenal’s, depots and plants; and*

20 (2) *information from any previous Army assess-*
 21 *ments or inventory of real property.*

22 **SEC. 338. PILOT PROGRAM TO TRAIN SKILLED TECHNI-**
 23 **CIANS IN CRITICAL SHIPBUILDING SKILLS.**

24 (a) *ESTABLISHMENT.*—The Secretary of Defense may
 25 *carry out a pilot program to train individuals to become*

1 *skilled technicians in critical shipbuilding skills such as*
2 *welding, metrology, quality assurance, machining, and ad-*
3 *ditive manufacturing.*

4 (b) *PARTNERSHIPS.*—*In carrying out the pilot pro-*
5 *gram required under this section, the Secretary may part-*
6 *ner with existing Federal or State projects relating to in-*
7 *vestment and infrastructure in training and education or*
8 *workforce development, such as the National Network for*
9 *Manufacturing Innovation, the Industrial Base Analysis*
10 *and Sustainment program of the Department of Defense,*
11 *and the National Maritime Educational Council.*

12 (c) *TERMINATION.*—*The pilot program required under*
13 *this section shall terminate on September 30, 2025.*

14 (d) *BRIEFINGS.*—

15 (1) *PLAN BRIEFING.*—*Not later than February*
16 *28, 2020, the Secretary shall provide a briefing to the*
17 *Committees on Armed Services of the Senate and the*
18 *House of Representatives on the plan, cost estimate,*
19 *and schedule for the pilot program required under*
20 *this section.*

21 (2) *PROGRESS BRIEFINGS.*—*Not less frequently*
22 *than annually during fiscal years 2020 and 2021, the*
23 *Secretary shall brief the congressional defense commit-*
24 *tees on the progress of the Secretary in carrying out*
25 *the pilot program.*

Subtitle D—Reports

SEC. 341. READINESS REPORTING.

(a) READINESS REPORTING SYSTEM.—Section 117 of title 10, United State Code, is amended—

(1) by striking subsections (d) through (g); and

(2) by redesignating subsection (h) as subsection

(d).

(b) QUARTERLY REPORTS.—Section 482 of title 10, United States Code, is amended—

*(1) in the section heading, by striking “**Quarterly reports: personnel and unit readiness**” and inserting “**Readiness reports**”;*

(2) in subsection (a)—

(A) In the subsection heading, by striking “QUARTERLY REPORTS REQUIRED” and inserting “REPORTS AND BRIEFINGS”;

(B) In the first sentence—

(i) by striking “Not later” and inserting “(1) Not later”; and

(ii) by striking “each calendar-year quarter” and inserting “the second and fourth quarter of each calendar year”;

(C) by striking the second and third sentences and inserting “The Secretary of Defense 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.”; and*
3 *(D) by adding at the end the following new*
4 *paragraphs:*

5 *“(2) Not later than 30 days after the end of the first*
6 *and third quarter of each calendar year, the Secretary of*
7 *Defense shall provide to Congress a briefing regarding the*
8 *military readiness of the active and reserve components.*

9 *“(3) Each report under this subsection shall contain*
10 *the elements required by subsection (b) for the quarter cov-*
11 *ered by the report, and each briefing shall address any*
12 *changes to the elements described in subsection (b) since the*
13 *submittal of the most recently submitted report.”;*

14 *(3) by striking subsection (b) and inserting the*
15 *following:*

16 *“(b) REQUIRED ELEMENTS.—The elements described*
17 *in this subsection are each of the following:*

18 *“(1) A description of each readiness problem or*
19 *deficiency that affects the ground, sea, air, space,*
20 *cyber, or special operations forces, and any other area*
21 *determined appropriate by the Secretary of Defense.*

22 *“(2) The key contributing factors, indicators,*
23 *and other relevant information related to each identi-*
24 *fied problem or deficiency.*

1 “(3) *The short-term mitigation strategy the De-*
2 *partment will employ to address each readiness prob-*
3 *lem or deficiency until a resolution is in place, as*
4 *well as the timeline, cost, and any legislative remedies*
5 *required to support the resolution.*

6 “(4) *A summary of combat readiness ratings for*
7 *the key force elements assessed, including specific in-*
8 *formation on personnel, supply, equipment, and*
9 *training problems or deficiencies that affect the com-*
10 *bat readiness ratings for each force element.*

11 “(5) *A summary of each upgrade or downgrade*
12 *of the combat readiness of a unit that was issued by*
13 *the commander of the unit, together with the rationale*
14 *of the commander for the issuance of such upgrade or*
15 *downgrade.*

16 “(6) *A summary of the readiness of supporting*
17 *capabilities, including infrastructure, prepositioned*
18 *equipment and supplies, and mobility assets, and*
19 *other supporting logistics capabilities.*

20 “(7) *A summary of the readiness of the combat*
21 *support and related agencies, any readiness problem*
22 *or deficiency affecting any mission essential tasks of*
23 *any such agency, and actions recommended to address*
24 *any such problem or deficiency.*

1 “(8) *A list of all Class A, Class B, and Class C*
 2 *mishaps that occurred in operations related to combat*
 3 *support and training events involving aviation,*
 4 *ground, or naval platforms, weapons, space, or Gov-*
 5 *ernment vehicles, as defined by Department of Defense*
 6 *Instruction 6055.07, or a successor instruction.*

7 “(9) *Information on the extent to which units of*
 8 *the armed forces have removed serviceable parts, sup-*
 9 *plies, or equipment from one vehicle, vessel, or air-*
 10 *craft in order to render a different vehicle, vessel, or*
 11 *aircraft operational.*

12 “(10) *Such other information as determined nec-*
 13 *essary or appropriate by the Secretary of Defense.”;*

14 (4) *by striking subsections (d) through (h) and*
 15 *subsection (j);*

16 (5) *by redesignating subsection (i) as subsection*
 17 *(e); and*

18 (6) *by inserting after subsection (c) the following*
 19 *new subsections (d):*

20 “(d) *SEMI-ANNUAL JOINT FORCE READINESS RE-*
 21 *VIEW.—(1) Not later than 30 days after the last day of the*
 22 *first and third quarter of each calendar year, the Chairman*
 23 *of the Joint Chiefs of Staff shall submit to Congress a writ-*
 24 *ten report on the capability of the armed forces, the combat*
 25 *support and related agencies, operational contract support,*

1 *and the geographic and functional combatant commands to*
 2 *execute their wartime missions based upon their posture*
 3 *and readiness as of the time the review is conducted.*

4 “(2) *The Chairman shall produce the report required*
 5 *under this subsection using information derived from the*
 6 *quarterly reports required by subsection (a).*

7 “(3) *Each report required by this subsection shall in-*
 8 *clude an assessment by each commander of a geographic*
 9 *or functional combatant command of the readiness of the*
 10 *command to conduct operations in a multidomain battle*
 11 *that integrates ground, sea, air, space, cyber, and special*
 12 *operations forces.*

13 “(4) *The Chairman shall submit to the Secretary of*
 14 *Defense a copy of each report under this subsection.”.*

15 (c) *CLERICAL AMENDMENT.—The table of sections at*
 16 *the beginning of chapter 23 of such title is amended by*
 17 *striking the item relating to section 482 and inserting the*
 18 *following new item:*

“482. Readiness reports.”.

19 **SEC. 342. EXTENSION OF DEADLINE FOR TRANSITION FROM**
 20 **SERVICE-SPECIFIC DEFENSE READINESS RE-**
 21 **PORTING SYSTEMS.**

22 *Section 358(c) of the John S. McCain National Defense*
 23 *Authorization Act for Fiscal Year 2019 (Public Law 115–*
 24 *232) is amended by striking “October 1, 2019” and insert-*
 25 *ing “October 1, 2020”.*

1 **SEC. 343. REPORT ON NAVY SHIP DEPOT MAINTENANCE**
2 **BUDGET.**

3 (a) *IN GENERAL.*—Not later than March 1 of each of
4 2020, 2021, and 2022, the Secretary of the Navy shall sub-
5 mit to the Committees on Armed Services of the Senate and
6 the House of Representatives a report on the Operation and
7 Maintenance Ship Depot Maintenance budget sub-activity
8 group.

9 (b) *ELEMENTS.*—The report required under subsection
10 (a) shall include each of the following elements:

11 (1) *A breakdown of funding, categorized by class*
12 *of ship, requested for ship and submarine mainte-*
13 *nance.*

14 (2) *A description of how the requested funding,*
15 *categorized by class of ship, compares to the identified*
16 *ship maintenance requirement.*

17 (3) *The amount of funds appropriated for each*
18 *class of ship for the preceding fiscal year.*

19 (4) *The amount of funds obligated and expended*
20 *for each class of ship for each of the three preceding*
21 *fiscal years.*

22 (5) *The cost, categorized by class of ship, of un-*
23 *planned growth work for each of the three preceding*
24 *fiscal years.*

1 **SEC. 344. REPORT ON RUNIT DOME.**

2 (a) *REPORT REQUIRED.*—Not later than 180 days
3 after the date of the enactment of this Act, the Secretary
4 of Energy, in coordination with the Administrator of the
5 Environmental Protection Agency and Secretary of Defense,
6 shall submit to the Committee on Energy and Commerce,
7 the Committee on Natural Resources, and the Committee
8 on Armed Services of the House of Representatives and the
9 Committee on Armed Services and the Committee on En-
10 ergy and Natural Resources of the Senate a report on the
11 status of the Runit Dome in the Marshal Islands.

12 (b) *MATTERS FOR INCLUSION.*—The report required by
13 subsection (a) shall include each of the following:

14 (1) *A detailed plan to remove the radioactive*
15 *materials in the dome to a safer and more stable loca-*
16 *tion, including a predicted timeline and associated*
17 *costs.*

18 (2) *A detailed plan to repair the dome to ensure*
19 *that it does not have any harmful effects to the local*
20 *population, environment, or wildlife, including the*
21 *projected costs of implementing such plan.*

22 (3) *The effects on the environment that the dome*
23 *has currently and is projected to have in 5 years, 10*
24 *years, and 20 years.*

25 (4) *An assessment on the safety of food gathered*
26 *from local food sources.*

1 (5) *An assessment of the current condition of the*
2 *outer constructs of the dome.*

3 (6) *An assessment of the current and long-term*
4 *safety to local humans posed by the site.*

5 (7) *How climate change and rising sea levels are*
6 *predicted to affect the dome, including a description*
7 *of projected scenarios if the dome becomes partially or*
8 *fully submerged by ocean water.*

9 (8) *A summary of interactions between the Gov-*
10 *ernment of the United States and the government of*
11 *the Marshall Islands about the dome.*

12 (9) *A detailed description of the physical health*
13 *effects on Pacific Islanders, including residents of Ha-*
14 *waii, Fuji, and Samoa, of nuclear testing conducted*
15 *at Runit Dome.*

16 (10) *A detailed description of the pre- and post-*
17 *nuclear test communications between the United*
18 *States and the governments of the territories and na-*
19 *tions of the Pacific Islands, including Hawaii, Fuji,*
20 *and Samoa.*

21 (c) *FORM OF REPORT.*—*The report required by sub-*
22 *section (a) shall be submitted in unclassified form and*
23 *made publicly available.*

1 **SEC. 345. COMPTROLLER GENERAL STUDY OF OUT-OF-**
2 **POCKET COSTS FOR SERVICE DRESS UNI-**
3 **FORMS.**

4 (a) *REVIEW REQUIRED.*—*The Comptroller General of*
5 *the United States shall conduct a study of the out-of-pocket*
6 *costs to members of the Armed Forces for service dress uni-*
7 *forms.*

8 (b) *ELEMENTS.*—*The review under subsection (a) shall*
9 *address each of the following:*

10 (1) *A description and comparison of the out-of-*
11 *pocket cost to members of the Armed Forces for the*
12 *purchase of service dress uniforms and service dress*
13 *uniform items, broken down by—*

14 (A) *gender;*
15 (B) *Armed Force;*
16 (C) *enlisted; and*
17 (D) *officer.*

18 (2) *Stipends, in-kind provision of items, or other*
19 *assistance provided by each service to personnel to off-*
20 *set cost of service dress uniforms.*

21 (3) *A comparison of the out-of-pocket cost for*
22 *purchase and maintenance of service and service dress*
23 *uniforms over one, five, 10, and 20-year periods.*

24 (4) *A description of service dress uniform*
25 *changes directed by any of the Armed Forces over the*
26 *past 10 years that have affected the out-of-pocket costs*

1 to members of the Armed Forces and the costs associ-
2 ated with such change, by gender.

3 (5) Any other information that the Comptroller
4 General determines appropriate.

5 (c) *BRIEFING AND REPORT.*—

6 (1) *BRIEFING.*—Not later than April 15, 2020,
7 the Comptroller General shall provide to the congres-
8 sional defense committees a briefing on the prelimi-
9 nary findings of the study required under this section.

10 (2) *REPORT.*—Not later than September 30,
11 2020, the Comptroller General shall submit to the
12 congressional defense committees a final report on the
13 findings of such study.

14 **SEC. 346. INSPECTOR GENERAL AUDIT OF CERTAIN COM-**
15 **MERCIAL DEPOT MAINTENANCE CONTRACTS.**

16 *The Inspector General of the Department of Defense*
17 *shall conduct an audit of each military department and*
18 *Defense Agency (as defined in section 101 of title 10, United*
19 *States Code), as applicable, to determine if there has been*
20 *any excess profit or cost escalation with respect to any sole-*
21 *source contracts relating to commercial depot maintenance*
22 *(including contracts for parts, supplies, equipment, and*
23 *maintenance services).*

1 **SEC. 347. REPORT ON PLAN TO DECONTAMINATE SITES**
2 **FORMERLY USED BY THE DEPARTMENT OF**
3 **THE ARMY THAT HAVE SINCE BEEN TRANS-**
4 **FERRED TO UNITS OF LOCAL GOVERNMENT**
5 **AND ARE AFFECTED BY POLLUTANTS THAT**
6 **ARE, IN WHOLE OR IN PART, A RESULT OF AC-**
7 **TIVITY BY THE DEPARTMENT OF DEFENSE.**

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

9 *(1) There are numerous properties that were*
10 *under the jurisdiction of the Department of the Army,*
11 *such as former Nike missile sites, but that have been*
12 *transferred to units of local government.*

13 *(2) Many of these properties may remain pol-*
14 *luted because of activity by the Department of De-*
15 *fense.*

16 *(3) This pollution may inhibit the use of these*
17 *properties for commercial or residential purposes.*

18 *(b) REPORT REQUIRED.—The Secretary of the Army*
19 *shall submit to the appropriate congressional committees a*
20 *report—*

21 *(1) specifying each covered property that may*
22 *remain polluted because of activity by the Depart-*
23 *ment of Defense; and*

24 *(2) containing the Secretary's plan to decon-*
25 *taminate each covered property.*

26 *(c) DEFINITIONS.—In this section:*

1 (1) *The term “appropriate congressional com-*
 2 *mittees” means—*

3 *(A) the Committee on Armed Services and*
 4 *the Committee on Energy and Natural Resources*
 5 *of the Senate; and*

6 *(B) the Committee on Armed Services, the*
 7 *Committee on Energy and Commerce, and the*
 8 *Committee on Natural Resources of the House of*
 9 *Representatives.*

10 (2) *The term “covered property” means property*
 11 *that was under the jurisdiction of the Department of*
 12 *the Army and was transferred to a unit of local gov-*
 13 *ernment before the date of the enactment of section*
 14 *120(h) of the Comprehensive Environmental Re-*
 15 *sponse, Compensation, and Liability Act of 1980, but*
 16 *that would have triggered Federal Government notice*
 17 *or action under that section had the transfer occurred*
 18 *on or after that date.*

19 ***Subtitle E—Other Matters***

20 ***SEC. 351. INCLUSION OF OVER-THE-HORIZON RADARS IN*** 21 ***EARLY OUTREACH PROCEDURES.***

22 *Section 183a(c)(6) of title 10, United States Code, is*
 23 *amended by striking “or airport surveillance radar” and*
 24 *inserting “, airport surveillance radar, or wide area sur-*
 25 *veillance over-the-horizon radar”.*

1 **SEC. 352. EXTENSION OF AUTHORITY FOR SECRETARY OF**
 2 **DEFENSE TO USE DEPARTMENT OF DEFENSE**
 3 **REIMBURSEMENT RATE FOR TRANSPOR-**
 4 **TATION SERVICES PROVIDED TO CERTAIN**
 5 **NON-DEPARTMENT OF DEFENSE ENTITIES.**

6 *Section 2642(b) of title 10, United States Code, is*
 7 *amended by striking “October 1, 2019” and inserting “Oc-*
 8 *tober 1, 2024”.*

9 **SEC. 353. EXPANDED TRANSFER AND ADOPTION OF MILI-**
 10 **TARY ANIMALS.**

11 *Section 2583 of title 10, United States Code, is amend-*
 12 *ed—*

13 *(1) in subsection (a)—*

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

16 *(B) by striking “adoption” each place it ap-*
 17 *pears and inserting “transfer or adoption”;*

18 *(2) in subsection (b)—*

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

21 *(B) in the first sentence, by striking “adop-*
 22 *tion” and inserting “transfer or adoption”; and*

23 *(C) in the second sentence, by striking*
 24 *“adoptability” and inserting “transferability or*
 25 *adoptability”;*

26 *(3) in subsection (c)(1)—*

1 (A) in the matter preceding subparagraph
2 (A), by inserting “transfer or” before “adop-
3 tion”;

4 (B) in subparagraphs (A) and (B), by in-
5 serting “adoption” before “by”;

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

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

10 (4) in subsection (e)—

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

13 (B) in paragraphs (1) and (2), by striking
14 “transferred” each place it appears and insert-
15 ing “transferred or adopted”; and

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

19 (5) in subsection (f)—

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

23 (B) in paragraph (1), by striking “trans-
24 fer” and inserting “transport”;

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

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

8 **SEC. 354. EXTENSION OF AUTHORITY OF SECRETARY OF**
9 **TRANSPORTATION TO ISSUE NON-PREMIUM**
10 **AVIATION INSURANCE.**

11 Section 44310(b) of title 49, United States Code, is
12 amended by striking “December 31, 2019” and inserting
13 “September 30, 2022”.

14 **SEC. 355. DEFENSE PERSONAL PROPERTY PROGRAM.**

15 (a) *ADVISORY GROUP.*—

16 (1) *ESTABLISHMENT.*—There is established an
17 advisory group on the defense personal property pro-
18 gram, to be known as the “Global Household Reloca-
19 tion Services Advisory Committee”.

20 (2) *MEMBERSHIP.*—The advisory group shall be
21 comprised of 15 members appointed from among indi-
22 viduals who represent appropriate entities as follows:

23 (A) One member representing United States
24 Transportation Command appointed by the

1 *Commander of United States Transportation*
2 *Command.*

3 *(B) A flag or general officer of the Armed*
4 *Forces representing each of the Army, Navy, Air*
5 *Force, Marine Corps, and Coast Guard ap-*
6 *pointed by the Vice Chief of Staff of the Army,*
7 *Vice Chief of Naval Operations, Vice Chief of*
8 *Staff of the Air Force, the Assistant Com-*
9 *mandant of the Marine Corps, and Vice Com-*
10 *mandant of the Coast Guard, respectively.*

11 *(C) Four members representing appropriate*
12 *transportation service providers, including two*
13 *small business concerns, appointed by the Assist-*
14 *ant Secretary of Defense for Sustainment.*

15 *(D) Five members representing consumer*
16 *representatives who are members of the Armed*
17 *Forces or spouses of members of the Armed*
18 *Forces, one of whom is appointed by the senior*
19 *non-commissioned officer of each of the Army,*
20 *Navy, Air Force, Marine Corps, and Coast*
21 *Guard.*

22 *(3) MEETINGS.—The advisory group shall con-*
23 *vene regularly to provide to the Secretary of Defense*
24 *feedback on the execution of, and any recommended*
25 *changes to, the global household goods contract.*

1 (4) *REPORTS.*—

2 (A) *QUARTERLY REPORTS.*—*Not later than*
3 *30 days after the last day of a fiscal quarter, the*
4 *advisory group shall submit to the congressional*
5 *defense committees a report on the activities and*
6 *recommendations of the advisory group during*
7 *such fiscal quarter.*

8 (B) *TERMINATION OF REPORT REQUIRE-*
9 *MENT.*—*The requirement to submit a report*
10 *under subparagraph (A) shall terminate on the*
11 *termination date specified under paragraph*
12 *(5)(A).*

13 (5) *TERMINATION.*—*The advisory group shall*
14 *terminate on the date that is five years after the date*
15 *of the enactment of this Act.*

16 (b) *BUSINESS CASE ANALYSIS.*—*Not later than 60*
17 *days after the date of the enactment of this Act, the Com-*
18 *mander of United States Transportation Command shall*
19 *prepare a business case analysis for the proposed award*
20 *of a global household goods contract for the defense personal*
21 *property program.*

22 (c) *LIMITATION.*—

23 (1) *IN GENERAL.*—*None of the funds authorized*
24 *to be appropriated in this Act for fiscal year 2020*
25 *shall be available to enter into a global household*

1 *goods contract until the date that is 30 days after*
2 *later of the following dates:*

3 *(A) The date on which the Commander of*
4 *United States Transportation Command pro-*
5 *vides to the congressional defense committees a*
6 *briefing on—*

7 *(i) the business case analysis required*
8 *by subsection (b); and*

9 *(ii) the proposed structure and meeting*
10 *schedule for the advisory group established*
11 *under subsection (a).*

12 *(B) The date on which the Comptroller Gen-*
13 *eral of the United States submits to the congres-*
14 *sional defense committees the report required by*
15 *paragraph (2).*

16 *(2) GAO REPORT.—Not later than February 15,*
17 *2020, the Comptroller General of the United States*
18 *shall submit to the congressional defense committees a*
19 *report on a comprehensive study conducted by the*
20 *Comptroller General that includes—*

21 *(A) an analysis of the effects that the out-*
22 *sourcing of the management and oversight of the*
23 *movement of household goods to a private entity*
24 *or entities would have on members of the Armed*
25 *Forces and their families;*

1 (B) *a comprehensive cost-benefit analysis;*
 2 *and*

3 (C) *recommendations for changes to the*
 4 *strategy of the Department of Defense for the de-*
 5 *fense personal property program.*

6 (d) *DEFINITIONS.—In this section:*

7 (1) *The term “global household goods contract”*
 8 *means the solicitation managed by United States*
 9 *Transportation Command to engage a private entity*
 10 *to manage the defense personal property program.*

11 (2) *The term “defense personal property pro-*
 12 *gram” means the Department of Defense program*
 13 *used to manage the shipment of the baggage and*
 14 *household effects of members of the Armed Forces*
 15 *under section 476 of title 37, United States Code.*

16 **SEC. 356. PUBLIC EVENTS ABOUT RED HILL BULK FUEL**
 17 **STORAGE FACILITY.**

18 (a) *REQUIREMENT.—At least once every calendar*
 19 *quarter, the Secretary of the Navy, or the designee of the*
 20 *Secretary, shall hold an event that is open to the public*
 21 *at which the Secretary shall provide up-to-date information*
 22 *about the Red Hill Bulk Fuel Storage Facility.*

23 (b) *TERMINATION.—The requirement to hold events*
 24 *under subsection (a) shall terminate on the earlier of the*
 25 *following dates:*

1 (1) *September 30, 2025.*

2 (2) *The date on which the Red Hill Bulk Fuel*
3 *Storage Facility ceases operation.*

4 **SEC. 357. SENSE OF CONGRESS REGARDING INNOVATIVE**
5 **READINESS TRAINING PROGRAM.**

6 *It is the sense of Congress that—*

7 (1) *the Innovative Readiness Training program*
8 *is an effective training program for members of the*
9 *Armed Forces and is highly beneficial to civilian-*
10 *military relationships with local American commu-*
11 *nities;*

12 (2) *due to the geographic complexities and reali-*
13 *ties of non-contiguous States and territories, Innova-*
14 *tive Readiness Training has lent greater benefit to*
15 *such States and territories while providing unique*
16 *and realistic training opportunities and deployment*
17 *readiness for members of the Armed Forces;*

18 (3) *the Department of Defense should pursue*
19 *continued Innovative Readiness Training opportuni-*
20 *ties, and, where applicable, strongly encourage the use*
21 *of Innovative Readiness Training in non-contiguous*
22 *States and territories; and*

23 (4) *in considering whether to recommend a*
24 *project, the Secretary should consider the benefits of*

1 *the project to the economy of a region damaged by*
 2 *natural disasters.*

3 **SEC. 358. PILOT PROGRAM ON REDUCTION OF EFFECTS OF**
 4 **MILITARY AVIATION NOISE ON PRIVATE RESI-**
 5 **DENCES.**

6 (a) *IN GENERAL.*—*The Secretary of Defense shall*
 7 *carry out a five-year pilot program under which the com-*
 8 *mander of a military installation may provide funds for*
 9 *the purpose of installing noise insulation on private resi-*
 10 *dences impacted by military aviation noise from the instal-*
 11 *lation.*

12 (b) *ELIGIBILITY.*—*To be eligible to receive funds under*
 13 *the pilot program, a recipient shall enter into an agreement*
 14 *with the commander to—*

15 (1) *provide at least 50 percent of the funds re-*
 16 *quired to carry out the noise insulation; and*

17 (2) *ensure that the noise at any private residence*
 18 *where insulation is installed is reduced by at least 5*
 19 *dB.*

20 (c) *USE OF FUNDS.*—*Funds provided under the pilot*
 21 *program shall be used for the installation of noise insula-*
 22 *tion at a residence—*

23 (1) *located within a Department of Defense noise*
 24 *contour between 65 dB day-night average sound level*
 25 *and 75 dB day-night average sound level as validated*

1 *on a National Environmental Policy Act-compliant*
 2 *assessment within the past three years; and*

3 *(2) where interior noise has been measured at 45*
 4 *dB day-night average sound level by the installation.*

5 *(d) GOALS AND BEST PRACTICES.—In carrying out*
 6 *the pilot program under this section, a commander shall*
 7 *use the following goals and best practices:*

8 *(1) Minimize cost in order to maximize number*
 9 *of homes served.*

10 *(2) Focus efforts on residences newly impacted*
 11 *by increased noise levels.*

12 **SEC. 359. COMPLETION OF DEPARTMENT OF DEFENSE DI-**
 13 **RECTIVE 2310.07E REGARDING MISSING PER-**
 14 **SONS.**

15 *(a) IN GENERAL.—The Secretary of Defense shall*
 16 *make the completion of Department of Defense Directive*
 17 *2310.07E a top priority in order to improve the efficiency*
 18 *of locating missing persons.*

19 *(b) DEFINITION.—In this section, the term “missing*
 20 *person” has the meaning given such term in section 1513*
 21 *of title 10, United States Code.*

1 **TITLE IV—MILITARY PERSONNEL**
 2 **AUTHORIZATIONS**

3 **Subtitle A—Active Forces**

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

5 *The Armed Forces are authorized strengths for active*
 6 *duty personnel as of September 30, 2020, as follows:*

7 *(1) The Army, 480,000.*

8 *(2) The Navy, 340,500.*

9 *(3) The Marine Corps, 186,200.*

10 *(4) The Air Force, 332,800.*

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

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

16 *“(1) For the Army, 480,000.*

17 *“(2) For the Navy, 340,500.*

18 *“(3) For the Marine Corps, 186,200.*

19 *“(4) For the Air Force, 332,800.”.*

20 **Subtitle B—Reserve Forces**

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

22 *(a) IN GENERAL.—The Armed Forces are authorized*
 23 *strengths for Selected Reserve personnel of the reserve com-*
 24 *ponents as of September 30, 2020, as follows:*

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

3 (2) *The Army Reserve, 189,500.*

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

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

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

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

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

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

13 (1) *the total authorized strength of units orga-*
 14 *nized to serve as units of the Selected Reserve of such*
 15 *component which are on active duty (other than for*
 16 *training) at the end of the fiscal year; and*

17 (2) *the total number of individual members not*
 18 *in units organized to serve as units of the Selected*
 19 *Reserve of such component who are on active duty*
 20 *(other than for training or for unsatisfactory partici-*
 21 *pation in training) without their consent at the end*
 22 *of the fiscal year.*

23 (c) *END STRENGTH INCREASES.—Whenever units or*
 24 *individual members of the Selected Reserve of any reserve*
 25 *component are released from active duty during any fiscal*

1 *year, the end strength prescribed for such fiscal year for*
 2 *the Selected Reserve of such reserve component shall be in-*
 3 *creased proportionately by the total authorized strengths of*
 4 *such units and by the total number of such individual mem-*
 5 *bers.*

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

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

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

17 *(2) The Army Reserve, 16,511.*

18 *(3) The Navy Reserve, 10,155.*

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

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

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

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

3 (a) *IN GENERAL.*—The minimum number of military
4 technicians (dual status) as of the last day of fiscal year
5 2020 for the reserve components of the Army and the Air
6 Force (notwithstanding section 129 of title 10, United
7 States Code) shall be the following:

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

10 (2) *For the Army Reserve, 6,492.*

11 (3) *For the Air National Guard of the United*
12 *States, 13,573.*

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

14 (b) *LIMITATION.*—Under no circumstances may a
15 military technician (dual status) employed under the au-
16 thority of this section be coerced by a State into accepting
17 an offer of realignment or conversion to any other military
18 status, including as a member of the Active, Guard, and
19 Reserve program of a reserve component. If a military tech-
20 nician (dual status) declines to participate in such realign-
21 ment or conversion, no further action will be taken against
22 the individual or the individual's position.

1 **SEC. 414. MAXIMUM NUMBER OF RESERVE PERSONNEL AU-**
 2 **THORIZED TO BE ON ACTIVE DUTY FOR**
 3 **OPERATIONAL SUPPORT.**

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

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

11 (2) *The Army Reserve, 13,000.*

12 (3) *The Navy Reserve, 6,200.*

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

14 (5) *The Air National Guard of the United*
 15 *States, 16,000.*

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

17 **Subtitle C—Authorization of**
 18 **Appropriations**

19 **SEC. 421. MILITARY PERSONNEL.**

20 (a) *AUTHORIZATION OF APPROPRIATIONS.—Funds are*
 21 *hereby authorized to be appropriated for fiscal year 2020*
 22 *for the use of the Armed Forces and other activities and*
 23 *agencies of the Department of Defense for expenses, not oth-*
 24 *erwise provided for, for military personnel, as specified in*
 25 *the funding table in section 4401.*

7 Subtitle A—Officer Personnel Policy

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

Section 7084 of title 10, United States Code, is amended by adding at the end the following: “An officer appointed to that position who holds a lower grade shall be appointed in the grade of brigadier general.”.

1 **SEC. 503. AUTHORITY OF PROMOTION BOARDS TO REC-**
 2 **OMMEND THAT OFFICERS OF PARTICULAR**
 3 **MERIT BE PLACED HIGHER ON PROMOTION**
 4 **LIST.**

5 (a) *IN GENERAL.*—Section 14108 of title 10, United
 6 States Code, is amended by adding at the end the following
 7 new subsection:

8 “(f) *HIGHER PLACEMENT OF OFFICERS OF PAR-*
 9 *TICULAR MERIT ON PROMOTION LIST.*—(1) *In selecting of-*
 10 *ficers to be recommended for promotion, a promotion board*
 11 *may, when authorized by the Secretary concerned, rec-*
 12 *ommend that officers of particular merit, from among those*
 13 *officers selected for promotion, be placed higher on the pro-*
 14 *motion list established by the Secretary under section*
 15 *14308(a) of this title.*

16 “(2) *A promotion board may make a recommendation*
 17 *under paragraph (1) only if an officer receives the rec-*
 18 *ommendation of—*

19 “(A) *a majority of the members of the promotion*
 20 *board; or*

21 “(B) *an alternative requirement established by*
 22 *the Secretary concerned and furnished to the pro-*
 23 *motion board as part of the guidelines under section*
 24 *14107 of this title.*

1 “(3) *For officers who receive recommendations under*
 2 *paragraph (1), the board shall recommend the order in*
 3 *which those officers should be placed on the promotion list.*”.

4 **(b) REPORTS REGARDING RECOMMENDATIONS THAT**
 5 **OFFICERS OF PARTICULAR MERIT BE PLACED HIGHER ON**
 6 **PROMOTION LIST.**—Section 14109 of such title is amended
 7 by adding at the end the following new subsection:

8 “(d) **REPORT OF OFFICERS RECOMMENDED FOR**
 9 **HIGHER PLACEMENT ON PROMOTION LIST.**—A promotion
 10 board convened under section 14101(a) of this title shall,
 11 when authorized under section 14108(f) of this title, include
 12 in its report to the Secretary concerned—

13 “(1) *the names of those officers the promotion*
 14 *board recommends be placed higher on the promotion*
 15 *list; and*

16 “(2) *the order in which the promotion board rec-*
 17 *ommends those officers should be placed on the pro-*
 18 *motion list.*”.

19 **(c) OFFICERS OF PARTICULAR MERIT APPEARING**
 20 **HIGHER ON PROMOTION LIST.**—Section 14308(a) of such
 21 title is amended in the first sentence by inserting “or based
 22 on particular merit, as determined by the promotion board”
 23 before the period.

1 **SEC. 504. AVAILABILITY ON THE INTERNET OF CERTAIN IN-**
2 **FORMATION ABOUT OFFICERS SERVING IN**
3 **GENERAL OR FLAG OFFICER GRADES.**

4 (a) *AVAILABILITY REQUIRED.*—

5 (1) *IN GENERAL.*—*The Secretary of each mili-*
6 *tary department shall make available on an internet*
7 *website of such department available to the public in-*
8 *formation specified in paragraph (2) on each officer*
9 *in a general or flag officer grade under the jurisdic-*
10 *tion of such Secretary, including any such officer on*
11 *the reserve active-status list.*

12 (2) *INFORMATION.*—*The information on an offi-*
13 *cer specified by this paragraph to be made available*
14 *pursuant to paragraph (1) is the information as fol-*
15 *lows:*

16 (A) *The officer's name.*

17 (B) *The officer's current grade, duty posi-*
18 *tion, command or organization, and location of*
19 *assignment.*

20 (C) *A summary list of the officer's past*
21 *duty assignments while serving in a general or*
22 *flag officer grade.*

23 (b) *ADDITIONAL PUBLIC NOTICE ON CERTAIN OFFI-*
24 *CERS.*—*Whenever an officer in a grade of O-7 or above is*
25 *assigned to a new billet or reassigned from a current billet,*
26 *the Secretary of the military department having jurisdic-*

1 *tion of such officer shall make available on an internet*
2 *website of such department available to the public a notice*
3 *of such assignment or reassignment.*

4 *(c) LIMITATION ON WITHHOLDING OF CERTAIN INFOR-*
5 *MATION OR NOTICE.—*

6 *(1) LIMITATION.—The Secretary of a military*
7 *department may not withhold the information or no-*
8 *tice specified in subsections (a) and (b) from public*
9 *availability pursuant to subsection (a), unless and*
10 *until the Secretary notifies the Committees on Armed*
11 *Services of the Senate and House of Representatives*
12 *in writing of the information or notice that will be*
13 *so withheld, together with justification for with-*
14 *holding the information or notice from public avail-*
15 *ability.*

16 *(2) LIMITED DURATION OF WITHHOLDING.—The*
17 *Secretary concerned may withhold from the public*
18 *under paragraph (1) information or notice on an offi-*
19 *cer only on the basis of individual risk or national*
20 *security, and may continue to withhold such informa-*
21 *tion or notice only for so long as the basis for with-*
22 *holding remains in force.*

1 **SEC. 505. REPORT ON RATE OF MATERNAL MORTALITY**
 2 **AMONG MEMBERS OF THE ARMED FORCES.**

3 *Not later than 180 days after the date of the enactment*
 4 *of this Act, the Secretary of Defense, and with respect to*
 5 *members of the Coast Guard, the Secretary of the Depart-*
 6 *ment in which the Coast Guard is operating when it is not*
 7 *operating as a service in the Navy, shall submit to Congress*
 8 *a report on the rate of maternal mortality among members*
 9 *of the Armed Forces and the dependents of such members.*

10 **SEC. 506. FUNCTIONAL BADGE OR INSIGNIA UPON COMMIS-**
 11 **SION FOR CHAPLAINS.**

12 *A military chaplain shall receive a functional badge*
 13 *or insignia upon commission.*

14 ***Subtitle B—Reserve Component***
 15 ***Management***

16 **SEC. 511. GRADE OF CERTAIN CHIEFS OF RESERVE COMPO-**
 17 **NENTS.**

18 *(a) IN GENERAL.—*

19 *(1) CHIEF OF ARMY RESERVE.—Section*
 20 *7038(b)(1) of title 10, United States Code, is amended*
 21 *by striking “general officers of the Army Reserve”*
 22 *and inserting “officers of the Army Reserve in the*
 23 *grade of lieutenant general and”.*

24 *(2) CHIEF OF NAVY RESERVE.—Section*
 25 *8083(b)(1) of such title is amended by striking “flag*
 26 *officers of the Navy (as defined in section 8001(1))”*

1 and inserting “officers of the Navy Reserve in the
2 grade of vice admiral and”.

3 (3) *COMMANDER, MARINE FORCES RESERVE.*—
4 Section 8084(b)(1) of such title is amended by strik-
5 ing “general officers of the Marine Corps (as defined
6 in section 8001(2))” and inserting “officers of the Ma-
7 rine Corps Reserve in the grade of lieutenant general
8 and”.

9 (4) *CHIEF OF AIR FORCE RESERVE.*—Section
10 9038(b)(1) of such title is amended by striking “gen-
11 eral officers of the Air Force Reserve” and inserting
12 “officers of the Air Force Reserve in the grade of lieu-
13 tenant general and”.

14 (b) *EFFECTIVE DATE.*—The amendments made under
15 subsection (a) shall take effect on the date that is one year
16 after the date of the enactment of this Act and shall apply
17 to appointments made after such date.

18 **SEC. 512. AUTHORITY TO DEFER MANDATORY SEPARATION**
19 **AT AGE 68 OF OFFICERS IN MEDICAL SPE-**
20 **CIALTIES IN THE RESERVE COMPONENTS.**

21 Section 14703(b) of title 10, United States Code, is
22 amended—

23 (1) by striking “An” and inserting “(1) Subject
24 to paragraph (2), an”; and

1 (2) *by adding at the end the following new para-*
 2 *graph (2):*

3 “(2) *The Secretary concerned may, with the consent*
 4 *of the officer, retain in an active status an officer in a med-*
 5 *ical specialty described in subsection (a) beyond the date*
 6 *described in paragraph (1) of this subsection if the Sec-*
 7 *retary concerned determines that such retention is necessary*
 8 *to the military department concerned. Each such retention*
 9 *shall be made on a case-by-case basis and for such period*
 10 *as the Secretary concerned determines appropriate.”.*

11 **SEC. 513. REPEAL OF REQUIREMENT FOR REVIEW OF CER-**
 12 **TAIN ARMY RESERVE OFFICER UNIT VACANCY**
 13 **PROMOTIONS BY COMMANDERS OF ASSOCI-**
 14 **ATED ACTIVE DUTY UNITS.**

15 *Section 1113 of the Army National Guard Combat*
 16 *Readiness Reform Act of 1992 (Public Law 102–484; 10*
 17 *U.S.C. 10105 note) is repealed.*

18 **SEC. 514. GUIDANCE FOR USE OF UNMANNED AIRCRAFT**
 19 **SYSTEMS BY THE NATIONAL GUARD.**

20 (a) *NEW GUIDANCE.*—*Not later than 90 days after the*
 21 *date of the enactment of this Act, the Secretary of Defense*
 22 *shall issue new guidance that treats the use of unmanned*
 23 *aircraft systems by the National Guard for covered activi-*
 24 *ties in a manner no more restrictive than the use of other*
 25 *aircraft for covered activities.*

1 (b) *COVERED ACTIVITIES DEFINED.*—*In this section,*
 2 *“covered activities” means the following:*

3 (1) *Emergency operations.*

4 (2) *Search and rescue operations.*

5 (3) *Defense support to civil authorities.*

6 (4) *Support under section 502(f) of title 32,*
 7 *United States Code.*

8 **SEC. 515. JUNIOR RESERVE OFFICERS’ TRAINING CORPS.**

9 (a) *IN GENERAL.*—*Section 2031(b)(3) of title 10,*
 10 *United States Code, is amended by inserting “and which*
 11 *may include instruction or activities in the fields of science,*
 12 *technology, engineering, and mathematics” after “dura-*
 13 *tion”.*

14 (b) *EFFECTIVE DATE.*—*The amendment made by sub-*
 15 *section (a) shall take effect 180 days after the date of the*
 16 *enactment of this Act.*

17 **SEC. 516. JROTC COMPUTER SCIENCE AND CYBERSECURITY**
 18 **PROGRAM.**

19 *Chapter 102 of title 10, United States Code, is amend-*
 20 *ed by adding at the end the following new section:*

21 **“§2036. Computer science and cybersecurity program**

22 *“(a) PROGRAM AUTHORIZED.*—*The Secretary of De-*
 23 *fense may carry out a program to enhance the preparation*
 24 *of students in the Junior Reserve Officers’ Training Corps*
 25 *for careers in computer science and cybersecurity.*

1 “(b) *COORDINATION.*—*In carrying out the program,*
2 *the Secretary shall coordinate with the following:*

3 “(1) *The Secretaries of the military departments.*

4 “(2) *The Secretary of Education.*

5 “(3) *The National Science Foundation.*

6 “(4) *The heads of such other Federal, State, and*
7 *local government entities the Secretary of Defense*
8 *determines appropriate.*

9 “(5) *Private sector organizations, including*
10 *workforce development organizations, the Secretary of*
11 *Defense determines appropriate.*

12 “(c) *ACTIVITIES.*—*Activities under the program may*
13 *include the following:*

14 “(1) *Establishment of targeted internships and*
15 *cooperative research opportunities in computer science*
16 *and cybersecurity at defense laboratories and other*
17 *technical centers for students in and instructors of the*
18 *Junior Reserve Officers’ Training Corps.*

19 “(2) *Funding for training and other supports for*
20 *instructors to teach evidence-based courses in com-*
21 *puter science and cybersecurity to students.*

22 “(3) *Efforts and activities that improve the qual-*
23 *ity of cybersecurity and computer science educational,*
24 *training opportunities, and curricula for students*
25 *and instructors.*

1 “(4) *Development of travel opportunities, dem-*
2 *onstrations, mentoring programs, and informal com-*
3 *puter science and cybersecurity education for students*
4 *and instructors.*

5 “(d) *METRICS.—The Secretary shall establish outcome-*
6 *based metrics and internal and external assessments to*
7 *evaluate the merits and benefits of activities conducted*
8 *under the program with respect to the needs of the Depart-*
9 *ment of Defense.*

10 “(e) *AUTHORITIES.—In carrying out the program, the*
11 *Secretary shall, to the maximum extent practicable, make*
12 *use of the authorities under section 2193b, chapter 111, and*
13 *sections 2601, 2605, and 2374a of this title, section 219 of*
14 *the Duncan Hunter National Defense Authorization Act for*
15 *Fiscal Year 2009 (Public Law 110–417; 10 U.S.C. 2358*
16 *note), and other authorities the Secretary determines appro-*
17 *priate.*

18 “(f) *REPORT.—Not later than two years after the date*
19 *of the enactment of the National Defense Authorization Act*
20 *for Fiscal Year 2020, the Secretary shall submit to the Com-*
21 *mittees on Armed Services of the Senate and the House of*
22 *Representatives a report on activities carried out under the*
23 *program.”.*

1 **SEC. 517. PROGRAMS OF SCHOLARSHIPS FOR MEMBERS OF**
 2 **JUNIOR RESERVE OFFICERS' TRAINING**
 3 **CORPS UNITS TOWARD OBTAINING PRIVATE**
 4 **PILOT'S CERTIFICATES.**

5 (a) *PROGRAMS AUTHORIZED.*—Each Secretary of a
 6 military department may carry out a program to award
 7 scholarships to qualified members of units of the Junior Re-
 8 serve Officers' Training Corps under the jurisdiction of such
 9 Secretary to assist such members in obtaining a private pi-
 10 lot's certificate through an institution of higher education
 11 with an accredited aviation program that is approved by
 12 such Secretary pursuant to subsection (c).

13 (b) *MEMBER QUALIFICATIONS.*—

14 (1) *IN GENERAL.*—In carrying out a program
 15 under subsection (a), the Secretary of a military de-
 16 partment shall prescribe the standards to be met by
 17 members of units of the Junior Reserve Officers'
 18 Training Corps under the jurisdiction of such Sec-
 19 retary to be eligible for the award of a scholarship
 20 under the program.

21 (2) *UNIFORMITY ACROSS MILITARY DEPART-*
 22 *MENTS.*—To the extent practicable, the standards pre-
 23 scribed under this subsection shall be uniform across
 24 the military departments.

25 (c) *APPROVED INSTITUTIONS OF HIGHER EDU-*
 26 *CATION.*—

1 (1) *IN GENERAL.*—*In carrying out a program*
 2 *under subsection (a), the Secretary of a military de-*
 3 *partment shall maintain a list of institutions of high-*
 4 *er education (as that term is defined in section 101*
 5 *of the Higher Education Act of 1965 (20 U.S.C.*
 6 *1001)) at which a scholarship awarded under the pro-*
 7 *gram may be used toward obtaining a private pilot's*
 8 *certificate.*

9 (2) *QUALIFICATIONS AND STANDARDS.*—*Any in-*
 10 *stitution of higher education included on a list under*
 11 *this subsection, and any course of instruction toward*
 12 *obtaining a private pilot's certificate offered by such*
 13 *institution, shall meet such qualifications and stand-*
 14 *ards as the Secretary shall prescribe for purposes of*
 15 *the program. Such qualifications and standards shall*
 16 *include a requirement that any institution included*
 17 *on the list award academic credit at such institution*
 18 *to any member awarded a scholarship under the pro-*
 19 *gram for work (whether or not fully completed) on the*
 20 *ground school course of instruction of such institution*
 21 *in connection with obtaining a private pilot's certifi-*
 22 *cate.*

23 (d) *SCHOLARSHIP.*—

24 (1) *AMOUNT.*—*The amount of the scholarship*
 25 *awarded a member of a Junior Reserve Officers'*

1 *Training Corps under a program under subsection*
2 *(a) shall be such amount as the Secretary of the mili-*
3 *tary department concerned considers appropriate to*
4 *defray, whether in whole or in part, the charges and*
5 *fees of a course of instruction toward obtaining a pri-*
6 *rate pilot's certificate offered by the institution of*
7 *higher education to be attended by the member in ob-*
8 *taining the certificate.*

9 (2) *USE.—A scholarship awarded a member*
10 *under a program may be used by the member only to*
11 *defray the charges and fees of an institution of higher*
12 *education for a course of instruction toward obtaining*
13 *a private pilot's certificate.*

14 (3) *MAINTENANCE OF MEMBERSHIP.—A scholar-*
15 *ship awarded an individual under a program may be*
16 *used by the individual only while the individual*
17 *maintains membership in a unit of a Junior Reserve*
18 *Officers' Training Corps.*

19 (e) *ANNUAL REPORTS ON PROGRAMS.—*

20 (1) *IN GENERAL.—Not later than February 28,*
21 *2021, and each year thereafter, each Secretary of a*
22 *military department shall submit to Congress a re-*
23 *port on the program, if any, carried out by such Sec-*
24 *retary during the preceding calendar year.*

1 (2) *ELEMENTS.*—*Each report under paragraph*
2 (1) *shall include, for the program and year covered*
3 *by such report, the following:*

4 (A) *The number of scholarships awarded.*

5 (B) *The total amount of scholarships*
6 *awarded.*

7 (C) *The work undertaken through such*
8 *scholarships, including the number of recipients*
9 *who fully completed a ground school course of in-*
10 *struction in connection with obtaining a private*
11 *pilot's certificate.*

12 (f) *ASSESSMENT OF RELATED PILOT PROGRAM.*—

13 (1) *IN GENERAL.*—*Not later than 180 days after*
14 *the date of the enactment of this Act, the Secretary of*
15 *Defense shall submit to Congress a report setting forth*
16 *the results of an assessment, conducted by the study*
17 *group described in paragraph (2) for purposes of the*
18 *report, of the pilot program conducted by the Air*
19 *Force in 2018 and 2019 known as the “Air Force*
20 *JROTC Flight Academy, Chief of Staff Private Pilot*
21 *Scholarship Program”.*

22 (2) *STUDY GROUP.*—*The study group described*
23 *in this paragraph shall include the following:*

24 (A) *A representative of the Department of*
25 *Defense, selected by the Secretary of Defense.*

1 (B) *A representative of the headquarters of*
2 *the Air Force Junior Reserve Officers' Training*
3 *Corps with experience with the pilot program,*
4 *selected by the Secretary of the Air Force.*

5 (C) *In addition to the representative under*
6 *subparagraph (B), a representative of each mili-*
7 *tary department, selected by the Secretary of*
8 *such military department.*

9 (D) *A representative of the Department of*
10 *Transportation, selected by the Secretary of*
11 *Transportation.*

12 (E) *A representative of the Department of*
13 *Education, selected by the Secretary of Edu-*
14 *cation.*

15 (F) *Representatives of such private organi-*
16 *zations and entities as the Secretary of Defense*
17 *considers appropriate.*

18 (3) *ELEMENTS.—The assessment required by*
19 *paragraph (1) shall identify best practices in assist-*
20 *ing members of the Junior Reserve Officers' Training*
21 *Corps in obtaining a private pilot's certificate*
22 *through institutions of higher education, including the*
23 *most appropriate funding mechanisms for such prac-*
24 *tices.*

1 **SEC. 518. SENSE OF CONGRESS REGARDING JUNIOR RE-**
 2 **SERVE OFFICERS' TRAINING CORPS.**

3 *It is the sense of Congress that—*

4 *(1) the Junior Reserve Officers' Training Corps*
 5 *(referred to in this section as "JROTC") contributes*
 6 *to an enhanced sense of pride in our Nation and in*
 7 *the members of the Armed Forces who serve;*

8 *(2) JROTC develops a culture dedicated to serv-*
 9 *ice of our great land and reinforces duty, honor and*
 10 *courage;*

11 *(3) the Nation has been steadily depending on a*
 12 *smaller and smaller minority of the population to*
 13 *fight its wars and protect its borders;*

14 *(4) this dwindling population risks the long-term*
 15 *security of our Nation and the freedoms it provides;*

16 *(5) JROTC operates in all 50 States and con-*
 17 *tributes to better grades and graduation rates; and*

18 *(6) JROTC was supported in the John S.*
 19 *McCain National Defense Authorization Act for Fis-*
 20 *cal Year 2019 (Public Law 115–232) and should be*
 21 *increased in fiscal year 2020, including at least 3,700*
 22 *JROTC units nationwide.*

23 **SEC. 519. SENSE OF CONGRESS REGARDING THE NATIONAL**
 24 **GUARD YOUTH CHALLENGE PROGRAM.**

25 *It is the sense of Congress that—*

1 (1) *the National Guard Youth Challenge Pro-*
 2 *gram provides a vital service to at-risk youth by pro-*
 3 *viding life-changing mentorship, developing self-dis-*
 4 *cipline, and providing education in valuable skills;*
 5 *and*

6 (2) *the Secretary of Defense should use the au-*
 7 *thority provided under section 509(h)(2) of title 32,*
 8 *United States Code, to allow Department of Defense*
 9 *equipment and facilities to be used by the National*
 10 *Guard to maximize the support of the Department for*
 11 *the Youth Challenge Program.*

12 **SEC. 520. PILOT PROGRAM ON THE JUNIOR RESERVE OFFI-**
 13 **CERS' TRAINING CORPS PROGRAM AT LUCY**
 14 **GARRETT BECKHAM HIGH SCHOOL, CHARLES-**
 15 **TON COUNTY, SOUTH CAROLINA.**

16 (a) *IN GENERAL.*—*The Secretary of the department in*
 17 *which the Coast Guard is operating may carry out a pilot*
 18 *program to establish and maintain a Junior Reserve Offi-*
 19 *cers' Training Corps (JROTC) program unit in coopera-*
 20 *tion with Lucy Garrett Beckham High School, Charleston*
 21 *County, South Carolina.*

22 (b) *PROGRAM REQUIREMENTS.*—*The pilot program*
 23 *carried out by the Secretary under this section shall provide*
 24 *to students at Lucy Garrett Beckham High School—*

1 (1) *instruction in subject areas relating to oper-*
 2 *ations of the Coast Guard; and*

3 (2) *training in skills which are useful and ap-*
 4 *propriate for a career in the Coast Guard.*

5 (c) *PROVISION OF ADDITIONAL SUPPORT.—In car-*
 6 *rying out the pilot program under this section, the Sec-*
 7 *retary may provide to Lucy Garrett Beckham High*
 8 *School—*

9 (1) *assistance in course development, instruction,*
 10 *and other support activities; and*

11 (2) *necessary and appropriate course materials,*
 12 *equipment, and uniforms.*

13 (d) *EMPLOYMENT OF RETIRED COAST GUARD PER-*
 14 *SONNEL.—*

15 (1) *IN GENERAL.—Subject to paragraph (2), the*
 16 *Secretary may authorize the Lucy Garrett Beckham*
 17 *High School to employ, as administrators and in-*
 18 *structors for the pilot program, retired Coast Guard*
 19 *and Coast Guard Reserve commissioned, warrant,*
 20 *and petty officers not on active duty who request that*
 21 *employment and who are approved by the Secretary*
 22 *and Lucy Garrett Beckham High School.*

23 (2) *AUTHORIZED PAY.—*

24 (A) *IN GENERAL.—Retired members em-*
 25 *ployed under paragraph (1) are entitled to re-*

1 *ceive their retired or retainer pay and an addi-*
 2 *tional amount of not more than the difference be-*
 3 *tween—*

4 *(i) the amount the individual would be*
 5 *paid as pay and allowance if the individual*
 6 *was considered to have been ordered to ac-*
 7 *tive duty during the period of employment;*
 8 *and*

9 *(ii) the amount of retired pay the indi-*
 10 *vidual is entitled to receive during that pe-*
 11 *riod.*

12 *(B) PAYMENT TO SCHOOL.—The Secretary*
 13 *shall pay to Lucy Garrett Beckham High School*
 14 *an amount equal to one-half of the amount de-*
 15 *scribed in subparagraph (A), from funds appro-*
 16 *priated for such purpose.*

17 *(3) EMPLOYMENT NOT ACTIVE-DUTY OR INAC-*
 18 *TIVE-DUTY TRAINING.—Notwithstanding any other*
 19 *provision of law, while employed under this sub-*
 20 *section, an individual is not considered to be on ac-*
 21 *tive-duty or inactive-duty training.*

1 **SEC. 520A. JUNIOR RESERVE OFFICERS' TRAINING CORPS**
 2 **THRESHOLD.**

3 *Section 2031(b)(1) of title 10, United States Code, is*
 4 *amended by striking "8th grade" each place it appears and*
 5 *inserting "7th grade".*

6 **SEC. 520B. INCLUSION OF HOMESCHOOLED STUDENTS IN**
 7 **JUNIOR RESERVE OFFICER'S TRAINING**
 8 **CORPS UNITS.**

9 *Section 2031 of title 10, United States Code, is amend-*
 10 *ed by adding at the end the following new subsection:*

11 *"(g)(1) Each public secondary educational institution*
 12 *that maintains a unit under this section shall permit mem-*
 13 *bership in the unit to homeschooled students residing in the*
 14 *area served by the institution who are qualified for member-*
 15 *ship in the unit (but for lack of enrollment in the institu-*
 16 *tion).*

17 *"(2) A student who is a member of a unit pursuant*
 18 *to this subsection shall count toward the satisfaction by the*
 19 *institution concerned of the requirement in subsection (b)(1)*
 20 *relating to the minimum number of student members in the*
 21 *unit necessary for the continuing maintenance of the unit."*

1 **SEC. 520C. REPORT ON NATIONAL GUARD AND UNITED**
2 **STATES NORTHERN COMMAND CAPACITY TO**
3 **MEET HOMELAND DEFENSE AND SECURITY**
4 **INCIDENTS.**

5 *Not later than September 30, 2020, the Chief of the*
6 *National Guard Bureau shall, in consultation with the*
7 *Commander of United States Northern Command, submit*
8 *to the congressional defense committees a report setting*
9 *forth the following:*

10 *(1) A clarification of the roles and missions,*
11 *structure, capabilities, and training of the National*
12 *Guard and the United States Northern Command,*
13 *and an identification of emerging gaps and shortfalls*
14 *in light of current homeland security threats to our*
15 *country.*

16 *(2) A list of the resources that each State and*
17 *Territory National Guard has at its disposal that are*
18 *available to respond to a homeland defense or security*
19 *incident, with particular focus on a multi-State elec-*
20 *tromagnetic pulse event.*

21 *(3) The readiness and resourcing status of forces*
22 *listed pursuant to paragraph (2).*

23 *(4) The current strengths and areas of improve-*
24 *ment in working with State and Federal interagency*
25 *partners.*

1 (5) *The current assessments that address Na-*
 2 *tional Guard readiness and resourcing of regular*
 3 *United States Northern Command forces postured to*
 4 *respond to homeland defense and security incidents.*

5 (6) *A roadmap to 2040 that addresses readiness*
 6 *across the spectrum of long-range emerging threats*
 7 *facing the United States.*

8 **SEC. 520D. NATIONAL GUARD SUPPORT TO MAJOR DISAS-**
 9 **TERS.**

10 *Section 502(f) of title 32, United States Code, is*
 11 *amended—*

12 (1) *in paragraph (2), by adding at the end the*
 13 *following:*

14 “(C) *Operations or missions authorized by the*
 15 *President or the Secretary of Defense to support large*
 16 *scale, complex, catastrophic disasters, as defined by*
 17 *section 311(3) of title 6, United States Code, at the*
 18 *request of a State governor.”; and*

19 (2) *by adding at the end the following:*

20 “(4) *With respect to operations or missions de-*
 21 *scribed under paragraph (2)(C), there is authorized to*
 22 *be appropriated to the Secretary of Defense such sums*
 23 *as may be necessary to carry out such operations and*
 24 *missions, but only if—*

1 “(A) an emergency has been declared by the
2 governor of the applicable State; and

3 “(B) the President has declared the emer-
4 gency to be a major disaster for the purposes of
5 the Robert T. Stafford Disaster Relief and Emer-
6 gency Assistance Act.”.

7 **SEC. 520E. REPORT ON METHODS TO ENHANCE DOMESTIC**
8 **RESPONSE TO LARGE SCALE, COMPLEX AND**
9 **CATASTROPHIC DISASTERS.**

10 (a) *IN GENERAL.*—Not later than 180 days after the
11 date of the enactment of this Act, the Secretary of Defense,
12 in consultation and coordination with the Federal Emer-
13 gency Management Agency, the National Security Council,
14 the Council of Governors, and the National Governors Asso-
15 ciation, shall submit to the congressional defense, the Com-
16 mittee on Homeland Security of the House of Representa-
17 tives, and the Committee on Homeland Security and Gov-
18 ernmental Affairs of the Senate a report on their plan to
19 establish policy and processes to implement the authority
20 provided by the amendments made by section 520. The re-
21 port shall include a detailed examination of the policy
22 framework consistent with existing authorities, identify
23 major statutory or policy impediments to implementation,
24 and make recommendations for legislation as appropriate.

1 (b) *CONTENTS.*—*The report submitted under para-*
2 *graph (1) shall include a description of—*

3 (1) *the current policy and processes whereby gov-*
4 *ernors can request activation of the National Guard*
5 *under title 32, United States Code, as part of the re-*
6 *sponse to large scale, complex, catastrophic disasters*
7 *that are supported by the Federal Government and, if*
8 *no formal process exists in policy, the Secretary of*
9 *Defense shall provide a timeline and plan to establish*
10 *such a policy, including consultation with the Council*
11 *of Governors and the National Governors Association;*

12 (2) *the Secretary of Defense’s assessment, in-*
13 *formed by consultation with the Federal Emergency*
14 *Management Agency, the National Security Council,*
15 *the Council of Governors, and the National Governors*
16 *Association, regarding the sufficiency of current au-*
17 *thorities for the reimbursement of National Guard*
18 *and Reserve manpower during large scale, complex,*
19 *catastrophic disasters under title 10 and title 32,*
20 *United States Code, and specifically whether reim-*
21 *bursement authorities are sufficient to ensure that*
22 *military training and readiness are not degraded to*
23 *fund disaster response, or invoking them degrades the*
24 *effectiveness of the Disaster Relief Fund;*

1 (3) *the Department of Defense’s plan to ensure*
2 *there is parallel and consistent policy in the applica-*
3 *tion of the authorities granted under section 12304a*
4 *of title 10, United States Code, and section 502(f) of*
5 *title 32, United States Code, including—*

6 (A) *a description of the disparities between*
7 *benefits and protections under Federal law*
8 *versus State active duty;*

9 (B) *recommended solutions to achieve par-*
10 *ity at the Federal level; and*

11 (C) *recommended changes at the State level,*
12 *if appropriate;*

13 (4) *the Department of Defense’s plan to ensure*
14 *there is parity of benefits and protections for military*
15 *members employed as part of the response to large*
16 *scale, complex, catastrophic disasters under title 32 or*
17 *title 10, United States Code, and recommendations*
18 *for addressing shortfalls; and*

19 (5) *a review, by the Federal Emergency Manage-*
20 *ment Agency, of the current policy for, and an assess-*
21 *ment of the sufficiency of, reimbursement authority*
22 *for the use of all National Guard and Reserve, both*
23 *to the Department of Defense and to the States, dur-*
24 *ing large scale, complex, catastrophic disasters, in-*

1 *cluding any policy and legal limitations, and cost as-*
 2 *essment impact on Federal funding.*

3 **SEC. 520F. REPORT REGARDING NATIONAL GUARD YOUTH**
 4 **CHALLENGE PROGRAM.**

5 *Not later than December 31, 2020, the Secretary of De-*
 6 *fense shall submit a report to the congressional defense com-*
 7 *mittees regarding the resources and authorities the Sec-*
 8 *retary determines necessary to identify the effects of the Na-*
 9 *tional Guard Youth Challenge Program on graduates of*
 10 *that program during the five years immediately preceding*
 11 *the date of the report. Such resources shall include the costs*
 12 *of identifying such effects beyond the 12-month, post-resi-*
 13 *dential mentoring period of that program.*

14 **SEC. 520G. PERMANENT EXTENSION OF SUICIDE PREVEN-**
 15 **TION AND RESILIENCE PROGRAM FOR THE**
 16 **RESERVE COMPONENTS.**

17 *Strike subsection (g) of section 10219 of title 10,*
 18 *United States Code.*

19 **SEC. 520H. TEMPORARY AUTHORITY TO USE AIR FORCE RE-**
 20 **SERVE COMPONENT PERSONNEL TO PROVIDE**
 21 **TRAINING AND INSTRUCTION REGARDING**
 22 **PILOT TRAINING.**

23 *(a) AUTHORITY.—*

24 *(1) IN GENERAL.—During fiscal year 2020, the*
 25 *Secretary of the Air Force may authorize personnel*

1 *described in paragraph (2) to provide training and*
2 *instruction regarding pilot training to the following:*

3 *(A) Members of the Armed Forces on active*
4 *duty.*

5 *(B) Members of foreign military forces who*
6 *are in the United States.*

7 (2) *PERSONNEL.—The personnel described in*
8 *this paragraph are the following:*

9 *(A) Members of the reserve components of*
10 *the Air Force on active Guard and Reserve duty*
11 *(as that term is defined in section 101(d) of title*
12 *10, United States Code) who are not otherwise*
13 *authorized to conduct the training described in*
14 *paragraph (1) due to the limitations in section*
15 *12310 of title 10, United States Code.*

16 *(B) Members of the Air Force who are mili-*
17 *tary technicians (dual status) who are not other-*
18 *wise authorized to conduct the training described*
19 *in paragraph (1) due to the limitations in sec-*
20 *tion 10216 of title 10, United States Code, and*
21 *section 709(a) of title 32, United States Code.*

22 (3) *LIMITATION.—Not more than 50 members de-*
23 *scribed 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 Force
 10 shall submit to the Committees on Armed Services of the
 11 Senate and the House of Representatives a report setting
 12 forth a plan to eliminate shortages in the number of pilot
 13 instructors within the Air Force using authorities available
 14 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 REGARD-***
 19 ***ING DENIED REQUESTS FOR UPGRADED DIS-***
 20 ***CHARGES AND DISMISSALS.***

21 (a) *ESTABLISHMENT.*—Chapter 79 of title 10, United
 22 States Code, is amended by inserting after section 1553 the
 23 following new section 1553a:

1 **“§ 1553a. Board of Discharge Appeals**

2 “(a) *ESTABLISHMENT.*—(1) *The Secretary of Defense*
 3 *shall establish a Board of Discharge Appeals to hear ap-*
 4 *peals of requests for upgraded discharges and dismissals*
 5 *under section 1553 of this title that are denied by the service*
 6 *review agencies.*

7 “(2) *The Board of Discharge Appeals shall consist of*
 8 *not fewer than three members appointed by the Secretary.*

9 “(b) *APPEAL.*—(1) *Upon the request of an appellant,*
 10 *the Board of Discharge Appeals shall review the findings*
 11 *and decisions of a service review agency regarding the re-*
 12 *view of the discharge or dismissal of the appellant.*

13 “(2) *The Board of Discharge Appeals may direct the*
 14 *Secretary of the military department concerned to change*
 15 *the discharge or dismissal of an appellant, or issue a new*
 16 *discharge for an appellant, to reflect its findings.*

17 “(c) *DEFINITIONS.*—*In this section:*

18 “(1) *The term ‘appellant’ means a former mem-*
 19 *ber of the armed forces (or if the former member is*
 20 *dead, the surviving spouse, next of kin, or legal rep-*
 21 *resentative of the former member) whose request for*
 22 *an upgraded discharge or dismissal was denied by a*
 23 *service review agency.*

24 “(2) *The term ‘service review agency’ has the*
 25 *meaning given that term in section 1555 of this*
 26 *title.”.*

1 (b) *TECHNICAL AND CONFORMING AMENDMENTS.*—

2 (1) *TABLE OF SECTIONS.*—*The table of sections*
 3 *at the beginning of such chapter is amended by in-*
 4 *serting after the item relating to section 1553 the fol-*
 5 *lowing new item:*

“1553a. Board of Discharge Appeals.”.

6 (2) *CONFORMING AMENDMENT.*—*Section 1553(b)*
 7 *of title 10, United States Code, is amended—*

8 (A) *by inserting “(1)” before “A board”;*
 9 *and*

10 (B) *by adding at the end the following new*
 11 *paragraph:*

12 *“(2) If a board of review established by the Secretary*
 13 *of a military department denies a request for an upgraded*
 14 *discharge or dismissal, that denial may be appealed to the*
 15 *Board of Discharge Appeals under section 1553a of this*
 16 *title.”.*

17 (c) *DEADLINE.*—*The Secretary of Defense shall estab-*
 18 *lish and implement the Board of Discharge Appeals under*
 19 *such section 1553a of title 10, United States Code, as added*
 20 *by subsection (a), not later than September 30, 2020.*

21 (d) *TRAINING.*—*Each member of the Board of Dis-*
 22 *charge Appeals established under such section 1553a shall*
 23 *receive training under section 534(c) of the National De-*
 24 *fense Authorization Act for Fiscal Year 2017 (Public Law*
 25 *114–328; 10 U.S.C. 1552 note).*

1 (e) *REPORTING.*—

2 (1) *REPORT.*—Not later than April 1, 2021, the
3 Secretary of Defense shall submit to the Committees
4 on Armed Services of the Senate and the House of
5 Representatives a report regarding the Board of Dis-
6 charge Appeals established under such section 1553a.
7 The report shall include, with respect to appeals
8 heard by the Board of Discharge Appeals since imple-
9 mentation, the following:

10 (A) *The number of appeals heard.*

11 (B) *The number of appeals granted.*

12 (C) *The number of appeals denied, includ-*
13 *ing the reasons for such denials.*

14 (D) *A summary of any differences between*
15 *reviews under section 1553 of title 10, United*
16 *States Code, and appeals under section 1553a of*
17 *such title.*

18 (2) *ONLINE PUBLICATION.*—On October 1 of each
19 year starting in 2022, the Secretary shall publish on-
20 line the information described in subparagraphs (A),
21 (B), and (C) of paragraph (1) with regards to the
22 preceding fiscal year.

1 **SEC. 522. PROHIBITION ON REDUCTION IN THE NUMBER OF**
 2 **PERSONNEL ASSIGNED TO DUTY WITH A**
 3 **SERVICE REVIEW AGENCY.**

4 (a) *PROHIBITION.*—Section 1559(a) of title 10, United
 5 States Code, is amended—

6 (1) by striking “December 31, 2019” and insert-
 7 ing “December 31, 2025”;

8 (2) by striking “that agency until—” and insert-
 9 ing “that agency.”; and

10 (3) by striking subsections (1) and (2).

11 (b) *REPORT.*—

12 (1) *REPORT REQUIRED.*—Not later than 180
 13 days after the enactment of this Act, the Secretary of
 14 each military department shall submit a report to the
 15 Committees on Armed Services of the Senate and
 16 House of Representatives that details a plan to—

17 (A) reduce the backlog of applications before
 18 the service review agency of the military depart-
 19 ment concerned; and

20 (B) maintain the resources required to meet
 21 the timeliness standards for disposition of appli-
 22 cations before the Corrections Boards under sec-
 23 tion 1557 of title 10, United States Code, not
 24 later than October 1, 2021.

25 (2) *ELEMENTS.*—Each report under this sub-
 26 section shall include the following:

1 (A) *A description of the current backlog of*
 2 *applications before the service review agency of*
 3 *the military department concerned.*

4 (B) *The number of personnel required to*
 5 *meet the deadline described in paragraph (1)(B).*

6 (C) *The plan of the Secretary concerned to*
 7 *modernize the application and review system of*
 8 *the service review agency of the military depart-*
 9 *ment concerned.*

10 **SEC. 523. ADVISORY COMMITTEE ON RECORD AND SERVICE**
 11 **REVIEW BOARDS.**

12 (a) *ESTABLISHMENT.*—*Not later than 180 days after*
 13 *the date of the enactment of this Act, the Secretary of De-*
 14 *fense shall establish a Department of Defense Advisory*
 15 *Committee to be known as the “Defense Advisory Committee*
 16 *on Record and Upgrade Review Boards” (in this section*
 17 *referred to as the “Advisory Committee”).*

18 (b) *MEMBERSHIP.*—

19 (1) *IN GENERAL.*—*The Advisory Committee shall*
 20 *consist of not more than 15 members appointed by the*
 21 *Secretary of Defense, eight of whom shall be civilian*
 22 *practitioners or representatives of organizations that*
 23 *have experience assisting members of the Armed*
 24 *Forces and veterans with cases before service review*

1 *boards (as that term is defined in section 1555 of title*
2 *10, United States Code).*

3 (2) *MEMBERS OF THE ARMED FORCES ON AC-*
4 *TIVE DUTY INELIGIBLE.*—*A member of the Armed*
5 *Forces serving on active duty may not serve as a*
6 *member of the Advisory Committee.*

7 (c) *PERSONNEL.*—

8 (1) *EXPERIENCE REQUIRED.*—*At least 35 per-*
9 *cent of members of the staff of the Advisory Com-*
10 *mittee shall have experience described in subsection*
11 *(b)(1).*

12 (2) *DIRECTOR; ASSISTANT DIRECTOR.*—*The di-*
13 *rector and assistant director of the Advisory Com-*
14 *mittee may not both be members of the Armed Forces*
15 *serving on active duty.*

16 (3) *STAFF.*—*Not more than 65 percent of the*
17 *staff of the Advisory Committee may be comprised of*
18 *members of the Armed Forces serving on active duty.*

19 (d) *DUTIES.*—*The Advisory Committee shall advise the*
20 *Secretary of Defense on the best structure, practices, and*
21 *procedures to ensure consistency of boards for the correction*
22 *of military records and service review boards in carrying*
23 *out their responsibilities under chapter 79 of title 10,*
24 *United States Code, and in granting relief to claimants*
25 *under that chapter.*

1 (e) *ANNUAL REPORT*.—Not later than one year after
2 the date of the establishment of the Advisory Committee and
3 annually thereafter for the three subsequent years, the Advi-
4 sory Committee shall submit to the Secretary of Defense and
5 the congressional defense committees a report containing ob-
6 servations and recommendations regarding issues of board
7 operations and efficacy, including—

8 (1) *granting relief at adequate rates;*

9 (2) *adhering to the intent of Congress, including*
10 *regarding liberal consideration;*

11 (3) *standards for evidence, training experience*
12 *and qualifications of board members;*

13 (4) *efficacy of efforts to ensure consistency across*
14 *boards;*

15 (5) *case management and record keeping sys-*
16 *tems, including electronic access to board precedents;*

17 (6) *ease of personal appearances by claimants;*

18 (7) *expert review of medical and psychiatric*
19 *cases; and*

20 (8) *related potential structural changes or alter-*
21 *native board models.*

22 (f) *TERMINATION*.—The Advisory Committee shall ter-
23 minate on the date that is four years after the date of estab-
24 lishment under subsection (a).

1 (g) *AUTHORITIES.*—*The Advisory Committee shall*
 2 *have all normal authorities granted to advisory committees,*
 3 *including the ability for staff to request documents from the*
 4 *Department of Defense, hold public hearings, and travel in*
 5 *furtherance of the board mandate. The board shall also be*
 6 *permitted, with assistance from personnel of the Depart-*
 7 *ment of Defense, to administer surveys and conduct field*
 8 *experiments to assess the viability of different policy options*
 9 *considered in the course of the activities of the Advisory*
 10 *Committee.*

11 **SEC. 524. TIME REQUIREMENTS FOR CERTIFICATION OF**
 12 **HONORABLE SERVICE.**

13 *Upon the submission to the Secretary of a military*
 14 *department or a designated commissioned officer serving in*
 15 *the pay grade O–6 or higher by a member of the Armed*
 16 *Forces of a completed United States Citizenship and Immi-*
 17 *gration Services Form N–426, the Secretary or the Officer*
 18 *shall—*

19 (1) *in the case of a member of the Armed Forces*
 20 *who has served or is serving honorably on active duty,*
 21 *provide certification that the nature of the member’s*
 22 *service has been honorable by not later than five days*
 23 *from receiving the form;*

24 (2) *in the case of a member of the Armed Forces*
 25 *who has served or is serving honorably in a Reserve*

1 *Component of the Armed Forces, provide such certifi-*
 2 *cation by not later than three weeks from receiving*
 3 *the form; and*

4 *(3) in the case of a member of the Armed Forces*
 5 *whose service has been other than honorable, provide*
 6 *to the member notice that a certification of honorable*
 7 *service will not be provided and justification for why*
 8 *such certification will not be provided—*

9 *(A) in the case of a member who has served*
 10 *or is serving on active duty, by not later than*
 11 *five days from receiving the form; and*

12 *(B) in the case of a member who has served*
 13 *or is serving in a Reserve Component, by not*
 14 *later than three weeks from receiving the form.*

15 **SEC. 525. PROHIBITION ON IMPLEMENTATION OF MILITARY**
 16 **SERVICE SUITABILITY DETERMINATIONS FOR**
 17 **FOREIGN NATIONALS WHO ARE LAWFUL PER-**
 18 **MANENT RESIDENTS.**

19 *The Secretary of Defense may not take any action to*
 20 *implement the memorandum titled “Military Service Suit-*
 21 *ability Determinations for Foreign Nationals Who Are*
 22 *Lawful Permanent Residents”, issued by the Secretary and*
 23 *dated October 13, 2017, until the Secretary reports to the*
 24 *congressional defense committees the justification for the*
 25 *policy changes required by such memorandum.*

1 **SEC. 526. STRATEGIC PLAN FOR DIVERSITY AND INCLU-**
2 **SION.**

3 (a) *PLAN REQUIRED.*—*The Secretary of Defense shall*
4 *design and implement a five-year strategic plan for diver-*
5 *sity and inclusion in the Department of Defense.*

6 (b) *ELEMENTS.*—*The strategic plan under this sec-*
7 *tion—*

8 (1) *shall be based on the strategic plan estab-*
9 *lished under section 2 of Executive Order No. 13583*
10 *(3 Fed. Reg. 13583 (August 18, 2011));*

11 (2) *shall incorporate existing efforts to promote*
12 *diversity and inclusion within the Department; and*

13 (3) *may not conflict with the objectives of the*
14 *2018 National Military Strategy.*

15 (c) *DEADLINE.*—*The Secretary shall implement the*
16 *strategic plan under this section on January 1, 2020.*

17 **SEC. 527. INDEPENDENT STUDY ON BARRIERS TO ENTRY**
18 **INTO THE ARMED FORCES FOR ENGLISH**
19 **LEARNERS.**

20 (a) *INDEPENDENT STUDY.*—*Not later than 30 days*
21 *after the date of the enactment of this Act, the Secretary*
22 *of Defense shall seek to enter into a contract with*
23 *a federally funded research and development center under*
24 *which the center will conduct a study on barriers to entry*
25 *into the Armed Forces for English learners.*

1 (b) *ELEMENTS.—The study under subsection (a)*
2 *shall—*

3 (1) *identify barriers to entry into the Armed*
4 *Forces for English learners, including—*

5 (A) *challenges with military recruiters and*
6 *language proficiency;*

7 (B) *challenges with the assessment of poten-*
8 *tial recruits, including the construction and de-*
9 *livery of and testing time constraints related to*
10 *the Armed Services Vocational Aptitude Battery;*

11 (C) *challenges with dissemination of re-*
12 *cruiting information; and*

13 (D) *any other challenges that may be iden-*
14 *tified by the federally funded research and devel-*
15 *opment center in the course of the study;*

16 (2) *the effect of such barriers on—*

17 (A) *the number of interactions recruiters*
18 *have with English learners;*

19 (B) *the enlistment rate among populations*
20 *of English learners; and*

21 (C) *any other effects that may be identified*
22 *by the federally funded research and development*
23 *center in the course of the study;*

24 (3) *an analysis of existing efforts and programs*
25 *to remove barriers to entry into the Armed Forces for*

1 *English learners, including an analysis of the*
2 *scalability and sustainability of such efforts and pro-*
3 *grams; and*

4 *(4) additional opportunities to address such bar-*
5 *riers, including alternative assessments and Armed*
6 *Services Vocational Aptitude Battery preparation*
7 *programs for English learners.*

8 *(c) SUBMITTAL TO DEPARTMENT OF DEFENSE.—Not*
9 *later than 270 days after the date of the enactment of this*
10 *Act, the federally funded research and development that con-*
11 *ducts the study under subsection (a) shall submit to the Sec-*
12 *retary of Defense a report on the results of the study.*

13 *(d) SUBMITTAL TO CONGRESS.—Not later than 30*
14 *days after the date on which the Secretary of Defense re-*
15 *ceives the report under subsection (c), the Secretary shall*
16 *submit to the congressional defense committees an unaltered*
17 *copy of the report and any comments of the Secretary with*
18 *respect to the report.*

19 *(e) ENGLISH LEARNER DEFINED.—In this section, the*
20 *term “English learner” has the meaning given that term*
21 *in section 8101 of the Elementary and Secondary Edu-*
22 *cation Act of 1965 (20 U.S.C. 7801).*

1 **SEC. 528. REENLISTMENT WAIVERS FOR PERSONS SEPA-**
 2 **RATED FROM THE ARMED FORCES WHO COM-**
 3 **MIT ONE MISDEMEANOR CANNABIS OFFENSE.**

4 (a) *IN GENERAL.*—Not later than 90 days after the
 5 date of the enactment of this Act, the Secretary of Defense
 6 shall prescribe regulations that permit any Secretary of a
 7 military department to grant a reenlistment waiver to a
 8 covered person if the Secretary determines that the reenlist-
 9 ment of that covered person is vital to the national interest.

10 (b) *DEFINITIONS.*—In this section:

11 (1) The term “covered person” means an indi-
 12 vidual—

13 (A) who has separated from the Armed
 14 Forces; and

15 (B) who has admitted to or been convicted
 16 by a court of competent jurisdiction of a single
 17 violation—

18 (i) of any law of a State or the United
 19 States relating to the use or possession of
 20 cannabis;

21 (ii) that constitutes a misdemeanor;
 22 and

23 (iii) that occurred while that indi-
 24 vidual was not on active service in the
 25 Armed Forces.

1 (2) *The terms “active service” and “military de-*
 2 *partment” have the meanings given such terms in sec-*
 3 *tion 101 of title 10, United States Code.*

4 **SEC. 529. SENSE OF CONGRESS REGARDING ACCESSION**
 5 **PHYSICALS.**

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

7 (1) *United States Military Entrance Processing*
 8 *Command (“USMEPCOM”) operates 65 Military*
 9 *Entrance Processing Stations (“MEPS”) dispersed*
 10 *throughout the 50 States and Puerto Rico.*

11 (2) *Applicants for accession into the Armed*
 12 *Forces must travel to the closest MEPS to receive*
 13 *physical examinations, are often driven by a military*
 14 *recruiter, and receive lodging at a nearby hotel, paid*
 15 *for by the Armed Force represented by that recruiter.*

16 (3) *In 2015, USMEPCOM reported that 473,000*
 17 *applicants from the military and other agencies proc-*
 18 *essed through the 65 MEPS, for a total of 931,000*
 19 *MEPS visits.*

20 (4) *Section 1703 of title 38, United States Code,*
 21 *authorizes the Secretary of Veterans Affairs to enter*
 22 *into contracts with private health care providers for*
 23 *physical examinations.*

24 (b) *SENSE OF CONGRESS.—It is the sense of Congress*
 25 *that the Secretary of Defense should explore alternatives to*

1 *centralized accession physicals at MEPS, including con-*
 2 *ducting physicals through community health care providers,*
 3 *in order to reduce transportation costs, increase efficiency*
 4 *in processing times, and free recruiters to focus on the core*
 5 *of the recruiting mission.*

6 **SEC. 530. RECOGNITION AND HONORING OF SERVICE OF IN-**
 7 **DIVIDUALS WHO SERVED IN UNITED STATES**
 8 **CADET NURSE CORPS DURING WORLD WAR II.**

9 *(a) DETERMINATION OF ACTIVE MILITARY SERVICE.—*

10 *(1) IN GENERAL.—The Secretary of Defense shall*
 11 *be deemed to have determined under subparagraph*
 12 *(A) of section 401(a)(1) of the GI Bill Improvement*
 13 *Act of 1977 (Public Law 95–202; 38 U.S.C. 106 note)*
 14 *that the service of the organization known as the*
 15 *United States Cadet Nurse Corps during the period*
 16 *beginning on July 1, 1943, and ending on December*
 17 *31, 1948, constitutes active military service.*

18 *(2) ISSUANCE OF DISCHARGE.—Not later than*
 19 *one year after the date of the enactment of this Act,*
 20 *the Secretary shall, pursuant to subparagraph (B) of*
 21 *such section, issue to each member of such organiza-*
 22 *tion a discharge from service of such organization*
 23 *under honorable conditions where the nature and du-*
 24 *ration of the service of such member so warrants.*

25 *(b) BENEFITS.—*

1 (1) *STATUS AS A VETERAN.*—*Except as otherwise*
2 *provided in this subsection, an individual who re-*
3 *ceives a discharge under subsection (a)(2) for service*
4 *shall be honored as a veteran but shall not be entitled*
5 *by reason of such service to any benefit under a law*
6 *administered by the Secretary of Veterans Affairs.*

7 (2) *BURIAL BENEFITS.*—*Service for which an in-*
8 *dividual receives a discharge under subsection (a)(2)*
9 *shall be considered service in the active military,*
10 *naval, or air service (as defined in section 101 of title*
11 *38, United States Code) for purposes of eligibility and*
12 *entitlement to benefits under chapters 23 and 24 of*
13 *title 38, United States Code, not including section*
14 *2410 of that title.*

15 (3) *MEDALS OR OTHER COMMENDATIONS.*—*The*
16 *Secretary of Defense may design and produce a serv-*
17 *ice medal or other commendation to honor individ-*
18 *uals who receive a discharge under subsection (a)(2).*

1 **SEC. 530A. DEVELOPMENT OF GUIDELINES FOR USE OF UN-**
2 **OFFICIAL SOURCES OF INFORMATION TO DE-**
3 **TERMINE ELIGIBILITY OF MEMBERS AND**
4 **FORMER MEMBERS OF THE ARMED FORCES**
5 **FOR BENEFITS AND DECORATIONS WHEN**
6 **THE SERVICE RECORDS ARE INCOMPLETE BE-**
7 **CAUSE OF DAMAGE TO THE OFFICIAL**
8 **RECORD.**

9 (a) *GUIDELINES REQUIRED.*—The Secretary of De-
10 fense shall develop guidelines regarding the use by the Secre-
11 taries of the military departments and the Secretary of Vet-
12 erans Affairs of unofficial sources of information, including
13 eyewitness statements, to determine the eligibility of a mem-
14 ber or former member of the Armed Forces for benefits and
15 decorations when the service records of the member are in-
16 complete because of damage to the records as a result of
17 the 1973 fire at the National Personnel Records Center in
18 St. Louis, Missouri, or any subsequent incident while the
19 records were in the possession of the Department of Defense.

20 (b) *CONSULTATION.*—The Secretary of Defense shall
21 prepare the guidelines in consultation with the Secretary
22 of Veterans Affairs, with respect to veterans benefits under
23 title 38, United States Code, whose eligibility determina-
24 tions depend on the use of service records maintained by
25 the Department of Defense.

1 (c) *TIME FOR COMPLETION.*—*The Secretary of Defense*
 2 *shall complete development of the guidelines not later than*
 3 *one year after the date of the enactment of this Act.*

4 **SEC. 530B. NONDISCRIMINATION WITH RESPECT TO SERV-**
 5 **ICE IN THE ARMED FORCES.**

6 (a) *IN GENERAL.*—*Chapter 37 of title 10, United*
 7 *States Code, is amended by inserting after section 651 the*
 8 *following new section:*

9 **“§ 651a. Members: nondiscrimination**

10 “(a) *STANDARDS FOR ELIGIBILITY FOR SERVICE.*—
 11 *Any qualifications established or applied for eligibility for*
 12 *service in an armed force shall take into account only the*
 13 *ability of an individual to meet gender-neutral occupa-*
 14 *tional standards for military service generally and the mili-*
 15 *tary occupational specialty concerned in particular, and*
 16 *may not include any criteria relating to the race, color,*
 17 *national origin, religion, or sex (including gender identity*
 18 *or sexual orientation) of an individual.*

19 “(b) *EQUALITY OF TREATMENT IN SERVICE.*—*Any*
 20 *personnel policy developed or implemented by the Depart-*
 21 *ment of Defense with respect to members of the armed forces*
 22 *shall ensure equality of treatment and opportunity for all*
 23 *persons in the armed forces, without regard to race, color,*
 24 *national origin, religion, and sex (including gender iden-*
 25 *tity and sexual orientation).*

1 “(c) *GENDER IDENTITY DEFINED.*—*In this section, the*
 2 *term ‘gender identity’ means the gender-related identity,*
 3 *appearance, mannerisms, or other gender-related character-*
 4 *istics of an individual, regardless of the individual’s des-*
 5 *ignated sex at birth.’”.*

6 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
 7 *the beginning of chapter 37 of such title is amended by in-*
 8 *serting after the item relating to section 651 the following*
 9 *new item:*

“651a. *Members: nondiscrimination.*”.

10 ***SEC. 530C. STUDY REGARDING SCREENING INDIVIDUALS***
 11 ***WHO SEEK TO ENLIST IN THE ARMED***
 12 ***FORCES.***

13 (a) *STUDY.*—*The Secretary of Defense shall study the*
 14 *feasibility of, in background investigations and security*
 15 *and suitability screenings of individuals who seek to enlist*
 16 *in the Armed Forces—*

17 (1) *screening for white nationalists and individ-*
 18 *uals with ties to white nationalist organizations; and*

19 (2) *using the following resources of the Federal*
 20 *Bureau of Investigation:*

21 (A) *The Tattoo and Graffiti Identification*
 22 *Program.*

23 (B) *The National Gang Intelligence Center.*

24 (b) *REPORT REQUIRED.*—*Not later than 90 days after*
 25 *the date of the enactment of this Act, the Secretary shall*

1 *submit an unclassified report in writing to the congres-*
 2 *sional defense committees containing conclusions of the Sec-*
 3 *retary regarding the study under subsection (a).*

4 **SEC. 530D. ADVICE AND COUNSEL OF TRAUMA EXPERTS IN**
 5 **REVIEW BY BOARDS FOR CORRECTION OF**
 6 **MILITARY RECORDS AND DISCHARGE REVIEW**
 7 **BOARDS OF CERTAIN CLAIMS.**

8 (a) *BOARDS FOR CORRECTION OF MILITARY*
 9 *RECORDS.*—Section 1552(g) of title 10, United States Code,
 10 *is amended—*

11 (1) *by inserting “(1)” after “(g)”;* and

12 (2) *by adding at the end the following new para-*
 13 *graph:*

14 “(2) *If a board established under subsection (a)(1) is*
 15 *reviewing a claim described in subsection (h), the board*
 16 *shall seek advice and counsel in the review from a psychia-*
 17 *trist, psychologist, or social worker with training on mental*
 18 *health issues associated with post-traumatic stress disorder*
 19 *or traumatic brain injury or other trauma as specified in*
 20 *the current edition of the Diagnostic and Statistical Man-*
 21 *ual of Mental Disorders published by the American Psy-*
 22 *chiatric Association.*

23 “(3) *If a board established under subsection (a)(1) is*
 24 *reviewing a claim in which sexual trauma, intimate part-*
 25 *ner violence, or spousal abuse is claimed, the board shall*

1 *seek advice and counsel in the review from an expert in*
 2 *trauma specific to sexual assault, intimate partner violence,*
 3 *or spousal abuse, as applicable.”.*

4 (b) *DISCHARGE REVIEW BOARDS.—Section 1553(d)(1)*
 5 *of such title is amended—*

6 (1) *by inserting “(A)” after “(1)”;* and

7 (2) *by adding at the end the following new sub-*
 8 *paragraph;*

9 “(B) *In the case of a former member described in para-*
 10 *graph (3)(B) who claims that the former member’s post-*
 11 *traumatic stress disorder or traumatic brain injury as de-*
 12 *scribed in that paragraph is based in whole or in part on*
 13 *sexual trauma, intimate partner violence, or spousal abuse,*
 14 *a board established under this section to review the former*
 15 *member’s discharge or dismissal shall seek advice and coun-*
 16 *sel in the review from a psychiatrist, psychologist, or social*
 17 *worker with training on mental health issues associated*
 18 *with post-traumatic stress disorder or traumatic brain in-*
 19 *jury or other trauma as specified in the current edition of*
 20 *the Diagnostic and Statistical Manual of Mental Disorders*
 21 *published by the American 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 Fiscal*
 10 *Year 2017 (10 U.S.C. 1552 note) shall include training on*
 11 *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 trau-*
 16 *ma.*

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 10,*
 21 *United States Code, that are under the jurisdiction of*
 22 *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 of*
 4 *Defense and the Secretary of Homeland Security shall*
 5 *jointly ensure that the training developed and pro-*
 6 *vided 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 cit-*
 19 *izen of the United States who is honorably discharged from*
 20 *the Armed Forces so the Secretary of Homeland Security*
 21 *may note such discharge in an I–213 Record of Deportable/*
 22 *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 on
 10 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 pro-
 16 tected status under section 244 of the Immigration and Na-
 17 tionality 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, the
 24 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 “Re-*
 5 *store 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 Depart-*
 8 *ment of Defense, the appropriate discharge boards shall re-*
 9 *view the discharge characterization of covered members at*
 10 *the request of a covered member, and shall change the dis-*
 11 *charge characterization of a covered member to honorable*
 12 *if such change is determined to be appropriate after a re-*
 13 *view is conducted.*

14 (c) *APPEAL.*—*A covered member, or the representative*
 15 *of the member, may appeal a decision by the appropriate*
 16 *discharge board to not change the discharge characteriza-*
 17 *tion by using the regular appeals process of the board.*

18 (d) *CHANGE OF RECORDS.*—*For each covered member*
 19 *whose discharge characterization is changed under sub-*
 20 *section (a), or for each covered member who was honorably*
 21 *discharged but whose DD–214 form reflects the sexual ori-*
 22 *entation of the member, the Secretary of Defense shall re-*
 23 *issue to the member or their representative a revised DD–*
 24 *214 form that does not reflect the sexual orientation of the*
 25 *member or reason for initial discharge.*

1 (e) *DEFINITIONS.*—*In this section:*

2 (1) *The term “appropriate discharge board”*
 3 *means the boards for correction of military records*
 4 *under section 1552 of title 10, United States Code, or*
 5 *the discharge review boards under section 1553 of*
 6 *such title, as the case may be.*

7 (2) *The term “covered member” means any*
 8 *former member of the Armed Forces who was dis-*
 9 *charged from the Armed Forces because of the sexual*
 10 *orientation of the member.*

11 (3) *The term “discharge characterization” means*
 12 *the characterization under which a member of the*
 13 *Armed forces is discharged or released, including*
 14 *“dishonorable”, “general”, “other than honorable”,*
 15 *and “honorable”.*

16 (4) *The term “representative” means the sur-*
 17 *viving spouse, next of kin, or legal representative of*
 18 *a covered member.*

19 ***Subtitle D—Military Justice***

20 ***SEC. 531. COMMAND INFLUENCE.***

21 (a) *IN GENERAL.*—*Section 837 of title 10, United*
 22 *States Code (article 37 of the Uniform Code of Military Jus-*
 23 *tice), 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 any
 7 other commanding officer, may censure, reprimand, or ad-
 8 monish the court or any member, military judge, or counsel
 9 thereof, with respect to the findings or sentence adjudged
 10 by the court, or with respect to any other exercise of its
 11 or his functions in the conduct of the proceeding.

12 “(2) No court-martial convening authority, nor any
 13 other commanding officer, may deter or attempt to deter
 14 a potential witness from participating in the investigatory
 15 process or testifying at a court-martial. The denial of a re-
 16 quest to travel at government expense or refusal to make
 17 a witness available shall not by itself constitute unlawful
 18 command influence.

19 “(3) No person subject to this chapter may attempt
 20 to coerce or, by any unauthorized means, attempt to influ-
 21 ence the action of a court-martial or any other military
 22 tribunal or any member thereof, in reaching the findings
 23 or sentence in any case, or the action of any convening,
 24 approving, or reviewing authority or preliminary hearing

1 *officer with respect to such acts taken pursuant to this chap-*
2 *ter 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 designed*
7 *solely for the purpose of instructing members of a*
8 *command in the substantive and procedural aspects of*
9 *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 make*
 5 *a particular disposition in a specific case or otherwise sub-*
 6 *stitute the discretion of such authority or such officer for*
 7 *that of the subordinate convening authority or officer.”;*

8 *(3) in subsection (b)—*

9 *(A) by striking “advanced, in grade” and*
 10 *inserting “advanced in grade”; and*

11 *(B) by striking “accused before a court-mar-*
 12 *tial” and inserting “person in a court-martial*
 13 *proceeding”; and*

14 *(4) by adding at the end the following new sub-*
 15 *sections:*

16 *“(c) No finding or sentence of a court-martial may be*
 17 *held incorrect on the ground of a violation of this section*
 18 *unless the violation materially prejudices the substantial*
 19 *rights of the accused.*

20 *“(d)(1) A superior convening authority or com-*
 21 *manding officer may withhold the authority of a subordi-*
 22 *nate convening authority or officer to dispose of offenses in*
 23 *individual cases, types of cases, or generally.*

24 *“(2) Except as provided in paragraph (1) or as other-*
 25 *wise authorized by this chapter, a superior convening au-*

1 *thority or commanding officer may not limit the discretion*
 2 *of a subordinate convening authority or officer to act with*
 3 *respect to a case for which the subordinate convening au-*
 4 *thority or officer has authority to dispose of the offenses.”.*

5 (b) *CLERICAL AMENDMENT.—The table of sections at*
 6 *the beginning subchapter VII of chapter 47 of title 10,*
 7 *United States Code (the Uniform Code of Military Justice),*
 8 *is amended by striking the item relating to section 837 (ar-*
 9 *ticle 37) and inserting the following new item:*

“837. Art. 37. Command influence.”.

10 (c) *EFFECTIVE DATE.—The amendments made by sub-*
 11 *sections (a) and (b) shall take effect on the date of the enact-*
 12 *ment of this Act and shall apply with respect to violations*
 13 *of section 837 of title 10, United States Code (article 37*
 14 *of the Uniform Code of Military Justice), committed on or*
 15 *after such date.*

16 **SEC. 532. STATUTE OF LIMITATIONS FOR CERTAIN OF-**
 17 **FENSES.**

18 (a) *IN GENERAL.—Section 843 of title 10, United*
 19 *States Code (article 43 of the Uniform Code of Military Jus-*
 20 *tice), is amended—*

21 (1) *in subsection (a), by inserting “maiming of*
 22 *a child, kidnapping of a child,” after “sexual assault*
 23 *of a child,”; and*

24 (2) *in subsection (b)(2)(B)—*

25 (A) *by striking clauses (ii) and (iv); and*

1 (B) by redesignating clause (iii) as clause
2 (ii).

3 (b) *EFFECTIVE DATE.*—*The amendments made by sub-*
4 *section (a) shall take effect on the date of the enactment*
5 *of this Act and shall apply with respect to the prosecution*
6 *of offenses committed before, on, or after the date of the en-*
7 *actment of this Act if the applicable limitation period has*
8 *not yet expired.*

9 **SEC. 533. GUIDELINES ON SENTENCES FOR OFFENSES COM-**
10 **MITTED UNDER THE UNIFORM CODE OF MILI-**
11 **TARY JUSTICE.**

12 (a) *GUIDELINES REQUIRED.*—*Not later than the date*
13 *specified in subsection (c), the Secretary of Defense shall*
14 *establish nonbinding guidelines on sentences for offenses*
15 *under chapter 47 of title 10, United States Code (the Uni-*
16 *form Code of Military Justice). The guidelines shall provide*
17 *the sentencing authority with a suggested range of punish-*
18 *ments, including suggested ranges of confinement, that will*
19 *generally be appropriate for a violation of each offense*
20 *under such chapter.*

21 (b) *SENTENCING DATA.*—*In developing the guidelines*
22 *for sentences under subsection (a), the Secretary of Defense*
23 *shall take into account the sentencing data collected by the*
24 *Military Justice Review Panel pursuant to section 946(f)(2)*

1 of title 10, United States Code (article 146(f)(2) of the Uni-
 2 form Code of Military Justice).

3 (c) *DATE SPECIFIED.*—The date specified in this sub-
 4 section is the date that is not later than one year after the
 5 date on the which the first report of the Military Justice
 6 Review Panel is submitted to the Committees on Armed
 7 Services of the Senate and the House of Representatives
 8 pursuant to section 946(f)(5) of title 10, United States Code
 9 (article 146(f)(5) of the Uniform Code of Military Justice).

10 **SEC. 534. EXPANSION OF RESPONSIBILITIES OF COM-**
 11 **MANDERS FOR VICTIMS OF SEXUAL ASSAULT**
 12 **COMMITTED BY ANOTHER MEMBER OF THE**
 13 **ARMED FORCES.**

14 (a) *NOTIFICATION OF VICTIMS OF EVENTS IN MILI-*
 15 *TARY JUSTICE PROCESS.*—

16 (1) *NOTIFICATION REQUIRED.*—The commander
 17 of a member of the Armed Forces who is the alleged
 18 victim of sexual assault committed by another mem-
 19 ber of the Armed Forces shall provide notification to
 20 such alleged victim of every key or other significant
 21 event in the military justice process in connection
 22 with the investigation, prosecution, and confinement
 23 of such other member for sexual assault.

24 (2) *DOCUMENTATION.*—Each commander de-
 25 scribed in paragraph (1) shall create and maintain

1 *appropriate documentation on any notification pro-*
 2 *vided as described in that paragraph.*

3 *(b) DOCUMENTATION OF VICTIM'S PREFERENCE ON JU-*
 4 *RISDICTION IN PROSECUTION.—In the case of a member of*
 5 *the Armed Forces who is the alleged victim of sexual assault*
 6 *committed by another member of the Armed Forces who is*
 7 *subject to prosecution for such offense both by court-martial*
 8 *under chapter 47 of title 10, United States Code (the Uni-*
 9 *form Code of Military Justice), and by a civilian court*
 10 *under State law, the commander of such alleged victim shall*
 11 *create and maintain appropriate documentation of the ex-*
 12 *pressed preference, if any, of such alleged victim for pros-*
 13 *ecution of such offense by court-martial or by a civilian*
 14 *court as provided for by Rule 306(e) of the Rules for Court-*
 15 *Martial.*

16 *(c) REGULATIONS.—The Secretary of Defense shall*
 17 *prescribe in regulations the requirements applicable to each*
 18 *of the following:*

19 *(1) Notifications under subsection (a)(1).*

20 *(2) Documentation under subsection (a)(2).*

21 *(3) Documentation under subsection (b).*

22 **SEC. 535. INCREASE IN INVESTIGATIVE PERSONNEL AND**
 23 **VICTIM WITNESS ASSISTANCE PROGRAM LIAI-**
 24 **SONS.**

25 *(a) MILITARY CRIMINAL INVESTIGATIVE SERVICES.—*

1 (1) *MINIMUM STAFFING LEVEL.*—Not later than
2 one year after the date of the enactment of this Act,
3 the Secretary of each military department shall en-
4 sure that the number of personnel assigned to the
5 military criminal investigative services of the depart-
6 ment is sufficient to ensure, to the extent practicable,
7 that the investigation of any sex-related offense is
8 completed not later than six months after the date on
9 which the investigation is initiated.

10 (2) *STATUS REPORTS REQUIRED.*—Not later
11 than one year after the date of the enactment of this
12 Act, Secretary of each military department shall issue
13 guidance requiring that any criminal investigator of
14 the department who is assigned to investigate a sex-
15 related offense submits a status report to the direct
16 supervisor of such investigator in the event that the
17 investigation of such offense exceeds 90 days in dura-
18 tion. Each status report shall include—

19 (A) a detailed explanation of the status of
20 the investigation;

21 (B) identification of any information that
22 has not yet been obtained but is necessary to
23 complete the investigation; and

1 (C) identification of any barriers pre-
2 venting the investigator from accessing such in-
3 formation.

4 (b) *VICTIM WITNESS ASSISTANCE PROGRAM LIAI-*
5 *SONS.*—Not later than one year after the date of the enact-
6 ment of this Act, the Secretary of each military department
7 shall increase the number of personnel serving as Victim
8 Witness Assistance Program liaisons to address personnel
9 shortages in the Victim Witness Assistance Program.

10 **SEC. 536. INCREASE IN NUMBER OF DIGITAL FORENSIC EX-**
11 **AMINERS FOR THE MILITARY CRIMINAL IN-**
12 **VESTIGATION ORGANIZATIONS.**

13 (a) *IN GENERAL.*—Each Secretary of a military de-
14 partment shall take appropriate actions to increase the
15 number of digital forensic examiners in each military
16 criminal investigation organization (MCIO) under the ju-
17 risdiction of such Secretary by not fewer than 10 from the
18 authorized number of such examiners for such organization
19 as of September 30, 2019.

20 (b) *MILITARY CRIMINAL INVESTIGATION ORGANIZA-*
21 *TIONS.*—For purposes of this section, the military criminal
22 investigation organizations are the following:

- 23 (1) *The Army Criminal Investigation Command.*
24 (2) *The Naval Criminal Investigative Service.*

1 (3) *The Air Force Office of Special Investiga-*
2 *tions.*

3 (4) *The Marine Corps. Criminal Investigation*
4 *Division.*

5 (c) *FUNDING.—Funds for additional digital forensic*
6 *examiners as required by subsection (a) for fiscal year 2020,*
7 *including for compensation, initial training, and equip-*
8 *ment, shall be derived from amounts authorized to be appro-*
9 *priated for that fiscal year for the Armed Force concerned*
10 *for operation and maintenance.*

11 **SEC. 537. PILOT PROGRAMS ON DEFENSE INVESTIGATORS**
12 **IN THE MILITARY JUSTICE SYSTEM.**

13 (a) *IN GENERAL.—Each Secretary of a military de-*
14 *partment shall carry out a pilot program on defense inves-*
15 *tigators within the military justice system under the juris-*
16 *diction of such Secretary in order to do the following:*

17 (1) *Determine whether the presence of defense in-*
18 *vestigators within such military justice system will—*

19 (A) *make such military justice system more*
20 *effective in providing an effective defense for the*
21 *accused; and*

22 (B) *make such military justice system more*
23 *fair and efficient.*

1 (2) *Otherwise assess the feasibility and advis-*
2 *ability of defense investigators as an element of such*
3 *military justice system.*

4 (b) *ELEMENTS.—*

5 (1) *INTERVIEW OF VICTIM.—A defense investi-*
6 *gator may question a victim under a pilot program*
7 *only upon a request made through the Special Vic-*
8 *tims' Counsel or other counsel if the victim does not*
9 *have such counsel.*

10 (2) *UNIFORMITY ACROSS MILITARY JUSTICE SYS-*
11 *TEMS.—The Secretary of Defense shall ensure that the*
12 *personnel and activities of defense investigators under*
13 *the pilot programs are, to the extent practicable, uni-*
14 *form across the military justice systems of the mili-*
15 *tary departments.*

16 (c) *REPORT.—*

17 (1) *IN GENERAL.—Not later than three years*
18 *after the date of the enactment of this Act, the Sec-*
19 *retary of Defense shall, in consultation with the Sec-*
20 *retaries of the military departments, submit to the*
21 *Committees on Armed Services of the Senate and the*
22 *House of Representatives a report on the pilot pro-*
23 *grams under subsection (a).*

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

1 (A) A description of each pilot program, in-
 2 cluding the personnel and activities of defense
 3 investigators under such pilot program.

4 (B) An assessment of the feasibility and ad-
 5 visability of establishing and maintaining de-
 6 fense investigators as an element of the military
 7 justice systems of the military departments.

8 (C) If the assessment under subparagraph
 9 (B) is that the establishment and maintenance of
 10 defense investigators as an element of the mili-
 11 tary justice systems of the military departments
 12 is feasible and advisable, such recommendations
 13 for legislative and administrative action as the
 14 Secretary of Defense considers appropriate to es-
 15 tablish and maintain defense investigators as an
 16 element of the military justice systems.

17 (D) Any other matters the Secretary of De-
 18 fense considers appropriate.

19 **SEC. 538. PILOT PROGRAM ON PROSECUTION OF SPECIAL**
 20 **VICTIM OFFENSES COMMITTED BY**
 21 **ATTENDEES OF MILITARY SERVICE ACAD-**
 22 **EMIES.**

23 (a) *PILOT PROGRAM.*—Beginning not later than Jan-
 24 uary 1, 2020, the Secretary of Defense shall carry out a
 25 pilot program (referred to in this section as the “Pilot Pro-

1 gram”) under which the Secretary shall establish, in ac-
 2 cordance with this section, an independent authority to—

3 (1) review each covered special victim offense;

4 and

5 (2) determine whether such offense shall be re-
 6 ferred to trial by an appropriate court-martial con-
 7 vening authority.

8 (b) OFFICE OF THE CHIEF PROSECUTOR.—

9 (1) ESTABLISHMENT.—As part of the Pilot Pro-
 10 gram, the Secretary shall establish, within the Office
 11 of the Secretary of Defense, an Office of the Chief
 12 Prosecutor.

13 (2) HEAD OF OFFICE.—The head of the Office
 14 shall be known as the Chief Prosecutor. The Secretary
 15 shall appoint as the Chief Prosecutor a commissioned
 16 officer in the grade of O-7 or above who—

17 (A) has significant experience prosecuting
 18 sexual assault trials by court-martial; and

19 (B) is outside the chain of command of any
 20 cadet or midshipman described in subsection
 21 (f)(2).

22 (3) RESPONSIBILITIES.—The Chief Prosecutor
 23 shall exercise the authorities described in subsection
 24 (c) but only with respect to covered special victim of-
 25 fenses.

1 (4) *SPECIAL RULE.*—Notwithstanding any other
 2 provision of law, the military service from which the
 3 Chief Prosecutor is appointed is authorized an addi-
 4 tional billet for a general officer or a flag officer for
 5 each year in the two year period beginning with the
 6 year in which the appointment is made.

7 (5) *TERMINATION.*—The Office of the Chief Pros-
 8 ecutor shall terminate on the date on which the Pilot
 9 Program terminates under subsection (e).

10 (c) *REFERRAL TO OFFICE OF THE CHIEF PROS-*
 11 *ECUTOR.*—

12 (1) *INVESTIGATION PHASE.*—

13 (A) *NOTICE AND INFORMATION.*—A mili-
 14 tary criminal investigative organization that re-
 15 ceives an allegation of a covered special victim
 16 offense shall provide to the Chief Prosecutor and
 17 the commander of the military service academy
 18 concerned—

19 (i) *timely notice of such allegation;*

20 and

21 (ii) *any information and evidence ob-*
 22 *tained as the result a subsequent investiga-*
 23 *tion into the allegation.*

24 (B) *TRIAL COUNSEL.*—A trial counsel as-
 25 signed to a case involving a covered special vic-

1 *tim offense shall, during the investigative phase*
 2 *of such case, provide the Chief Prosecutor with*
 3 *the information necessary to enable the Chief*
 4 *Prosecutor to make the determination required*
 5 *under paragraph (3).*

6 (2) *REFERRAL TO CHIEF PROSECUTOR.—In the*
 7 *case of a charge relating to a covered special victim*
 8 *offense, in addition to referring the charge to the staff*
 9 *judge advocate under subsection (a) or (b) of section*
 10 *834 of title 10, United States Code (article 34 of the*
 11 *Uniform Code of Military Justice), the convening au-*
 12 *thority of the Armed Force of which the accused is a*
 13 *member shall refer, as soon as reasonably practicable,*
 14 *the charge to the Chief Prosecutor to make the deter-*
 15 *mination required by paragraph (3).*

16 (3) *PROSECUTORIAL DETERMINATION.—The*
 17 *Chief Prosecutor shall make a determination regard-*
 18 *ing whether a charge relating to a covered special vic-*
 19 *tim offense shall be referred to trial. If the Chief Pros-*
 20 *ecutor makes a determination that the charge shall be*
 21 *tried by court-martial, the Chief Prosecutor also shall*
 22 *determine whether the charge shall be tried by a gen-*
 23 *eral court-martial convened under section 822 of title*
 24 *10, United States Code (article 22 of the Uniform*
 25 *Code of Military Justice) or a special court-martial*

1 convened under section 823 of such title (article 23 of
 2 the Uniform Code of Military Justice). The deter-
 3 mination of whether to try a charge relating to a cov-
 4 ered special victim offense by court-martial shall in-
 5 clude a determination of whether to try any known
 6 offenses, including any lesser included offenses.

7 (4) *EFFECT OF DETERMINATION AND APPEALS*
 8 *PROCESS.*—

9 (A) *DETERMINATION TO PROCEED TO*
 10 *TRIAL.*—Subject to subparagraph (C) determina-
 11 tion to try a charge relating to a covered special
 12 victim offense by court-martial under paragraph
 13 (3), and the determination as to the type of
 14 court-martial, shall be binding on any convening
 15 authority under chapter 47 of title 10, United
 16 States Code (the Uniform Code of Military Jus-
 17 tice) for a trial by court-martial on the charge.

18 (B) *DETERMINATION NOT TO PROCEED TO*
 19 *TRIAL.*—Subject to subparagraph (C) determina-
 20 tion under paragraph (3) not to proceed to trial
 21 on a charge relating to a covered special victim
 22 offense by general or special court-martial shall
 23 be binding on any convening authority under
 24 chapter 47 of title 10, United States Code (the
 25 Uniform Code of Military Justice) except that

1 *such determination shall not operate to termi-*
 2 *nate or otherwise alter the authority of the con-*
 3 *vening authority—*

4 *(i) to proceed to trial by court-martial*
 5 *on charges of collateral misconduct related*
 6 *to the special victim offense; or*

7 *(ii) to impose non-judicial punishment*
 8 *in connection with the conduct covered by*
 9 *the charge as authorized by section 815 of*
 10 *such title (article 15 of the Uniform Code of*
 11 *Military Justice).*

12 *(C) APPEAL.—In a case in which a con-*
 13 *vening authority and the staff judge advocate ad-*
 14 *vising such authority disagree with the deter-*
 15 *mination of the Chief Prosecutor under para-*
 16 *graph (3), the convening authority and staff*
 17 *judge advocate may jointly appeal the deter-*
 18 *mination to the General Counsel of the Depart-*
 19 *ment of Defense. The determination of the Gen-*
 20 *eral Counsel with respect to such appeal shall be*
 21 *binding on the Chief Prosecutor and the con-*
 22 *vening authority concerned.*

23 *(5) TRIAL BY RANDOMIZED JURY.—After the*
 24 *Chief Prosecutor makes a determination under para-*
 25 *graph (3) to proceed to trial on a charge relating to*

1 *a covered special victim offense, the matter shall be*
 2 *tried by a court-martial convened within the Armed*
 3 *Force of which the accused is a member in accordance*
 4 *with the applicable provisions of chapter 47 of title*
 5 *10, United States Code (the Uniform Code of Military*
 6 *Justice) except that, when convening a court-martial*
 7 *that is a general or special court-martial involving a*
 8 *covered special victim offense in which the accused*
 9 *elects a jury trial, the convening authority shall de-*
 10 *tail members of the Armed Forces as members thereof*
 11 *at random unless the obtainability of members of the*
 12 *Armed Forces for such court-martial prevents the con-*
 13 *vening authority from detailing such members at ran-*
 14 *dom.*

15 (6) *UNLAWFUL INFLUENCE OR COERCION.—The*
 16 *actions of the Chief Prosecutor under this subsection*
 17 *whether or not to try charges by court-martial shall*
 18 *be free of unlawful or unauthorized influence or coer-*
 19 *cion.*

20 (d) *EFFECT ON OTHER LAW.—This section shall su-*
 21 *persede any provision of chapter 47 of title 10, United*
 22 *States Code (the Uniform Code of Military Justice), that*
 23 *is inconsistent with this section, but only to the extent of*
 24 *the inconsistency.*

25 (e) *TERMINATION AND TRANSITION.—*

1 (1) *TERMINATION.*—*The authority of the Sec-*
 2 *retary to carry out the Pilot Program shall terminate*
 3 *four years after the date on which the Pilot Program*
 4 *is initiated.*

5 (2) *TRANSITION.*—*The Secretary shall take such*
 6 *actions as are necessary to ensure that, on the date*
 7 *on which the Pilot Program terminates under para-*
 8 *graph (1), any matter referred to the Chief Prosecutor*
 9 *under subsection (c)(2), but with respect to which the*
 10 *Chief Prosecutor has not made a determination under*
 11 *subsection (c)(3), shall be transferred to the appro-*
 12 *priate convening authority for consideration.*

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

14 (1) *The term “Armed Force” has the meaning*
 15 *given that term in section 101(a)(4) of title 10,*
 16 *United States Code.*

17 (2) *The term “covered special victim offense”*
 18 *means a special victim offense—*

19 (A) *alleged to have been committed on or*
 20 *after the date of the enactment of this Act by a*
 21 *cadet of the United States Military Academy, the*
 22 *United States Air Force Academy, or the United*
 23 *States Coast Guard Academy, without regard to*
 24 *the location at which the offense was committed;*
 25 *or*

1 (B) *alleged to have been committed on or*
2 *after the date of the enactment of this Act by a*
3 *midshipman of the United States Naval Acad-*
4 *emy, without regard to the location at which the*
5 *offense was committed.*

6 (3) *The term “Secretary” means the Secretary of*
7 *Defense.*

8 (4) *The term “special victim offense” means any*
9 *of the following:*

10 (A) *An offense under section 917a, 920,*
11 *920b, 920c, or 930 of title 10, United States*
12 *Code (article 117a, 120, 120b, 120c, or 130 of the*
13 *Uniform Code of Military Justice).*

14 (B) *A conspiracy to commit an offense spec-*
15 *ified in subparagraph (A) as punishable under*
16 *section 881 of such title (article 81 of the Uni-*
17 *form Code of Military Justice).*

18 (C) *A solicitation to commit an offense*
19 *specified in subparagraph (A) as punishable*
20 *under section 882 of such title (article 82 of the*
21 *Uniform Code of Military Justice).*

22 (D) *An attempt to commit an offense speci-*
23 *fied in subparagraph (A) as punishable under*
24 *section 880 of such title (article 80 of the Uni-*
25 *form Code of Military Justice).*

1 **SEC. 539. TIMELY DISPOSITION OF NONPROSECUTABLE**
2 **SEX-RELATED OFFENSES.**

3 (a) *POLICY REQUIRED.*—Not later than 180 days after
4 the date of the enactment of this Act, the Secretary of De-
5 fense shall develop and implement a policy to ensure the
6 timely disposition of nonprosecutable sex-related offenses in
7 accordance with subsection (b).

8 (b) *ELEMENTS.*—The policy developed under sub-
9 section (a) shall require the following:

10 (1) Not later than seven days after the date on
11 which a court-martial convening authority declines to
12 refer a nonprosecutable sex-related offense for trial by
13 general or special court-martial under chapter 47 of
14 title 10, United States Code (the Uniform Code of
15 Military Justice), the convening authority will for-
16 ward the investigation to the commander of the ac-
17 cused.

18 (2) Not later than 90 days after the date on
19 which the commander of the accused receives the in-
20 vestigation under paragraph (1)—

21 (A) the commander will determine whether
22 or not to take other judicial, nonjudicial, or ad-
23 ministrative action in connection with the con-
24 duct covered by the investigation, including any
25 lesser included offenses, as authorized under sec-

1 tion 815 of title 10, United States Code (article
 2 15 of the Uniform Code of Military Justice); and
 3 (B) in a case in which the commander of
 4 the accused decides to take additional action
 5 under subparagraph (A), the commander take
 6 such actions as appropriate.

7 (c) *NONPROSECUTABLE SEX-RELATED OFFENSE DE-*
 8 *FINED.*—In this section, the term “nonprosecutable sex-re-
 9 *lated offense*” means an alleged sex-related offense (as that
 10 term is defined in section 1044e(g) of title 10, United States
 11 Code) that a court-martial convening authority has de-
 12 clined to refer for trial by a general or special court-martial
 13 under chapter 47 of title 10, United States Code (the Uni-
 14 form Code of Military Justice) due to a determination that
 15 there is insufficient evidence to support prosecution of the
 16 sex-related offense.

17 **SEC. 540. TRAINING FOR SEXUAL ASSAULT INITIAL DIS-**
 18 **POSITION AUTHORITIES ON EXERCISE OF**
 19 **DISPOSITION AUTHORITY FOR SEXUAL AS-**
 20 **SAULT AND COLLATERAL OFFENSES.**

21 (a) *IN GENERAL.*—The training for sexual assault ini-
 22 tial Disposition authorities on the exercise of disposition
 23 authority under chapter 47 of title 10, United States Code
 24 (the Uniform Code of Military Justice), with respect to
 25 cases for which disposition authority is withheld to such

1 *authorities by the April 20, 2012, memorandum of the Sec-*
 2 *retary of Defense, or any successor memorandum, shall in-*
 3 *clude comprehensive training on the exercise by such au-*
 4 *thorities of such authority with respect to such cases in*
 5 *order to enhance the capabilities of such Authorities in the*
 6 *exercise of such authority and thereby promote confidence*
 7 *and trust in the military justice process with respect to such*
 8 *cases.*

9 (b) *MEMORANDUM OF SECRETARY OF DEFENSE.—The*
 10 *April 20, 2012, memorandum of the Secretary of Defense*
 11 *referred to in subsection (a) is the memorandum of the Sec-*
 12 *retary of Defense entitled “Withholding Initial Disposition*
 13 *Authority Under the Uniform Code of Military Justice in*
 14 *Certain Sexual Assault Cases” and dated April 20, 2012.*

15 **SEC. 540A. ASSESSMENT OF RACIAL, ETHNIC, AND GENDER**
 16 **DISPARITIES IN THE MILITARY JUSTICE SYS-**
 17 **TEM.**

18 (a) *IN GENERAL.—Not later than 180 days after the*
 19 *date of the enactment of this Act, the Secretary of Defense*
 20 *shall carry out the activities described in subsection (b) to*
 21 *improve the ability of the Department of Defense to detect*
 22 *and address racial, ethnic, and gender disparities in the*
 23 *military justice system.*

24 (b) *ACTIVITIES DESCRIBED.—The activities described*
 25 *in this subsection are the following:*

1 (1) *For each court-martial carried out by an*
2 *Armed Force after the date of the enactment of this*
3 *Act, the Secretary of Defense shall require the head of*
4 *the Armed Force concerned—*

5 (A) *to record the race, ethnicity, and gender*
6 *of the victim and the accused, and such other de-*
7 *mographic information about the victim and the*
8 *accused as the Secretary considers appropriate;*

9 (B) *to include data based on the informa-*
10 *tion described in subparagraph (A) in the an-*
11 *nual military justice reports of the Armed Force.*

12 (2) *The Secretary of Defense, in consultation*
13 *with the Secretaries of the military departments and*
14 *the Secretary of Homeland Security, shall issue guid-*
15 *ance that—*

16 (A) *establishes criteria to determine when*
17 *data indicating possible racial, ethnic, or gender*
18 *disparities in the military justice process should*
19 *be further reviewed; and*

20 (B) *describes how such a review should be*
21 *conducted.*

22 (3) *The Secretary of Defense, in consultation*
23 *with the Secretaries of the military departments and*
24 *the Secretary of Homeland Security, shall—*

1 (A) conduct an evaluation to identify the
2 causes of any racial, ethnic, or gender disparities
3 in the military justice system;

4 (B) take steps to address the causes of such
5 disparities, as appropriate.

6 **SEC. 540B. EXPANSION OF PRE-REFERRAL MATTERS RE-**
7 **VIEWABLE BY MILITARY JUDGES AND MILI-**
8 **TARY MAGISTRATES IN THE INTEREST OF EF-**
9 **FICIENCY IN MILITARY JUSTICE.**

10 (a) *IN GENERAL.*—Subsection (a) of section 830a of
11 title 10, United States Code (article 30a of the Uniform
12 Code of Military Justice), is amended by striking para-
13 graphs (1) and (2) and inserting the following new para-
14 graphs:

15 (1) *The President shall prescribe regulations for*
16 *matters relating to proceedings conducted before refer-*
17 *ral of charges and specifications to court-martial for*
18 *trial, including the following:*

19 (A) *Pre-referral investigative subpoenas.*

20 (B) *Pre-referral warrants or orders for elec-*
21 *tronic communications.*

22 (C) *Pre-referral matters referred by an ap-*
23 *pellate court.*

24 (D) *Pre-referral matters under subsection*
25 *(c) or (e) of section 806b of this title (article 6b).*

1 (E) *Pre-referral matters relating to the fol-*
 2 *lowing:*

3 (i) *Pre-trial confinement of an accused.*

4 (ii) *The accused's mental capacity.*

5 (iii) *A request for an individual mili-*
 6 *tary counsel.*

7 (2) *In addition to the matters specified in para-*
 8 *graph (1), the regulations prescribed under that para-*
 9 *graph shall—*

10 (A) *set forth the matters that a military*
 11 *judge may rule upon in such proceedings;*

12 (B) *include procedures for the review of*
 13 *such rulings; and*

14 (C) *include appropriate limitations to en-*
 15 *sure that proceedings under this section extend*
 16 *only to matters that would be subject to consider-*
 17 *ation by a military judge in a general or special*
 18 *court-martial.*

19 (b) *CONFORMING AND CLERICAL AMENDMENTS.—*

20 (1) *HEADING AMENDMENT.—The heading of such*
 21 *section is amended to read as follows:*

22 **“§ 830A. Art. 30a. proceedings conducted before refer-**
 23 **ral”.**

24 (2) *CLERICAL AMENDMENT.—The table of sec-*
 25 *tions at the beginning of subchapter VI of chapter 47*

1 of title 10, United States Code (the Uniform Code of
 2 Military Justice), is amended by striking the item re-
 3 lating to section 830 (article 30a) and inserting the
 4 following new item:

“830a. 30a. Proceedings conducted before referral.”.

5 **SEC. 540C. TRAINING FOR COMMANDERS IN THE ARMED**
 6 **FORCES ON THEIR ROLE IN ALL STAGES OF**
 7 **MILITARY JUSTICE IN CONNECTION WITH**
 8 **SEXUAL ASSAULT.**

9 (a) *IN GENERAL.*—The training provided commanders
 10 in the Armed Forces shall include comprehensive training
 11 on the role of commanders in all stages of military justice
 12 in connection with sexual assaults by members of the Armed
 13 Forces against other members of the Armed Forces.

14 (b) *ELEMENTS TO BE COVERED.*—The training pro-
 15 vided pursuant to subsection (a) shall include training on
 16 the following:

17 (1) *The role of commanders in each stage of the*
 18 *military justice process in connection with sexual as-*
 19 *sault committed by a member of the Armed Forces*
 20 *against another member, including investigation and*
 21 *prosecution.*

22 (2) *The role of commanders in assuring that vic-*
 23 *tims in sexual assault described in paragraph (1) are*
 24 *informed of, and have the opportunity to obtain, as-*
 25 *sistance available for victims of sexual assault by law.*

1 (3) *The role of commanders in assuring that vic-*
2 *tims in sexual assault described in paragraph (1) are*
3 *afforded the due process rights and protections avail-*
4 *able to victims by law.*

5 (4) *The role of commanders in preventing retal-*
6 *iation against victims, their family members, wit-*
7 *nesses, first responders, and bystanders for their com-*
8 *plaints, statements, testimony, and status in connec-*
9 *tion with sexual assault described in paragraph (1),*
10 *including the role of commanders in ensuring that*
11 *subordinates in the command are aware of their re-*
12 *sponsibilities in preventing such retaliation.*

13 (5) *The role of commanders in establishing and*
14 *maintaining a healthy command climate in connec-*
15 *tion with reporting on sexual assault described in*
16 *paragraph (1) and in the response of the commander,*
17 *subordinates in the command, and other personnel in*
18 *the command to such sexual assault, such reporting,*
19 *and the military justice process in connection with*
20 *such sexual assault.*

21 (6) *Any other matters on the role of commanders*
22 *in connection with sexual assault described in para-*
23 *graph (1) that the Secretary of Defense considers ap-*
24 *propriate for purposes of this section.*

25 (c) *INCORPORATION OF BEST PRACTICES.—*

1 (1) *IN GENERAL.*—*The training provided pursu-*
 2 *ant to subsection (a) shall incorporate best practices*
 3 *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 train-*
 9 *ing provided pursuant to subsection (a) in order to*
 10 *identify and incorporate into such training the most*
 11 *current practicable best practices on such matters.*

12 (d) *UNIFORMITY.*—*The Secretary of Defense shall en-*
 13 *sure that the training provided pursuant to subsection (a)*
 14 *is, to the extent practicable, uniform across the Armed*
 15 *Forces.*

16 ***Subtitle E—Other Legal Matters***

17 ***SEC. 541. STANDARD OF EVIDENCE APPLICABLE TO INVES-*** 18 ***TIGATIONS AND REVIEWS RELATED TO PRO-*** 19 ***TECTED COMMUNICATIONS OF MEMBERS OF*** 20 ***THE ARMED FORCES AND PROHIBITED RE-*** 21 ***TALIATORY ACTIONS.***

22 (a) *STANDARD OF EVIDENCE.*—*Section 1034 of title*
 23 *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 following
7 new subsection (i):

8 “(i) *STANDARD OF EVIDENCE.*—A finding or other de-
9 termination made under any of subsections (c), (d), (g), or
10 (h) may be based on the standards of evidence specified in
11 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 sub-
15 section (a) shall take effect on the date that is 30 days after
16 the date of the enactment of this Act, and shall apply with
17 respect to allegations pending or submitted under section
18 1034 of title 10, United States Code, on or after that date.

19 **SEC. 542. EXPANSION OF SPECIAL VICTIMS’ COUNSEL FOR**
20 **VICTIMS OF SEX-RELATED OR DOMESTIC VIO-**
21 **LENCE OFFENSES.**

22 (a) *IN GENERAL.*—Section 1044e of title 10, United
23 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” each
 5 place it appears and inserting “alleged sex-related of-
 6 fense 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 fol-
 14 lowing 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 to
 18 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’ means
 20 any allegation of—

21 “(A) a violation of section 920, 920b, 920c,
 22 or 930 of this title (article 120, 120b, 120c, or
 23 130 of the Uniform Code of Military Justice); or

24 “(B) an attempt to commit an offense speci-
 25 fied in a subparagraph (A) as punishable under

1 *section 880 of this title (article 80 of the Uni-*
 2 *form Code of Military Justice).*

3 “(2) *The term ‘alleged domestic violence offense’*
 4 *means any allegation of—*

5 *“(A) a violation of section 928b of this title*
 6 *(article 128b of the Uniform Code of Military*
 7 *Justice); or*

8 *“(B) an attempt to commit such an offense*
 9 *as punishable under section 880 of this title (ar-*
 10 *ticle 80 of the Uniform Code of Military Jus-*
 11 *tice).”;* and

12 *(8) by adding at the end the following new sub-*
 13 *sections:*

14 “(i) *MINIMUM STAFFING LEVEL.—Not later than two*
 15 *years after the date of enactment of this subsection, the Sec-*
 16 *retaries concerned shall ensure that the number Special Vic-*
 17 *tims’ Counsel serving in each military department is suffi-*
 18 *cient to ensure that the average caseload of a Special Vic-*
 19 *tims’ Counsel does not exceed 25 cases at any given time.*

20 “(j) *REPORT REQUIRED.—Not later than December 1,*
 21 *2022, the Secretary of Defense, in consultation with the Sec-*
 22 *retaries concerned, shall submit to the Committees on*
 23 *Armed Services of the Senate and the House of Representa-*
 24 *tives a report that includes—*

1 “(1) *an analysis of the caseloads of Special Vic-*
 2 *tims’ Counsel and Special Victims’ Counsel Para-*
 3 *legals, respectively;*

4 “(2) *an assessment of the ability of the military*
 5 *departments to fill additional authorized billets for*
 6 *the Special Victims’ Counsel program to meet mission*
 7 *requirements; and*

8 “(3) *a description of how the training require-*
 9 *ments for the Special Victims’ Counsel program have*
 10 *been expanded to meet the needs of victims of alleged*
 11 *domestic violence offenses.”.*

12 (b) *CLERICAL AMENDMENT.—The table of sections at*
 13 *the beginning of chapter 53 of title 10, United States Code,*
 14 *is amended by striking the item relating to section 1044e*
 15 *and inserting the following new item:*

“1044e. Special Victims’ Counsel for victims of sex-related or domestic violence of-
fenses.”.

16 **SEC. 543. NOTIFICATION OF ISSUANCE OF MILITARY PRO-**
 17 **TECTIVE ORDER TO CIVILIAN LAW ENFORCE-**
 18 **MENT.**

19 (a) *NOTIFICATION OF ISSUANCE.—Section 1567a of*
 20 *title 10, United States Code, is amended—*

21 (1) *in subsection (a), by striking “and any indi-*
 22 *vidual involved in the order does not reside on a mili-*
 23 *tary installation at any time during the duration of*
 24 *the military protective order, the commander of the*

1 *military installation shall notify” and inserting “,*
 2 *the commander of the unit to which the member is as-*
 3 *signed shall, not later than seven days after the date*
 4 *of the issuance of the order, notify”;*

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

7 *(3) by inserting after subsection (a) the following*
 8 *new subsection (b);*

9 *“(b) NOTIFICATION IN EVENT OF TRANSFER.—In the*
 10 *event that a member of the armed forces against whom a*
 11 *military protective order is issued is transferred to another*
 12 *unit—*

13 *“(1) not later than the date of the transfer, the*
 14 *commander of the unit from which the member is*
 15 *transferred shall notify the commander of the unit to*
 16 *which the member is transferred of—*

17 *“(A) the issuance of the protective order;*
 18 *and*

19 *“(B) the individuals involved in the order;*
 20 *and*

21 *“(2) not later than seven days after receiving the*
 22 *notice under paragraph (1), the commander of the*
 23 *unit to which the member is transferred shall provide*
 24 *notice of the order to the appropriate civilian au-*
 25 *thorities in accordance with subsection (a).”;* and

1 (4) *in subsection (c), as so redesignated, by strik-*
 2 *ing “commander of the military installation” and in-*
 3 *serting “commander of the unit to which the member*
 4 *is assigned”.*

5 (b) *ANNUAL REPORT REQUIRED.—Not later than*
 6 *March 1, 2020, and each year thereafter through 2024, the*
 7 *Secretary of Defense shall submit to the congressional de-*
 8 *fense committees a report that identifies—*

9 (1) *the number of military protective orders*
 10 *issued in the calendar year preceding the year in*
 11 *which the report is submitted; and*

12 (2) *the number of such orders that were reported*
 13 *to appropriate civilian authorities in accordance with*
 14 *section 1567a(a) of title 10, United States Code, in*
 15 *such preceding year.*

16 **SEC. 544. POLICIES AND PROCEDURES ON REGISTRATION**
 17 **AT MILITARY INSTALLATIONS OF CIVIL PRO-**
 18 **TECTION ORDERS APPLICABLE TO MEMBERS**
 19 **OF THE ARMED FORCES ASSIGNED TO SUCH**
 20 **INSTALLATIONS AND CERTAIN OTHER INDI-**
 21 **VIDUALS.**

22 (a) *POLICIES AND PROCEDURES REQUIRED.—Not*
 23 *later than one year after the date of the enactment of this*
 24 *Act, the Secretary of Defense shall, in consultation with the*
 25 *Secretaries of the military departments, establish policies*

1 *and procedures for the registration at military installations*
2 *of any civil protection orders described in subsection (b),*
3 *including the duties and responsibilities of commanders of*
4 *installations in the registration process.*

5 (b) *CIVIL PROTECTION ORDERS.*—*A civil protection*
6 *order described in this subsection is any civil protective*
7 *order as follows:*

8 (1) *A civil protection order against a member of*
9 *the Armed Forces assigned to the installation con-*
10 *cerned.*

11 (2) *A civil protection order against a civilian*
12 *employee employed at the installation concerned.*

13 (3) *A civil protection order against the civilian*
14 *spouse or intimate partner of a member of the Armed*
15 *Forces on active duty and assigned to the installation*
16 *concerned, or of a civilian employee described in*
17 *paragraph (2), which order provides for the protection*
18 *of such member or employee.*

19 (c) *PARTICULAR ELEMENTS.*—*The policies and proce-*
20 *dures required by subsection (a) shall include the following:*

21 (1) *A requirement for notice between and among*
22 *the commander, military law enforcement elements,*
23 *and military criminal investigative elements of an*
24 *installation when a member of the Armed Forces as-*
25 *signed to such installation, a civilian employee em-*

1 *ployed at such installation, a civilian spouse or inti-*
2 *mate partner of a member assigned to such installa-*
3 *tion, or a civilian spouse or intimate partner of a ci-*
4 *vilian employee employed at such installation be-*
5 *comes subject to a civil protection order.*

6 *(2) A statement of policy that failure to register*
7 *a civil protection order may not be a justification for*
8 *the lack of enforcement of such order by military law*
9 *enforcement and other applicable personnel who have*
10 *knowledge of such order.*

11 *(d) LETTER.—As soon as practicable after establishing*
12 *the policies and procedures required by subsection (a), the*
13 *Secretary shall submit to the Committees on Armed Services*
14 *of the Senate and the House of Representatives a letter that*
15 *includes the following:*

16 *(1) A detailed description of the policies and*
17 *procedures.*

18 *(2) A certification by the Secretary that the poli-*
19 *cies and procedures have been implemented on each*
20 *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 chap-
 13 ter.”.

14 (b) CLARIFICATION REGARDING RELATION TO OTHER
 15 LAW AND PLANS FOR AGREEMENTS.—Section 4302 of such
 16 title is amended by adding at the end the following:

17 “(c)(1) Pursuant to this section and the procedural
 18 rights afforded by subchapter III of this chapter, any agree-
 19 ment to arbitrate a claim under this chapter is unenforce-
 20 able, unless all parties consent to arbitration after a com-
 21 plaint on the specific claim has been filed in court or with
 22 the Merit Systems Protection Board and all parties know-
 23 ingly and voluntarily consent to have that particular claim
 24 subjected to arbitration.

25 “(2) For purposes of this subsection, consent shall not
 26 be considered voluntary when a person is required to agree

1 *to arbitrate an action, complaint, or claim alleging a viola-*
 2 *tion of this chapter as a condition of future or continued*
 3 *employment, advancement in employment, or receipt of any*
 4 *right or benefit of employment.”.*

5 **SEC. 546. MILITARY ORDERS REQUIRED FOR TERMINATION**
 6 **OF LEASES PURSUANT TO THE**
 7 **SERVICEMEMBERS CIVIL RELIEF ACT.**

8 *Section 305(i) of the Servicemembers Civil Relief Act*
 9 *(50 U.S.C. 3955) is amended—*

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

13 *(2) by adding at the end the following new para-*
 14 *graph:*

15 *“(3) PERMANENT CHANGE OF STATION.—The*
 16 *term ‘permanent change of station’ includes separa-*
 17 *tion or retirement from military service.”.*

18 **SEC. 547. CONSULTATION REGARDING VICTIM’S PREF-**
 19 **ERENCE IN PROSECUTION JURISDICTION.**

20 *Section 534(b) of the Carl Levin and Howard P.*
 21 *“Buck” McKeon National Defense Authorization Act for*
 22 *Fiscal Year 2015 (Public Law 113–291; 10 U.S.C. 1044e*
 23 *note) is amended by—*

24 *(1) redesignating paragraphs (2) through (4) as*
 25 *paragraphs (3) through (5), respectively; and*

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

3 “(2) *RECORD OF CONSULTATION AND VICTIM*
4 *PREFERENCE.—The Secretary of Defense, acting*
5 *through the Under Secretary of Defense for Personnel*
6 *and Readiness, shall issue guidance to ensure that the*
7 *consultation under paragraph (1) is provided to each*
8 *victim of an alleged sex-related offense described in*
9 *such paragraph. Such guidance shall require that the*
10 *following information about each consultation is re-*
11 *corded and preserved in written or electronic format:*

12 “(A) *The time and date of the consultation.*

13 “(B) *The name of the individual who con-*
14 *sulted with the victim.*

15 “(C) *The result of the consultation, includ-*
16 *ing—*

17 “(i) *whether the victim expressed a*
18 *preference under paragraph (1); and*

19 “(ii) *if the victim expressed a pref-*
20 *erence, whether the victim preferred that the*
21 *offense be prosecuted by court-martial or in*
22 *a civilian court.”.*

1 **SEC. 548. EXTENSION AND EXPANSION OF DEFENSE ADVI-**
 2 **SORY COMMITTEE ON INVESTIGATION, PROS-**
 3 **ECUTION, AND DEFENSE OF SEXUAL ASSAULT**
 4 **IN THE ARMED FORCES.**

5 *Section 546 of the Carl Levin and Howard P. “Buck”*
 6 *McKeon National Defense Authorization Act for Fiscal Year*
 7 *2015 (10 U.S.C. 1561 note) is amended—*

8 *(1) by amending paragraph (2) of subsection (c)*
 9 *to read as follows:*

10 *“(2) BASIS FOR PROVISION OF ADVICE.—For*
 11 *purposes of providing advice to the Secretary pursu-*
 12 *ant to this subsection, the Advisory Committee*
 13 *shall—*

14 *“(A) review, on an ongoing basis, cases in-*
 15 *volving allegations of sexual misconduct de-*
 16 *scribed in paragraph (1);*

17 *“(B) study the feasibility of incorporating*
 18 *restorative justice models into the Uniform Code*
 19 *of Military Justice; and*

20 *“(C) review Rule for Courts-Martial 1001(c)*
 21 *(as set forth in the Manual for Courts-Martial,*
 22 *2019 edition, or any successor rule) to determine*
 23 *whether, and to what extent, the interpretation of*
 24 *that rule by military courts—*

1 “(i) *limits the ability of sexual assault*
 2 *victims to make statements during*
 3 *presentencing proceedings; and*

4 “(ii) *limits the content of such state-*
 5 *ments.*”; and

6 (2) *in subsection (f)(1), by striking “five years”*
 7 *and inserting “ten years”.*

8 **SEC. 549. DEFENSE ADVISORY COMMITTEE FOR THE PRE-**
 9 **VENTION OF SEXUAL MISCONDUCT.**

10 (a) *ESTABLISHMENT REQUIRED.*—

11 (1) *IN GENERAL.*—*The Secretary of Defense shall*
 12 *establish and maintain within the Department of De-*
 13 *fense an advisory committee to be known as the “De-*
 14 *fense Advisory Committee for the Prevention of Sex-*
 15 *ual Misconduct” (in this section referred to as the*
 16 *“Advisory Committee”).*

17 (2) *DEADLINE FOR ESTABLISHMENT.*—*The Sec-*
 18 *retary shall establish the Advisory Committee not*
 19 *later than 180 days after the date of the enactment*
 20 *of this Act.*

21 (b) *MEMBERSHIP.*—

22 (1) *IN GENERAL.*—*The Advisory Committee shall*
 23 *consist of not more than 20 members, appointed by*
 24 *the Secretary from among individuals who have an*
 25 *expertise appropriate for the work of the Advisory*

Committee, including at least one individual with each expertise as follows:

(A) Expertise in the prevention of sexual assault and behaviors on the sexual assault continuum of harm.

(B) Expertise in the prevention of suicide.

(C) Expertise in trauma and trauma symptoms.

(D) Expertise in the change of culture of large organizations.

(E) Expertise in implementation science.

(2) *BACKGROUND OF INDIVIDUALS.*—Individuals appointed to the Advisory Committee may include individuals with expertise in sexual assault prevention efforts of institutions of higher education, public health officials, and such other individuals as the Secretary considers appropriate.

(3) *PROHIBITION ON MEMBERSHIP OF MEMBERS OF ARMED FORCES ON ACTIVE DUTY.*—A member of the Armed Forces serving on active duty may not serve as a member of the Advisory Committee.

(c) *DUTIES.*—

(1) *IN GENERAL.*—The Advisory Committee shall advise the Secretary on the following:

1 (A) *The prevention of sexual assault (in-*
2 *cluding rape, forcible sodomy, other sexual as-*
3 *sault, and other sexual misconduct (including be-*
4 *haviors on the sexual assault continuum of*
5 *harm)) involving members of the Armed Forces.*

6 (B) *The policies, programs, and practices of*
7 *each military department, each Armed Force,*
8 *and each military service academy for the pre-*
9 *vention of sexual assault as described in sub-*
10 *paragraph (A).*

11 (2) *BASIS FOR PROVISION OF ADVICE.—For pur-*
12 *poses of providing advice to the Secretary pursuant to*
13 *this subsection, the Advisory Committee shall review,*
14 *on an ongoing basis, the following:*

15 (A) *Closed cases involving allegations of sex-*
16 *ual assault described in paragraph (1).*

17 (B) *Efforts of institutions of higher edu-*
18 *cation to prevent sexual assault among students.*

19 (C) *Any other information or matters that*
20 *the Advisory Committee or the Secretary con-*
21 *siders appropriate.*

22 (3) *COORDINATION OF EFFORTS.—In addition to*
23 *the reviews required by paragraph (2), for purposes*
24 *of providing advice to the Secretary the Advisory*
25 *Committee shall also consult and coordinate with the*

1 *Defense Advisory Committee on Investigation, Pros-*
 2 *ecution, and Defense of Sexual Assault in the Armed*
 3 *Forces (DAC-IPAD) on matters of joint interest to the*
 4 *two Advisory Committees.*

5 (d) *ANNUAL REPORT.*—*Not later than March 30 each*
 6 *year, the Advisory Committee shall submit to the Secretary*
 7 *and the Committees on Armed Services of the Senate and*
 8 *the House of Representatives a report on the activities of*
 9 *the Advisory Committee pursuant to this section during the*
 10 *preceding year.*

11 (e) *SEXUAL ASSAULT CONTINUUM OF HARM.*—*In this*
 12 *section, the term “sexual assault continuum of harm” in-*
 13 *cludes—*

14 (1) *inappropriate actions (such as sexist jokes),*
 15 *sexual harassment, gender discrimination, hazing,*
 16 *cyber bullying, or other behavior that contributes to*
 17 *a culture that is tolerant of, or increases risk for, sex-*
 18 *ual assault; and*

19 (2) *maltreatment or ostracism of a victim for a*
 20 *report of sexual misconduct.*

21 (f) *TERMINATION.*—

22 (1) *IN GENERAL.*—*Except as provided in para-*
 23 *graph (2), the Advisory Committee shall terminate on*
 24 *the date that is five years after the date of the estab-*

1 *lishment of the Advisory Committee pursuant to sub-*
 2 *section (a).*

3 (2) *CONTINUATION.*—*The Secretary of Defense*
 4 *may continue the Advisory Committee after the termi-*
 5 *nation date applicable under paragraph (1) if the*
 6 *Secretary determines that continuation of the Advi-*
 7 *sory Committee after that date is advisable and ap-*
 8 *propriate. If the Secretary determines to continue the*
 9 *Advisory Committee after that date, the Secretary*
 10 *shall notify the Committees on the Armed Services of*
 11 *the Senate and House of Representatives.*

12 **SEC. 550. SAFE TO REPORT POLICY APPLICABLE ACROSS**
 13 **THE ARMED FORCES.**

14 (a) *IN GENERAL.*—*The Secretary of Defense shall, in*
 15 *consultation with the Secretaries of the military depart-*
 16 *ments, prescribe in regulations a safe to report policy de-*
 17 *scribed in subsection (b) that applies with respect to all*
 18 *members of the Armed Forces (including members of the re-*
 19 *serve components of the Armed Forces) and cadets and mid-*
 20 *shipmen at the military service academies.*

21 (b) *SAFE TO REPORT POLICY.*—*The safe to report pol-*
 22 *icy described in this subsection is a policy under which a*
 23 *member of the Armed Forces who is the alleged victim of*
 24 *sexual assault, but who may have committed minor collat-*
 25 *eral misconduct at or about the time of such sexual assault,*

1 *or whose minor collateral misconduct is discovered only as*
 2 *a result of the investigation into such sexual assault, may*
 3 *report such sexual assault to proper authorities without fear*
 4 *or receipt of discipline in connection with such minor col-*
 5 *lateral misconduct absent aggravating circumstances that*
 6 *increase the gravity of the minor collateral misconduct or*
 7 *its impact on good order and discipline.*

8 (c) *MINOR COLLATERAL MISCONDUCT.*—*For purposes*
 9 *of the safe to report policy, minor collateral misconduct*
 10 *shall include any of the following:*

11 (1) *Improper use or possession of alcohol.*

12 (2) *Consensual intimate behavior (including*
 13 *adultery) or fraternization.*

14 (3) *Presence in an off-limits area.*

15 (4) *Such other misconduct as the Secretary of*
 16 *Defense shall specify in the regulations under sub-*
 17 *section (a).*

18 (d) *AGGRAVATING CIRCUMSTANCES.*—*The regulations*
 19 *under subsection (a) shall specify aggravating cir-*
 20 *cumstances that increase the gravity of minor collateral*
 21 *misconduct or its impact on good order and discipline for*
 22 *purposes of the safe to report policy.*

23 (e) *DEFINITIONS.*—*In this section:*

24 (1) *The term “Armed Forces” has the meaning*
 25 *given that term in section 101(a)(4) of title 10,*

1 *United States Code, except such term does not include*
 2 *the Coast Guard.*

3 (2) *The term “military service academy” means*
 4 *the following:*

5 (A) *The United States Military Academy.*

6 (B) *The United States Naval Academy.*

7 (C) *The United States Air Force Academy.*

8 **SEC. 550A. AVAILABILITY OF SPECIAL VICTIMS’ COUNSEL**
 9 **AND SPECIAL VICTIM PROSECUTORS AT MILI-**
 10 **TARY INSTALLATIONS.**

11 (a) *DEADLINE FOR AVAILABILITY.—*

12 (1) *IN GENERAL.—If an individual specified in*
 13 *paragraph (2) is not available at a military installa-*
 14 *tion for access by a member of the Armed Forces who*
 15 *requests access to such an individual, such an indi-*
 16 *vidual shall be made available at such installation for*
 17 *access by such member by not later than 48 hours*
 18 *after such request.*

19 (2) *INDIVIDUALS.—The individuals specified in*
 20 *this paragraph are the following:*

21 (A) *Special Victims’ Counsel (SVC).*

22 (B) *Special Victim Prosecutor (SPC).*

23 (b) *REPORT ON CIVILIAN SUPPORT OF SVCs.—Not*
 24 *later than 180 days after the date of the enactment of this*
 25 *Act, each Secretary of a military department shall submit*

1 *to the Committees on Armed Services of the Senate and the*
 2 *House of Representatives a report setting forth the assess-*
 3 *ment of such Secretary of the feasibility and advisability*
 4 *of establishing and maintaining at each installation under*
 5 *the jurisdiction of such Secretary with a Special Victims'*
 6 *Counsel one or more civilian positions for the purpose of—*

7 (1) *providing support to such Special Victims'*
 8 *Counsel; and*

9 (2) *ensuring continuity and the preservation of*
 10 *institutional knowledge in transitions between the*
 11 *service of individuals as Special Victims' Counsel at*
 12 *such installation.*

13 **SEC. 550B. NOTICE TO VICTIMS OF ALLEGED SEXUAL AS-**
 14 **SAULT OF PENDENCY OF FURTHER ADMINIS-**
 15 **TRATIVE ACTION FOLLOWING A DETERMINA-**
 16 **TION NOT TO REFER TO TRIAL BY COURT-**
 17 **MARTIAL.**

18 *Under regulations prescribed by the Secretary of De-*
 19 *fense, upon a determination not to refer a case of alleged*
 20 *sexual assault for trial by court-martial under chapter 47*
 21 *of title 10, United States Code (the Uniform Code of Mili-*
 22 *tary Justice), the commander making such determination*
 23 *shall periodically notify the victim of the status of a final*
 24 *determination on further action on such case, whether non-*
 25 *judicial punishment under section 815 of such title (article*

1 15 of the Uniform Code of Military Justice), other adminis-
 2 trative action, or no further action. Such notifications shall
 3 continue not less frequently than monthly until such final
 4 determination.

5 **SEC. 550C. TRAINING FOR SPECIAL VICTIMS' COUNSEL ON**
 6 **CIVILIAN CRIMINAL JUSTICE MATTERS IN**
 7 **THE STATES OF THE MILITARY INSTALLA-**
 8 **TIONS TO WHICH ASSIGNED.**

9 (a) *TRAINING.*—

10 (1) *IN GENERAL.*—Except as provided in sub-
 11 section (c), upon the assignment of a Special Victims'
 12 Counsel (including a Victim Legal Counsel of the
 13 Navy) to a military installation in the United States,
 14 such Counsel shall be provided appropriate training
 15 on the law and policies of the State or States in
 16 which such military installation is located with re-
 17 spect to the criminal justice matters specified in
 18 paragraph (2). The purpose of the training is to as-
 19 sist such Counsel in providing victims of alleged sex-
 20 related offenses with information necessary to make
 21 an informed decision regarding preference as to the
 22 jurisdiction (whether court-martial or State court) in
 23 which such offenses will be prosecuted.

1 (2) *CRIMINAL JUSTICE MATTERS.*—*The criminal*
 2 *justice matters specified in this paragraph, with re-*
 3 *spect to a State, are the following:*

4 (A) *Victim rights.*

5 (B) *Prosecution of criminal offenses.*

6 (C) *Sentencing for conviction of criminal*
 7 *offenses.*

8 (b) *ALLEGED SEX-RELATED OFFENSE DEFINED.*—*In*
 9 *this section, the term “alleged sex-related offense” means*
 10 *any allegation of—*

11 (1) *a violation of section 920, 920b, 920c, or 930*
 12 *of title 10, United States Code (article 120, 120b,*
 13 *120c, or 130 of the Uniform Code of Military Jus-*
 14 *tice); or*

15 (2) *an attempt to commit an offense specified in*
 16 *a paragraph (1) as punishable under section 880 of*
 17 *title 10, United States Code (article 80 of the Uni-*
 18 *form Code of Military Justice).*

19 (c) *EXCEPTION.*—*The requirements of this section do*
 20 *not apply to a Special Victims’ Counsel of the Coast Guard.*

21 **SEC. 550D. COPYRIGHT PROTECTION FOR CIVILIAN FAC-**
 22 **ULTY OF ACCREDITED INSTITUTIONS.**

23 (a) *IN GENERAL.*—*Chapter 108 of title 10, United*
 24 *States Code, is amended by adding at the end the following*
 25 *new section:*

1 **“§2169a. Copyright of works created by civilian fac-**
 2 **ulty members**

3 “(a) *COPYRIGHT OF WORKS.*—*Subject to subsection*
 4 *(b), for purposes of sections 101 and 105 of title 17, a work*
 5 *produced by a civilian member of the faculty of a covered*
 6 *institution is only a work of the United States Government*
 7 *if the work is created in direct support of a lecture, instruc-*
 8 *tion, curriculum development, or special duty assigned to*
 9 *such civilian member at the covered institution.*

10 “(b) *USE BY FEDERAL GOVERNMENT.*—*The Secretary*
 11 *concerned may require a civilian member of the faculty of*
 12 *a covered institution who becomes the owner of a copyright*
 13 *in a work that would be considered a work of the United*
 14 *States Government but for the applicability of subsection*
 15 *(a) to—*

16 “(1) *provide the Federal Government with an ir-*
 17 *revocable, royalty-free, world-wide, nonexclusive li-*
 18 *cence to use, modify, reproduce, release, perform, dis-*
 19 *play, or disclose such work for United States Govern-*
 20 *ment purposes; and*

21 “(2) *authorize the Federal Government to au-*
 22 *thorize persons that are not officers or employees of*
 23 *the Federal Government to use, modify, reproduce, re-*
 24 *lease, perform, display, or disclose such work for*
 25 *United States Government purposes.*

1 “(c) *COVERED INSTITUTION DEFINED.*—*In this sec-*
 2 *tion, the term ‘covered institution’ means the following:*

3 “(1) *National Defense University.*

4 “(2) *United States Military Academy.*

5 “(3) *Army War College.*

6 “(4) *United States Army Command and General*
 7 *Staff College.*

8 “(5) *United States Naval Academy.*

9 “(6) *Naval War College.*

10 “(7) *Naval Post Graduate School.*

11 “(8) *Marine Corps University.*

12 “(9) *United States Air Force Academy.*

13 “(10) *Air University.*

14 “(11) *Defense Language Institute.*

15 “(12) *United States Coast Guard Academy.*”.

16 (b) *TABLE OF SECTIONS AMENDMENT.*—*The table of*
 17 *sections at the beginning of such chapter is amended by*
 18 *adding at the end the following new item:*

“2169a. *Copyright of works created by civilian faculty members.*”.

19 **SEC. 550E. PRELIMINARY INQUIRY ON ARLINGTON NA-**
 20 **TIONAL CEMETERY BURIAL.**

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

22 (1) *The Department of Defense must ensure that*
 23 *only individuals who have served honorably are in-*
 24 *terred or inurned at Arlington National Cemetery.*

1 (2) *Recent news reports have alleged that Army*
 2 *Sergeant Jack Edward Dunlap, who was buried at*
 3 *Arlington National Cemetery in 1963, may have been*
 4 *the past subject of an espionage investigation by the*
 5 *National Security Agency, the results of which have*
 6 *not been made public.*

7 (b) *INQUIRY REQUIRED.—The General Counsel of the*
 8 *Department of the Army shall, pursuant to the terms of*
 9 *section 553.21 of title 32, Code of Federal Regulations,*
 10 *carry out a preliminary inquiry to investigate the Arling-*
 11 *ton National Cemetery burial of Jack Edward Dunlap due*
 12 *to accusations that he supplied the Soviet Union with valu-*
 13 *able intelligence during the Cold War.*

14 **SEC. 550F. AVAILABILITY OF RECORDS FOR NATIONAL IN-**
 15 **STANT CRIMINAL BACKGROUND CHECK SYS-**
 16 **TEM.**

17 (a) *NICS RECORDS.—Section 101(b) of the NICS Im-*
 18 *provement Amendments Act of 2007 (34 U.S.C. 40911(b))*
 19 *is amended—*

20 (1) *by redesignating paragraph (2) as para-*
 21 *graph (3); and*

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

24 “(2) *DEPARTMENT OF DEFENSE.—Not later than*
 25 *three business days after the final disposition of a ju-*

1 *dicial proceeding conducted within the Department of*
 2 *Defense, the Secretary of Defense shall make available*
 3 *to the Attorney General records which are relevant to*
 4 *a determination of whether a member of the Armed*
 5 *Forces involved in such proceeding is disqualified*
 6 *from possessing or receiving a firearm under sub-*
 7 *section (g) or (n) of section 922 of title 18, United*
 8 *States Code, for use in background checks performed*
 9 *by the National Instant Criminal Background Check*
 10 *System.”.*

11 *(b) STUDY AND REPORT ON MPO DATABASE.—*

12 *(1) STUDY.—The Secretary of Defense shall con-*
 13 *duct a study on the feasibility of establishing a data-*
 14 *base of military protective orders issued by military*
 15 *commanders against individuals suspected of having*
 16 *committed an offense of domestic violence under sec-*
 17 *tion 928b of title 10, United States Code (article 128b*
 18 *of the Uniform Code of Military Justice). The study*
 19 *shall include an examination of each of the following:*

20 *(A) The feasibility of creating a database to*
 21 *record, track, and report such military protective*
 22 *orders to the National Instant Criminal Back-*
 23 *ground Check System.*

24 *(B) The feasibility of establishing a process*
 25 *by which a military judge or magistrate may*

1 *issue a protective order against an individual*
 2 *suspected of having committed such an offense.*

3 (2) *REPORT.*—*Not later than 180 days after the*
 4 *date of the enactment of this Act, the Secretary of De-*
 5 *fense shall submit to the congressional defense com-*
 6 *mittees a report on the results of the study conducted*
 7 *under paragraph (1).*

8 **SEC. 550G. TERMINATION OF LEASES OF PREMISES AND**
 9 **MOTOR VEHICLES OF SERVICEMEMBERS WHO**
 10 **INCUR CATASTROPHIC INJURY OR ILLNESS**
 11 **OR DIE WHILE IN MILITARY SERVICE.**

12 (a) *CATASTROPHIC INJURIES AND ILLNESSES.*—*Sub-*
 13 *section (a) of section 305 of the Servicemembers Civil Relief*
 14 *Act (50 U.S.C. 3955), as amended by section 301 of the*
 15 *Veterans Benefits and Transition Act of 2018 (Public Law*
 16 *115–407), is further amended by adding at the end the fol-*
 17 *lowing new paragraph:*

18 “(4) *CATASTROPHIC INJURY OR ILLNESS OF LES-*
 19 *SEE.*—*The spouse of the lessee on a lease described in*
 20 *subsection (b) may terminate the lease during the one-*
 21 *year period beginning on the date on which the lessee*
 22 *incurs a catastrophic injury or illness (as that term*
 23 *is defined in section 439(g) of title 37, United States*
 24 *Code), if the lessee incurs the catastrophic injury or*
 25 *illness during a period of military service or while*

1 performing full-time National Guard duty, active
2 Guard and Reserve duty, or inactive-duty training
3 (as such terms are defined in section 101(d) of title
4 10, United States Code).”.

(b) *DEATHS*.—Paragraph (3) of such subsection is amended by striking “in subsection (b)(1)” and inserting “in subsection (b)”.

8 *SEC. 550H. TO RESOLVE CONTROVERSIES UNDER*
9 *SERVICEMEMBERS CIVIL RELIEF ACT.*

10 (a) *IN GENERAL.*—Section 102 of the Servicemembers
11 Civil Relief Act (50 U.S.C. App. 512) is amended by adding
12 at the end the following new subsection:

13 “(d) WRITTEN CONSENT REQUIRED FOR ARBITRA-
14 TION.—Notwithstanding any other provision of law, when-
15 ever a contract with a servicemember, or a servicemember
16 and the servicemember’s spouse jointly, provides for the use
17 of arbitration to resolve a controversy subject to a provision
18 of this Act and arising out of or relating to such contract,
19 arbitration may be used to settle such controversy only if,
20 after such controversy arises, all parties to such controversy
21 consent in writing to use arbitration to settle such con-
22 troversy.”.

23 (b) *APPLICABILITY.*—Subsection (d) of such section, as
24 added by subsection (a), shall apply with respect to con-

1 *tracts entered into, amended, altered, modified, renewed, or*
 2 *extended after the date of the enactment of this Act.*

3 **SEC. 550I. LIMITATION ON WAIVER OF RIGHTS AND PRO-**
 4 **TECTIONS UNDER SERVICEMEMBERS CIVIL**
 5 **RELIEF ACT.**

6 (a) *IN GENERAL.*—Section 107(a) of the
 7 *Servicemembers Civil Relief Act (50 U.S.C. App. 517(a))*
 8 *is amended—*

9 (1) *in the second sentence, by inserting “and if*
 10 *it is made after a specific dispute has arisen and the*
 11 *dispute is identified in the waiver” after “to which it*
 12 *applies”; and*

13 (2) *in the third sentence, by inserting “and if it*
 14 *is made after a specific dispute has arisen and the*
 15 *dispute is identified in the waiver” after “period of*
 16 *military service”.*

17 (b) *APPLICABILITY.*—*The amendment made by sub-*
 18 *section (a) shall apply with respect to waivers made on or*
 19 *after the date of the enactment of this Act.*

20 **SEC. 550J. PRESERVATION OF RIGHT TO BRING CLASS AC-**
 21 **TION UNDER SERVICEMEMBERS CIVIL RELIEF**
 22 **ACT.**

23 (a) *IN GENERAL.*—Section 802(a) of the
 24 *Servicemembers Civil Relief Act (50 U.S.C. App. 597a(a))*
 25 *is amended—*

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

3 (2) in paragraph (2), by striking the period at
4 the end and inserting “; and”; and

5 (3) by adding at the end the following new para-
6 graph:

7 “(3) be a representative party on behalf of mem-
8 bers of a class or be a member of a class, in accord-
9 ance with the Federal Rules of Civil Procedure, not-
10 withstanding any previous agreement to the con-
11 trary.”.

12 (b) CONSTRUCTION.—The amendments made by sub-
13 section (a) shall not be construed to imply that a person
14 aggrieved by a violation of such Act did not have a right
15 to bring a civil action as a representative party on behalf
16 of members of a class or be a member of a class in a civil
17 action before the date of the enactment of this Act.

18 **SEC. 550K. EFFECTIVE DATE OF RULE REGARDING PAYDAY**

19 **LENDING PROTECTIONS.**

20 (a) IN GENERAL.—Sections 1041.4 through 1041.6,
21 1041.10, and 1041.12(b)(1) through (3) in the final rule
22 published on November 17, 2017 by the Bureau of Consumer
23 Financial Protection (82 Fed. Reg. 54472) related to Man-
24 datory Underwriting Provisions shall go into effect on Au-

1 *gust 19, 2019, with regards to servicemembers, veterans and*
 2 *surviving spouses.*

3 *(b) DEFINITIONS.—In this section:*

4 *(1) The term “servicemember” has the meaning*
 5 *given that term in section 101 of title 10, United*
 6 *States Code.*

7 *(2) The terms “veteran” and “surviving spouse”*
 8 *have the meanings given those terms in section 101 of*
 9 *title 38, United States Code.*

10 **SEC. 550L. STRENGTHENING CIVILIAN AND MILITARY PART-**
 11 **NERSHIPS TO RESPOND TO DOMESTIC AND**
 12 **SEXUAL VIOLENCE.**

13 *(a) STUDY.—Not later than one year after the enact-*
 14 *ment of this legislation, the Comptroller General of the*
 15 *United States shall submit to Congress a report on partner-*
 16 *ships between military installations and civilian domestic*
 17 *and sexual violence response organizations, including—*

18 *(1) a review of memoranda of understanding be-*
 19 *tween such installations and such response organiza-*
 20 *tions;*

21 *(2) descriptions of the services provided pursuant*
 22 *to such partnerships;*

23 *(3) a review of the central plan, if any, of each*
 24 *service regarding such partnerships; and*

1 (4) *recommendations on increasing and improv-*
 2 *ing such partnerships.*

3 (b) *CIVILIAN DOMESTIC AND SEXUAL VIOLENCE RE-*
 4 *SPONSE ORGANIZATION.*—*In this section, the term “civilian*
 5 *domestic and sexual violence response organization” in-*
 6 *cludes a rape crisis center, domestic violence shelter, civil-*
 7 *ian law enforcement, local government group, civilian sex-*
 8 *ual assault nurse examiner, civilian medical service pro-*
 9 *vider, veterans service organization, faith-based organiza-*
 10 *tion, or Federally qualified health center.*

11 **SEC. 550M. INFORMATION ON LEGAL SERVICES PROVIDED**
 12 **TO MEMBERS OF THE ARMED FORCES**
 13 **HARMED BY HEALTH OR ENVIRONMENTAL**
 14 **HAZARDS AT MILITARY HOUSING.**

15 (a) *REPORT.*—*Not later than 90 days after the date*
 16 *of the enactment of this Act, the Secretary of Defense shall*
 17 *submit to the congressional defense committees a report on*
 18 *the legal services that the Secretary may provide to members*
 19 *of the Armed Forces who have been harmed by a health or*
 20 *environmental hazard while living in military housing.*

21 (b) *AVAILABILITY OF INFORMATION.*—*The Secretary of*
 22 *the military department concerned shall make the informa-*
 23 *tion contained in the report submitted under subsection (a)*
 24 *available to members of the Armed Forces at all installa-*
 25 *tions of the Department of Defense in the United States.*

1 **SEC. 550N. INITIATIVE TO IMPROVE THE CAPACITY OF MILI-**
2 **TARY CRIMINAL INVESTIGATIVE ORGANIZA-**
3 **TIONS TO PREVENT CHILD SEXUAL EXPLOI-**
4 **TATION.**

5 (a) *IN GENERAL.*—Not later than 180 days after the
6 date of the enactment of this Act, the Secretary of Defense
7 shall establish an initiative on improving the capacity of
8 military criminal investigative organizations to prevent
9 child sexual exploitation. Under the initiative, the Sec-
10 retary shall work with an external partner to train mili-
11 tary criminal investigative organization officials at De-
12 partment of Defense installations from all military depart-
13 ments regarding—

14 (1) *online investigative technology, tools, and*
15 *techniques;*

16 (2) *computer forensics;*

17 (3) *complex evidentiary issues;*

18 (4) *child victim identification;*

19 (5) *child victim referral for comprehensive inves-*
20 *tigation and treatment services; and*

21 (6) *related instruction.*

22 (b) *PARTNERSHIPS AND AGREEMENTS.*—Under the
23 initiative, the Secretary shall develop partnerships and es-
24 tablish collaborative agreements with the following:

25 (1) *The Department of Justice, Office of the At-*
26 *torney General, in better coordinating the investiga-*

1 *tive jurisdictions and law enforcement authorities of*
2 *the military criminal investigative organizations, and*
3 *in improving the justice community's understanding*
4 *of those law enforcement authorities to enforce Federal*
5 *criminal statutes.*

6 *(2) Federal criminal investigative organizations*
7 *responsible for enforcement of Federal criminal stat-*
8 *utes related to combatting child sexual exploitation,*
9 *in order to ensure a streamlined process for transfer-*
10 *ring criminal investigations into child exploitation to*
11 *other jurisdictions, while maintaining the integrity of*
12 *the evidence already collected.*

13 *(3) A highly qualified national child protection*
14 *organization or law enforcement training center with*
15 *demonstrated expertise in the delivery of law enforce-*
16 *ment training—*

17 *(A) to detect, identify, investigate, and pros-*
18 *ecute individuals engaged in the trading or pro-*
19 *duction of child pornography and the online so-*
20 *licitation of children; and*

21 *(B) to train military criminal investigative*
22 *organization officials at Department of Defense*
23 *installations from all military departments.*

24 *(4) A highly qualified national child protection*
25 *organization with demonstrated expertise in the devel-*

1 *opment and delivery of multidisciplinary interven-*
2 *tion training including evidence-based forensic inter-*
3 *viewing, victim advocacy, trauma-informed mental*
4 *health services, medical services, and multidisci-*
5 *plinary coordination between the Department of De-*
6 *fense and civilian experts to improve outcomes for*
7 *victims of child sexual exploitation.*

8 *(5) Children's Advocacy Centers located in the*
9 *same communities as military installations that co-*
10 *ordinate the multidisciplinary team response and*
11 *child-friendly approach to identifying, investigating,*
12 *prosecuting, and intervening in child sexual exploi-*
13 *tation cases that can partner with military installa-*
14 *tions on law enforcement, child protection, prosecu-*
15 *tion, mental health, medical, and victim advocacy to*
16 *investigate sexual exploitation, help children heal*
17 *from sexual exploitation, and hold offenders account-*
18 *able.*

19 *(6) State and local authorities to address law en-*
20 *forcement capacity in communities where military*
21 *installations are located, and to prevent lapses in ju-*
22 *risdiction that would undercut the Department's ef-*
23 *forts to prevent child sexual exploitation.*

24 *(7) The National Association to Protect Children*
25 *and the United States Special Operations Command*

1 *Care Coalition to replicate successful outcomes of the*
2 *Human Exploitation Rescue Operative (HERO)*
3 *Child Rescue Corps, as established by section 890A of*
4 *the Homeland Security Act of 2002 (6 U.S.C. 473),*
5 *within military criminal investigative organizations*
6 *and other Department components to combat child*
7 *sexual exploitation.*

8 *(c) LOCATIONS.—*

9 *(1) IN GENERAL.—The Secretary shall carry out*
10 *the initiative—*

11 *(A) in at least two States where there is a*
12 *high density of Department network users in*
13 *comparison to the overall population of the*
14 *States;*

15 *(B) in at least two States where there is a*
16 *high population of Department network users;*

17 *(C) in at least two States where there is a*
18 *large percentage of Indian children, including*
19 *children who are Alaska Native or Native Ha-*
20 *waiian;*

21 *(D) in at least one State with a population*
22 *with fewer than 2,000,000 people;*

23 *(E) in at least one State with a population*
24 *with fewer than 5,000,000 people, but not fewer*
25 *than 2,000,000 people;*

1 (F) in at least one State with a population
 2 with fewer than 10,000,000 people, but not fewer
 3 than 5,000,000; and

4 (G) in at least one State with a population
 5 with 10,000,000 or more people.

6 (2) *GEOGRAPHIC DISTRIBUTION.*—The Secretary
 7 shall ensure that the locations at which the initiative
 8 is carried out are distributed across different regions.

9 (d) *ADDITIONAL REQUIREMENTS.*—In carrying out
 10 the initiative, the Secretary shall—

11 (1) participate in multi-jurisdictional task
 12 forces;

13 (2) establish cooperative agreements to facilitate
 14 co-training and collaboration with Federal, State,
 15 and local law enforcement; and

16 (3) develop a streamlined process to refer child
 17 sexual abuse cases to other jurisdictions.

18 **SEC. 5500. TREATMENT OF INFORMATION IN CATCH A SE-**
 19 **RIAL OFFENDER PROGRAM FOR CERTAIN**
 20 **PURPOSES.**

21 (a) *EXCLUSION FROM FOIA.*—Section 552 of title 5,
 22 United States Code (commonly referred to as the “Freedom
 23 of Information Act”), shall not apply to any report for pur-
 24 poses of the Catch a Serial Offender Program.

1 (b) *PRESERVATION OF RESTRICTED REPORT.*—The
 2 transmittal or receipt in connection with the Catch a Serial
 3 Offender Program of a report on a sexual assault that is
 4 treated as a restricted report shall not operate to terminate
 5 its treatment or status as a restricted report.

6 **SEC. 550P. PRESERVATION OF RECOURSE TO RESTRICTED**
 7 **REPORT ON SEXUAL ASSAULT FOR VICTIMS**
 8 **OF SEXUAL ASSAULT BEING INVESTIGATED**
 9 **FOLLOWING CERTAIN VICTIM OR THIRD-**
 10 **PARTY COMMUNICATIONS.**

11 (a) *IN GENERAL.*—The Secretary of Defense shall es-
 12 tablish a policy that allows a member of the Armed Forces
 13 who is the victim of a sexual assault that is or may be
 14 investigated as a result of a communication described in
 15 subsection (b) to elect to have the member's reporting on
 16 such sexual assault be treated as a Restricted Report with-
 17 out regard to the party initiating or receiving such commu-
 18 nication.

19 (b) *COMMUNICATION.*—A communication described in
 20 this subsection is a communication on a sexual assault as
 21 follows:

22 (1) *By the member concerned to a member of the*
 23 *Armed Forces in the chain of command of such mem-*
 24 *ber, whether a commissioned officer or a non-commis-*
 25 *sioned officer.*

1 (2) *By the member concerned to military law en-*
 2 *forcement personnel or personnel of a military crimi-*
 3 *nal investigation organization (MCIO).*

4 (3) *By any individual other than the member*
 5 *concerned.*

6 ***Subtitle F—Member Education***

7 ***SEC. 551. AUTHORITY FOR DETAIL OF CERTAIN ENLISTED*** 8 ***MEMBERS OF THE ARMED FORCES AS STU-*** 9 ***DENTS AT LAW SCHOOLS.***

10 (a) *IN GENERAL.*—Chapter 101 of title 10, United
 11 *States Code, is amended—*

12 (1) *by redesignating sections 2004a and 2004b*
 13 *as sections 2004b and 2004c, respectively;*

14 (2) *by inserting after section 2004 the following*
 15 *new section:*

16 ***“§2004a. Detail as students at law schools: certain en-*** 17 ***listed members***

18 “(a) *IN GENERAL.*—The Secretary of each military de-
 19 *partment may, under regulations prescribed by the Sec-*
 20 *retary of Defense, detail enlisted members of the armed*
 21 *forces as students at accredited law schools, located in the*
 22 *United States, for a period of training leading to the degree*
 23 *of bachelor of laws or juris doctor. No more than twenty-*
 24 *five officers from each military department may commence*
 25 *such training in any single fiscal year.*

1 “(b) *ELIGIBILITY FOR DETAIL.*—*To be eligible for de-*
2 *tail under subsection (a), a member must be a citizen of*
3 *the United States and must—*

4 “(1) *as of the time training is to begin—*

5 “(A) *have served on active duty for a period*
6 *of not less than four years nor more than eight*
7 *years;*

8 “(B) *be in pay grade E–5 or E–6; and*

9 “(C) *meet all requirements for acceptance of*
10 *a commission as a commissioned officer in the*
11 *armed forces; and*

12 “(2) *sign an agreement that, unless sooner sepa-*
13 *rated, the member will—*

14 “(A) *complete the educational course of*
15 *legal training;*

16 “(B) *upon completion of the educational*
17 *course of legal training—*

18 “(i) *accept a commission as a commis-*
19 *sioned officer in the armed forces; and*

20 “(ii) *accept transfer or detail as a*
21 *judge advocate or law specialist within the*
22 *department concerned; and*

23 “(C) *agree to serve on active duty following*
24 *completion or other termination of the edu-*
25 *cational course of legal training for a period of*

1 *two years for each year or part thereof of such*
2 *training.*

3 “(c) *SELECTION.—Members detailed for legal training*
4 *under subsection (a) shall be selected on a competitive basis*
5 *by the Secretary of the military department concerned,*
6 *under the regulations required by subsection (a).*

7 “(d) *SERVICE AND SERVICE OBLIGATIONS.—(1) Ex-*
8 *cept as provided in paragraph (2), any service obligation*
9 *incurred by a member under an agreement entered into*
10 *under subsection (b) shall be in addition to any service obli-*
11 *gation incurred by the member under any other provision*
12 *of law or agreement.*

13 “(2)(A) *A member who does not successfully complete*
14 *a course of legal training to which detailed pursuant to this*
15 *section shall cease such detail and return to the armed force*
16 *concerned as an enlisted member.*

17 “(B) *Any time of a member described by subparagraph*
18 *(A) in a course of legal training described in that subpara-*
19 *graph shall not count toward satisfaction of any period of*
20 *service required under the current contract or agreement of*
21 *the member for enlistment in the armed forces.*

22 “(e) *LIMITATION ON NUMBER DETAILABLE.—The ag-*
23 *gregate number of enlisted members detailed under this sec-*
24 *tion and commissioned officers detailed under section 2004*

1 *of this title in any fiscal year by a Secretary of a military*
 2 *department may not exceed 25.*

3 “(f) *OTHER ADMINISTRATIVE MATTERS.*—Subsections
 4 (d) and (f) of section 2004 of this title shall apply to the
 5 detail of members under this section, except that any ref-
 6 erence in such section to an ‘officer’ shall be deemed to be
 7 a reference to an ‘enlisted member’ for such purposes.”.

8 **SEC. 552. EDUCATION OF MEMBERS OF THE ARMED FORCES**
 9 **ON CAREER READINESS AND PROFESSIONAL**
 10 **DEVELOPMENT.**

11 (a) *PROGRAMS OF EDUCATION REQUIRED.*—

12 (1) *IN GENERAL.*—Chapter 101 of title 10,
 13 United States Code, is amended by inserting after sec-
 14 tion 2015 the following new section:

15 **“§2015a. Education of members on career readiness**
 16 **and professional development**

17 “(a) *PROGRAM OF EDUCATION REQUIRED.*—The Sec-
 18 retary of Defense shall carry out a program to provide edu-
 19 cation on career readiness and professional development to
 20 members of the armed forces.

21 “(b) *ELEMENTS.*—The program under this section
 22 shall provide members with the following:

23 “(1) *Information on the transition plan as de-*
 24 *scribed in section 1142(b)(10) of this title.*

1 “(2) *Information on opportunities available to*
2 *members during military service for professional de-*
3 *velopment and preparation for a career after military*
4 *service, including—*

5 “(A) *programs of education, certification,*
6 *training, and employment assistance (including*
7 *programs under sections 1143(e), 2007, and 2015*
8 *of this title); and*

9 “(B) *programs and resources available to*
10 *members in communities in the vicinity of mili-*
11 *tary installations.*

12 “(3) *Instruction on the use of online and other*
13 *electronic mechanisms in order to access the edu-*
14 *cation, training, and assistance and resources de-*
15 *scribed in paragraph (2).*

16 “(4) *Such other information, instruction, and*
17 *matters as the Secretary shall specify for purposes of*
18 *this section.*

19 “(c) *TIMING OF PROVISION OF INFORMATION.—Subject*
20 *to subsection (d), information, instruction, and other mat-*
21 *ters under the program under this section shall be provided*
22 *to members at the times as follows:*

23 “(1) *Upon arrival at first duty station.*

24 “(2) *Upon arrival at any subsequent duty sta-*
25 *tion.*

1 “(3) *Upon deployment.*

2 “(4) *Upon promotion.*

3 “(5) Upon reenlistment.

4 “(6) *At any other point in a military career*
5 *specified by the Secretary for purposes of this section.*

6 “(d) *SINGLE PROVISION OF INFORMATION IN A YEAR*
7 *WITH MULTIPLE EVENTS.*—A member who has received in-
8 formation and instruction under the program under this
9 section in connection with an event specified in subsection
10 (c) in a year may elect not to undergo additional receipt
11 of information and instruction under the program in con-
12 nection with another such event in the year, unless such
13 other event is arrival at a new duty station.”.

(2) *CLERICAL AMENDMENT.*—The table of sections at the beginning of chapter 101 of such title is amended by inserting after the item relating to section 2015 the following new item:

“2015a. Education of members on career readiness and professional development.”.

18 *(b) REPORT ON IMPLEMENTATION.*—

(1) *IN GENERAL.*—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the program of education required by section 2015a of title 10, United States

1 Code (as added by subsection (a)), including the fol-
 2 lowing:

3 (A) A comprehensive description of the ac-
 4 tions taken to implement the program of edu-
 5 cation.

6 (B) A comprehensive description of the pro-
 7 gram of education.

8 (2) *APPROPRIATE COMMITTEES OF CONGRESS*
 9 *DEFINED.*—In this subsection, the term “appropriate
 10 committees of Congress” means—

11 (A) the Committee on Armed Services and
 12 the Committee on Veterans’ Affairs of the Senate;
 13 and

14 (B) the Committee on Armed Services and
 15 the Committee on Veterans’ Affairs of the House
 16 of Representatives.

17 **SEC. 553. DEFENSE LANGUAGE INSTITUTE FOREIGN LAN-**
 18 **GUAGE CENTER.**

19 (a) *AUTHORITY TO AWARD BACHELOR’S DEGREES.*—
 20 Section 2168 of title 10, United States Code, is amended—

21 (1) in the section heading, by striking “**Asso-**
 22 **ciate**” and inserting “**Associate or Bachelor**”;
 23 and

24 (2) by amending subsection (a) to read as fol-
 25 lows:

1 “(a) Subject to subsection (b), the Commandant of the
2 Defense Language Institute may confer—

3 “(1) an Associate of Arts degree in a foreign lan-
4 guage upon any graduate of the Foreign Language
5 Center of the Institute who fulfills the requirements
6 for that degree; or

7 “(2) a Bachelor of Arts degree in a foreign lan-
8 guage upon any graduate of the Foreign Language
9 Center of the Institute who fulfills the requirements
10 for that degree.”.

11 (b) CLERICAL AMENDMENT.—The table of sections at
12 the beginning of chapter 108 of title 10, United States Code,
13 is amended by striking the item relating to section 2168
14 and inserting the following new item:

“2168. Defense Language Institute Foreign Language Center: degree of Associate
or Bachelor of Arts in foreign language.”.

15 **SEC. 554. EXPANSION OF DEPARTMENT OF DEFENSE**
16 **STARBASE PROGRAM.**

17 (a) IN GENERAL.—Section 2193b of title 10, United
18 States Code, is amended—

19 (1) in the section heading, by striking
20 “**science, mathematics, and technology**”
21 and inserting “**science, technology, engineer-**
22 **ing, art and design, and mathematics**”;

23 (2) in subsection (a), by striking “science, math-
24 ematics, and technology” and inserting “science, tech-

1 *nology, engineering, art and design, and mathe-*
 2 *matics”; and*

3 *(3) in subsection (b), by striking “mathematics,*
 4 *science, and technology” and inserting “science, tech-*
 5 *nology, engineering, art and design, and mathe-*
 6 *matics”;*

7 *(b) CLERICAL AMENDMENT.—The table of sections at*
 8 *the beginning of chapter 111 of title 10, United States Code,*
 9 *is amended by striking the item relating to section 2193b*
 10 *and inserting the following new item:*

*“2193b. Improvement of education in technical fields: program for support of ele-
 mentary and secondary education in science, technology, engi-
 neering, art and design, and mathematics.”.*

11 ***SEC. 555. INCLUSION OF COAST GUARD IN DEPARTMENT OF***
 12 ***DEFENSE STARBASE PROGRAM.***

13 *Section 2193b of title 10, United States Code, is fur-*
 14 *ther amended—*

15 *(1) in subsection (a), by inserting “and the Sec-*
 16 *retary of the Department in which the Coast Guard*
 17 *is operating” after “military departments”; and*

18 *(2) in subsection (f), by striking “and the Secre-*
 19 *taries of the military departments” and inserting “,*
 20 *the Secretaries of the military departments, and the*
 21 *Secretary of the Department in which the Coast*
 22 *Guard is operating”.*

1 **SEC. 556. DEGREE GRANTING AUTHORITY FOR UNITED**
 2 **STATES ARMY ARMAMENT GRADUATE**
 3 **SCHOOL.**

4 (a) *IN GENERAL.*—Chapter 751 of title 10, United
 5 States Code, is amended by adding at the end the following
 6 new section:

7 **“§ 7422. Degree granting authority for United States**
 8 **Army Armament Graduate School**

9 “(a) *AUTHORITY.*—Under regulations prescribed by
 10 the Secretary of the Army, the Chancellor of the United
 11 States Army Armament Graduate School may, upon the
 12 recommendation of the faculty and provost of the college,
 13 confer appropriate degrees upon graduates who meet the de-
 14 gree requirements.

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

17 “(1) the Secretary of Education has rec-
 18 ommended approval of the degree in accordance with
 19 the Federal Policy Governing Granting of Academic
 20 Degrees by Federal Agencies; and

21 “(2) the United States Army Armament Grad-
 22 uate School is accredited by the appropriate civilian
 23 academic accrediting agency or organization to
 24 award the degree, as determined by the Secretary of
 25 Education.

1 “(c) CONGRESSIONAL NOTIFICATION REQUIRE-
 2 MENTS.—(1) *When seeking to establish degree granting au-*
 3 *thority under this section, the Secretary of Defense shall*
 4 *submit to the Committees on Armed Services of the Senate*
 5 *and the House of Representatives—*

6 “(A) *a copy of the self-assessment questionnaire*
 7 *required by the Federal Policy Governing Granting of*
 8 *Academic Degrees by Federal Agencies, at the time*
 9 *the assessment is submitted to the Department of*
 10 *Education’s National Advisory Committee on Institu-*
 11 *tional Quality and Integrity; and*

12 “(B) *the subsequent recommendations and ra-*
 13 *tionale of the Secretary of Education regarding the*
 14 *establishment of the degree granting authority.*

15 “(2) *Upon any modification or redesignation of exist-*
 16 *ing degree granting authority, the Secretary of Defense shall*
 17 *submit to the Committees on Armed Services of the Senate*
 18 *and House of Representatives a report containing the ra-*
 19 *tionale for the proposed modification or redesignation and*
 20 *any subsequent recommendation of the Secretary of Edu-*
 21 *cation on the proposed modification or redesignation.*

22 “(3) *The Secretary of Defense shall submit to the Com-*
 23 *mittees on Armed Services of the Senate and House of Rep-*
 24 *resentatives a report containing an explanation of any ac-*
 25 *tion by the appropriate academic accrediting agency or or-*

ganization not to accredit the United States Army Armament Graduate School to award any new or existing degree.”.

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

“7422. Degree granting authority for United States Army Armament Graduate School.”.

SEC. 557. CONGRESSIONAL NOMINATIONS FOR SENIOR RESERVE OFFICERS’ TRAINING CORPS SCHOLARSHIPS.

Section 7442 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(k) Any candidate not nominated under paragraphs (3) through (10) of subsection (a) may be considered by the Secretary of the Army in order of merit for appointment as a Senior Reserve Officers’ Training Corps cadet under section 2107 of this title.”.

SEC. 558. CONSIDERATION OF APPLICATION FOR TRANSFER FOR A STUDENT OF A MILITARY SERVICE ACADEMY WHO IS THE VICTIM OF A SEXUAL ASSAULT OR RELATED OFFENSE.

(a) *MILITARY ACADEMY.*—Section 7461 of title 10, United States Code, is amended by adding at the end the following new subsection:

1 “(e) *CONSIDERATION OF APPLICATION FOR TRANSFER*
 2 *FOR A CADET WHO IS THE VICTIM OF A SEXUAL ASSAULT*
 3 *OR RELATED OFFENSE.*—(1) *The Secretary of the Army*
 4 *shall provide for timely determination and action on an*
 5 *application for consideration of a transfer to another mili-*
 6 *tary service academy submitted by a cadet who was a vic-*
 7 *tim of a sexual assault or other offense covered by section*
 8 *920, 920a, or 920c of this title (article 120, 120a, or 120c*
 9 *of the Uniform Code of Military Justice) so as to reduce*
 10 *the possibility of retaliation against the cadet for reporting*
 11 *the sexual assault or other offense.*

12 “(2) *The Secretary of the Army shall prescribe regula-*
 13 *tions to carry out this subsection, within guidelines pro-*
 14 *vided by the Secretary of Defense that direct the Super-*
 15 *intendent of the Military Academy, in coordination with*
 16 *the Superintendent of the military service academy to*
 17 *which the cadet wishes to transfer—*

18 “(A) *to approve or deny an application under*
 19 *this subsection not later than 72 hours after the sub-*
 20 *mission of the application; and*

21 “(B) *to approve such application unless there*
 22 *are exceptional circumstances that require denial of*
 23 *the application.*

24 “(3) *If the Superintendent of the Military Academy*
 25 *or the Superintendent of the military service academy to*

1 *which the cadet wishes to transfer denies an application*
 2 *under this subsection, the cadet may request review of the*
 3 *denial by the Secretary concerned, who shall grant or deny*
 4 *review not later than 72 hours after submission of the re-*
 5 *quest for review.*

6 “(4) *The Secretary concerned shall ensure that all*
 7 *records of any request, determination, or action under this*
 8 *subsection remain confidential.*

9 “(5) *A cadet who transfers under this subsection may*
 10 *retain the cadet’s appointment to the Military Academy or*
 11 *may be appointed to the military service academy to which*
 12 *the cadet transfers without regard to the limitations and*
 13 *requirements set forth in sections 7442, 8454, and 9442 of*
 14 *this title.”.*

15 (b) *NAVAL ACADEMY.—Section 8480 of title 10, United*
 16 *States Code, is amended by adding at the end the following*
 17 *new subsection:*

18 “(e) *CONSIDERATION OF APPLICATION FOR TRANSFER*
 19 *FOR A MIDSHIPMAN WHO IS THE VICTIM OF A SEXUAL AS-*
 20 *SAULT OR RELATED OFFENSE.—(1) The Secretary of the*
 21 *Navy shall provide for timely determination and action on*
 22 *an application for consideration of a transfer to another*
 23 *military service academy submitted by a midshipman who*
 24 *was a victim of a sexual assault or other offense covered*
 25 *by section 920, 920a, or 920c of this title (article 120, 120a,*

1 or 120c of the Uniform Code of Military Justice) so as to
2 reduce the possibility of retaliation against the midshipman
3 for reporting the sexual assault or other offense.

4 “(2) The Secretary of the Navy shall prescribe regula-
5 tions to carry out this subsection, within guidelines pro-
6 vided by the Secretary of Defense that direct the Super-
7 intendent of the Naval Academy, in coordination with the
8 Superintendent of the military service academy to which
9 the midshipman wishes to transfer—

10 “(A) to approve or deny an application under
11 this subsection not later than 72 hours after the sub-
12 mission of the application; and

13 “(B) to approve such application unless there
14 are exceptional circumstances that require denial of
15 the application.

16 “(3) If the Superintendent of the Naval Academy or
17 the Superintendent of the military service academy to
18 which the midshipman wishes to transfer denies an applica-
19 tion under this subsection, the midshipman may request re-
20 view of the denial by the Secretary concerned, who shall
21 grant or deny review not later than 72 hours after submis-
22 sion of the request for review.

23 “(4) The Secretary concerned shall ensure that all
24 records of any request, determination, or action under this
25 subsection remain confidential.

1 “(5) *A midshipman who transfers under this sub-*
 2 *section may retain the midshipman’s appointment to the*
 3 *Naval Academy or may be appointed to the military service*
 4 *academy to which the midshipman transfers without regard*
 5 *to the limitations and requirements set forth in sections*
 6 *7442, 8454, and 9442 of this title.”.*

7 *(c) AIR FORCE ACADEMY.—Section 9461 of title 10,*
 8 *United States Code, is amended by adding at the end the*
 9 *following new subsection:*

10 “(e) *CONSIDERATION OF APPLICATION FOR TRANSFER*
 11 *FOR A CADET WHO IS THE VICTIM OF A SEXUAL ASSAULT*
 12 *OR RELATED OFFENSE.—(1) The Secretary of the Air Force*
 13 *shall provide for timely determination and action on an*
 14 *application for consideration of a transfer to another mili-*
 15 *tary service academy submitted by a cadet who was a vic-*
 16 *tim of a sexual assault or other offense covered by section*
 17 *920, 920a, or 920c of this title (article 120, 120a, or 120c*
 18 *of the Uniform Code of Military Justice) so as to reduce*
 19 *the possibility of retaliation against the cadet for reporting*
 20 *the sexual assault or other offense.*

21 “(2) *The Secretary of the Air Force shall prescribe reg-*
 22 *ulations to carry out this subsection, within guidelines pro-*
 23 *vided by the Secretary of Defense that direct the Super-*
 24 *intendent of the Air Force Academy, in coordination with*

1 *the Superintendent of the military service academy to*
2 *which the cadet wishes to transfer—*

3 “(A) *to approve or deny an application under*
4 *this subsection not later than 72 hours after the sub-*
5 *mission of the application; and*

6 “(B) *to approve such application unless there*
7 *are exceptional circumstances that require denial of*
8 *the application.*

9 “(3) *If the Superintendent of the Air Force Academy*
10 *or the Superintendent of the military service academy to*
11 *which the cadet wishes to transfer denies an application*
12 *under this subsection, the cadet may request review of the*
13 *denial by the Secretary concerned, who shall grant or deny*
14 *review not later than 72 hours after submission of the re-*
15 *quest for review.*

16 “(4) *The Secretary concerned shall ensure that all*
17 *records of any request, determination, or action under this*
18 *subsection remain confidential.*

19 “(5) *A cadet who transfers under this subsection may*
20 *retain the cadet’s appointment to the Air Force Academy*
21 *or may be appointed to the military service academy to*
22 *which the cadet transfers without regard to the limitations*
23 *and requirements set forth in sections 7442, 8454, and 9442*
24 *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 “COM-*
 8 *MANDANT” and inserting “DIRECTOR AND CHAN-*
 9 *CELLOR”;*

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 such
 16 *title is amended by striking “Commandant” both places it*
 17 *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 MEMBERS**
 2 **FOR ASSOCIATE DEGREE PROGRAMS OF THE**
 3 **COMMUNITY COLLEGE OF THE AIR FORCE.**

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

6 *“(3) Enlisted members of the armed forces other*
 7 *than the Air Force who are participating in Commu-*
 8 *nity College of the Air Force affiliated joint-service*
 9 *training and education courses.”.*

10 **SEC. 560A. SAFE-TO-REPORT POLICY APPLICABLE TO MILI-**
 11 **TARY SERVICE ACADEMIES.**

12 *(a) IN GENERAL.—The Secretary of Defense, in con-*
 13 *sultation with the Secretaries of the military departments,*
 14 *shall prescribe in regulations a safe-to-report policy de-*
 15 *scribed in subsection (b) that applies with respect to cadets*
 16 *and midshipmen at the military service academies.*

17 *(b) SAFE-TO-REPORT POLICY.—The safe-to-report pol-*
 18 *icy described in this subsection is a policy under which a*
 19 *cadet or midshipman at a military service academy who*
 20 *is the alleged victim of sexual assault, but who may have*
 21 *committed minor collateral misconduct at or about the time*
 22 *of such sexual assault, or whose minor collateral misconduct*
 23 *is discovered only as a result of the investigation into such*
 24 *sexual assault, may report such sexual assault to proper*
 25 *authorities without fear or receipt of discipline in connec-*
 26 *tion with such minor collateral misconduct.*

1 (c) *MINOR COLLATERAL MISCONDUCT.*—For purposes
 2 of the safe-to-report policy, minor collateral misconduct
 3 shall include any of the following:

4 (1) *Improper use or possession of alcohol.*

5 (2) *Consensual intimate behavior or fraterniza-*
 6 *tion with another cadet or midshipman.*

7 (3) *Presence in an off-limits area.*

8 (4) *Such other misconduct as the Secretary of*
 9 *Defense shall specify in the regulations under sub-*
 10 *section (a).*

11 (d) *MILITARY SERVICE ACADEMY DEFINED.*—In this
 12 section, the term “military service academy” means the fol-
 13 lowing:

14 (1) *The United States Military Academy.*

15 (2) *The United States Naval Academy.*

16 (3) *The United States Air Force Academy.*

17 (4) *The United States Coast Guard Academy.*

18 **SEC. 560B. RECOUPMENT OF FUNDS FROM CADETS AND**
 19 **MIDSHIPMEN SEPARATED FOR CRIMINAL MIS-**
 20 **CONDUCT.**

21 Not later than September 30, 2020, each Secretary of
 22 a military department shall prescribe regulations by which
 23 the Superintendent of a military service academy under the
 24 jurisdiction of the Secretary shall, pursuant to section
 25 303a(e) of title 37, United States Code, recoup the cost of

1 *advanced education received by a cadet or midshipman who*
 2 *is separated from that military service academy—*

3 *(1) at any time before the cadet or midshipman*
 4 *graduates from the military service academy; and*
 5 *(2) for criminal misconduct by the cadet or mid-*
 6 *shipman.*

7 **SEC. 560C. COMMISSION OF GRADUATES OF THE MILITARY**
 8 **SERVICE ACADEMIES AS OFFICERS.**

9 *(a) MILITARY ACADEMY.—Section 7453(b) of title 10,*
 10 *United States Code, is amended by striking “may” and in-*
 11 *serting “shall”.*

12 *(b) NAVAL ACADEMY.—Section 8467 of title 10, United*
 13 *States Code, is amended—*

14 *(1) by striking the heading and inserting “**Mid-***
 15 ***shipmen: degree and commission on grad-***
 16 ***uation**”;*

17 *(2) by inserting “(a)” before “Under”; and*

18 *(3) by adding at the end the following new sub-*
 19 *section:*

20 *“(b) Notwithstanding any other provision of law, a*
 21 *midshipman who completes the prescribed course of instruc-*
 22 *tion shall, upon graduation, be appointed an ensign in the*
 23 *Regular Navy or a second lieutenant in the Marine Corps*
 24 *under section 531 of this title.”.*

1 (c) *AIR FORCE ACADEMY*.—Section 9453(b) of title 10,
 2 *United States Code*, is amended by striking “may” and in-
 3 serting “shall”.

4 **SEC. 560D. SUPPORT OF MILITARY SERVICE ACADEMY**
 5 **FOUNDATIONS.**

6 (a) *IN GENERAL*.—Chapter 155 of title 10, *United*
 7 *States Code*, is amended by adding at the end the following
 8 new section:

9 **“§2616. Support of military service academy founda-**
 10 **tions**

11 “(a) *AUTHORITY*.—Subject to subsection (b), the Sec-
 12 retary concerned may provide the following support to a
 13 covered foundation:

14 “(1) *Participation in fundraising or a member-*
 15 ship drive for the covered foundation by any—

16 “(A) *general or flag officer;*

17 “(B) *Senior Executive Service employee as-*
 18 signed to the service academy supported by that
 19 covered foundation; or

20 “(C) *official designated by the Secretary*
 21 concerned.

22 “(2) *Endorsement by an individual described in*
 23 paragraph (1) of—

24 “(A) *the covered foundation;*

25 “(B) *an event of the covered foundation; or*

1 “(C) *an activity of the covered foundation.*

2 “(b) *LIMITATIONS.—Support under subsection (a)*
3 *may be provided only if such support—*

4 “(1) *is without any liability of the United States*
5 *to the covered foundation;*

6 “(2) *does not affect the ability of any official or*
7 *employee of the Department of Defense or the Depart-*
8 *ment of Homeland Security, or any member of the*
9 *armed forces, to carry out any responsibility or duty*
10 *in a fair and objective manner;*

11 “(3) *does not compromise the integrity or ap-*
12 *pearance of integrity of any program of the Depart-*
13 *ment of Defense or the Department of Homeland Se-*
14 *curity, or any individual involved in such a program;*
15 *and*

16 “(4) *does not include the participation of any*
17 *cadet or midshipman.*

18 “(c) *BRIEFING.—In any fiscal year during which sup-*
19 *port is provided under subsection (a), the Secretary con-*
20 *cerned shall provide a briefing not later than the last day*
21 *of that fiscal year to the congressional defense committees*
22 *regarding the following:*

23 “(1) *The number of events, activities, or fund-*
24 *raising or membership drives of a covered foundation*

1 *in which an individual described in subsection (a)(1)*
 2 *participated during such fiscal year.*

3 “(2) *The amount of funds raised for each covered*
 4 *foundation during each such event, activity, or drive.*

5 “(3) *Each designated purpose of funds described*
 6 *in paragraph (2).*

7 “(d) *COVERED FOUNDATION DEFINED.—In this sec-*
 8 *tion, the term ‘covered foundation’ means a charitable, edu-*
 9 *cational, or civic nonprofit organization under section*
 10 *501(c)(3) of the Internal Revenue Code of 1986, that the*
 11 *Secretary concerned determines operates exclusively to sup-*
 12 *port, with respect to a military service academy, any of*
 13 *the following:*

14 “(1) *Recruiting.*

15 “(2) *Parent or alumni development.*

16 “(3) *Academic, leadership, or character develop-*
 17 *ment.*

18 “(4) *Institutional development.*

19 “(5) *Athletics.”.*

20 “(b) *CLERICAL AMENDMENT.—The table of sections at*
 21 *the beginning of such chapter is amended by adding at the*
 22 *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 fiscal*
 7 *year 2020 using an amount not less than the sum of any*
 8 *amounts appropriated for tuition assistance for members*
 9 *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 shall*
 16 *make available, on a publicly accessible website of the*
 17 *Department of Defense, a list that identifies—*

18 *(A) each institution of higher education that*
 19 *receives funds under the Department of Defense*
 20 *Tuition Assistance Program; and*

21 *(B) the amount of such funds received by*
 22 *the institution.*

23 *(2) ANNUAL UPDATES.—The Secretary of Defense*
 24 *shall update the list described in paragraph (1) not*
 25 *less frequently than once annually.*

26 *(b) AUDIT OF CERTAIN INSTITUTIONS.—*

1 (1) *IN GENERAL.*—*The Secretary of Defense shall*
 2 *audit the eligibility a proprietary institution of high-*
 3 *er education to participate in the Department of De-*
 4 *fense Tuition Assistance Program if the institution*
 5 *does not meet the financial responsibility standards*
 6 *under section 498 of the Higher Education Act of*
 7 *1965 (20 U.S.C. 1099c).*

8 (2) *PUBLICATION REQUIRED.*—*The results of*
 9 *each audit conducted under paragraph (1) shall be*
 10 *made available on a publicly accessible website of the*
 11 *Department of Defense not later than 30 days after*
 12 *the date on which the audit is complete.*

13 **SEC. 560G. INCLUSION OF INFORMATION ON FREE CREDIT**
 14 **MONITORING IN ANNUAL FINANCIAL LIT-**
 15 **ERACY BRIEFING.**

16 *The Secretary of each military department shall en-*
 17 *sure that the annual financial literacy education briefing*
 18 *provided to servicemembers includes information on the*
 19 *availability of free credit monitoring services pursuant to*
 20 *section 605A(k) of the Fair Credit Reporting Act (15 U.S.C.*
 21 *1681c–1(k)).*

22 **SEC. 560H. SPEECH DISORDERS OF CADETS AND MID-**
 23 **SHIPMEN.**

24 (a) *TESTING.*—*The Superintendent of a military serv-*
 25 *ice academy shall provide testing for speech disorders to in-*

1 *coming cadets or midshipmen under the jurisdiction of that*
 2 *Superintendent.*

3 (b) *NO EFFECT ON ADMISSION.*—*The testing under*
 4 *subsection (a) may not have any affect on admission to a*
 5 *military service academy.*

6 (c) *RESULTS.*—*The Superintendent shall provide each*
 7 *cadet or midshipman under the jurisdiction of that Super-*
 8 *intendent the result of the testing under subsection (a) and*
 9 *a list of warfare unrestricted line officer positions and occu-*
 10 *pation specialists that require successful performance on the*
 11 *speech test.*

12 (d) *THERAPY.*—*The Superintendent shall furnish*
 13 *speech therapy to a cadet or midshipman under the juris-*
 14 *diction of that Superintendent at the election of the cadet*
 15 *or midshipman.*

16 (e) *RETAKING.*—*A cadet or midshipman whose testing*
 17 *indicate a speech disorder or impediment may elect to re-*
 18 *take the testing once each academic year while enrolled at*
 19 *the military service academy.*

20 ***Subtitle G—Member Training and***
 21 ***Transition***

22 ***SEC. 561. PROHIBITION ON GENDER-SEGREGATED TRAIN-***
 23 ***ING AT MARINE CORPS RECRUIT DEPOTS.***

24 (a) *PARRIS ISLAND.*—

1 (1) *PROHIBITION.*—Subject to paragraph (2),
 2 *training at the Marine Corps Recruit Depot, Parris*
 3 *Island, South Carolina, may not be segregated based*
 4 *on gender.*

5 (2) *DEADLINE.*—The Commandant of the Marine
 6 *Corps shall carry out this subsection not later than*
 7 *five years after the date of the enactment of this Act.*

8 (b) *SAN DIEGO.*—

9 (1) *PROHIBITION.*—Subject to paragraph (2),
 10 *training at the Marine Corps Recruit Depot, San*
 11 *Diego, California, may not be segregated based on*
 12 *gender.*

13 (2) *DEADLINE.*—The Commandant of the Marine
 14 *Corps shall carry out this subsection not later than*
 15 *eight years after the date of the enactment of this Act.*

16 **SEC. 562. MEDICAL PERSONNEL AT MARINE CORPS RE-**
 17 **CRUIT DEPOTS.**

18 *Not later than September 30, 2020, the Secretary of*
 19 *the Navy, in coordination with the Navy Medical Depart-*
 20 *ment, shall—*

21 (1) *assign personnel to the Marine Recruit*
 22 *Training Regiment at each Marine Corps Recruit*
 23 *Depot who—*

24 (A) *possess sufficient medical training and*
 25 *equipment to evaluate sick recruits; and*

1 (B) is capable of determining whether a re-
2 cruit requires emergent care; and

3 (2) ensure such personnel is available after busi-
4 ness hours in order to advise personnel regarding the
5 course of action for managing a sick recruit.

6 **SEC. 563. ASSESSMENT OF DEATHS OF RECRUITS UNDER**
7 **THE JURISDICTION OF THE SECRETARY OF**
8 **THE NAVY.**

9 (a) *ASSESSMENT.*—The Inspector General of the De-
10 partment of Defense shall conduct an assessment of the
11 deaths of recruits at facilities under the jurisdiction of the
12 Secretary of the Navy, and the effectiveness of the current
13 medical protocols on the training bases.

14 (b) *REPORT.*—Not later than September 30, 2020, the
15 Inspector General shall submit to the Committees on Armed
16 Services of the Senate and the House of Representative a
17 report containing the results of the assessment conducted
18 under subsection (a). The report shall include the following:

19 (1) *The number of recruits who died during*
20 *basic training in the five years preceding the date of*
21 *the report.*

22 (2) *The causes of deaths described in paragraph*
23 (1).

24 (3) *The types of medical treatment that was pro-*
25 *vided to recruits described in paragraph (1).*

1 (4) *Whether any of the deaths identified under*
2 *paragraph (1) were found to be a result of medical*
3 *negligence.*

4 (5) *A description of medical capabilities and*
5 *personnel available to the recruits at each facility.*

6 (6) *A description of medical resources accessible*
7 *to the recruits at the company level at each facility.*

8 (7) *A description of 24-hour medical resources*
9 *available to recruits at each facility.*

10 (8) *An evaluation of the guidelines and resources*
11 *in place to monitor sick recruits.*

12 (9) *An evaluation of how supervisors evaluate*
13 *and determine whether a sick recruit should continue*
14 *training or further seek medical assistance.*

15 (10) *An evaluation of how the Secretary of the*
16 *Navy can increase visibility of the comprehensive*
17 *medical status of a sick recruit to instructors and su-*
18 *pervisors in order to provide better situational aware-*
19 *ness of the such medical status.*

20 (11) *An evaluation of how to improve and med-*
21 *ical care for recruits.*

1 **SEC. 564. INCLUSION OF SPECIFIC EMAIL ADDRESS BLOCK**
2 **ON CERTIFICATE OF RELEASE OR DISCHARGE**
3 **FROM ACTIVE DUTY (DD FORM 214).**

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

11 (b) *DEADLINE FOR MODIFICATION.*—The Secretary of
12 Defense shall release a revised Certificate of Release or Dis-
13 charge from Active Duty (DD Form 214), modified as re-
14 quired by subsection (a), not later than one year after the
15 date of the enactment of this Act.

16 **SEC. 565. MACHINE READABILITY AND ELECTRONIC TRANS-**
17 **FERABILITY OF CERTIFICATE OF RELEASE OR**
18 **DISCHARGE FROM ACTIVE DUTY (DD FORM**
19 **214).**

20 (a) *MODIFICATION REQUIRED.*—The Secretary of De-
21 fense shall modify the Certificate of Release or Discharge
22 from Active Duty (DD Form 214) to be machine readable
23 and electronically transferable.

24 (b) *DEADLINE FOR MODIFICATION.*—The Secretary of
25 Defense shall release a revised Certificate of Release or Dis-
26 charge from Active Duty (DD Form 214), modified pursu-

1 ant to subsection (a), not later than four years after the
2 date of the enactment of this Act.

3 (c) *REPORT.*—Not later than 180 days after the date
4 of the enactment of this Act, the Secretary of Defense shall
5 submit a report to Congress regarding the following:

6 (1) What systems of the Department of Defense
7 require an individual to manually enter information
8 from DD Form 214.

9 (2) What activities of the Department of Defense
10 require a veteran or former member of the Armed
11 Forces to provide a physical copy of DD Form 214.

12 (3) The order of priority for modernizing items
13 identified under paragraphs (1) and (2) as deter-
14 mined by the Secretary.

15 (4) The estimated cost, as determined by the Sec-
16 retary, to automate items identified under para-
17 graphs (1) and (2).

18 **SEC. 566. RECORDS OF SERVICE FOR RESERVES.**

19 (a) *ESTABLISHMENT.*—Not later than September 30,
20 2020, the Secretary of Defense shall establish and imple-
21 ment a standard record of service for members of the reserve
22 components of the Armed Forces, similar to DD Form 214,
23 that summarizes the record of service of each such member,
24 including dates of active duty service.

1 (b) *COORDINATION.*—*In carrying out this section, the*
 2 *Secretary of Defense shall coordinate with the Secretary of*
 3 *Veterans Affairs to ensure that the record established under*
 4 *this section is acceptable as proof of service for former mem-*
 5 *bers of the reserve components of the Armed Forces who are*
 6 *eligible for benefits under laws administered by the Sec-*
 7 *retary of Veterans Affairs to receive such benefits.*

8 **SEC. 567. REQUIREMENT TO PROVIDE INFORMATION RE-**
 9 **GARDING BENEFITS CLAIMS TO MEMBERS**
 10 **DURING TAP COUNSELING.**

11 *Section 1142(b) of title 10, United States Code, is*
 12 *amended by adding at the end the following new paragraph:*

13 “(19) *Information regarding how to file claims*
 14 *for benefits available to the member under laws ad-*
 15 *ministered by the Secretaries of Defense and Veterans*
 16 *Affairs.”.*

17 **SEC. 568. EXPANSION AND RENAMING OF THE TROOPS-TO-**
 18 **TEACHERS PROGRAM.**

19 (a) *TROOPS-TO-SUPPORT-EDUCATION PROGRAM.*—
 20 *Section 1154 of title 10, United States Code, is amended—*

21 (1) *in the section heading, by striking: “em-*
 22 *ployment as teachers: Troops-to-Teachers*
 23 *Program” and inserting “employment in*
 24 *schools: Troops-to-Support-Education Pro-*
 25 *gram”;*

1 (2) *in subsection (a)—*

2 (A) *in paragraph (6), by striking “Troops-*
3 *to-Teachers” and inserting “Troops-to-Support-*
4 *Education”;*

5 (B) *by redesignating paragraphs (7) and*
6 *(8) as paragraphs (9) and (10), respectively;*

7 (C) *by inserting after paragraph (6) the fol-*
8 *lowing new paragraphs:*

9 “(7) *QUALIFYING POSITION.—*

10 (A) *Except as provided in subparagraph*
11 *(B), the term ‘qualifying position’ means any*
12 *full-time position in an eligible school, including*
13 *a position as:*

14 “(i) *a teacher, including an elementary*
15 *school teacher, a secondary school teacher,*
16 *or a career or technical education teacher;*

17 “(ii) *a school resource officer;*

18 “(iii) *a school leader;*

19 “(iv) *specialized instructional support*
20 *personnel;*

21 “(v) *a paraprofessional; or*

22 “(vi) *other staff.*

23 (B) *Such term does not include a position*
24 *that is—*

1 “(i) performed primarily at a location
 2 outside the grounds of an eligible school; or
 3 “(ii) held by an individual who is em-
 4 ployed by a contractor.

5 “(8) SCHOOL RESOURCE OFFICER.—The term
 6 ‘school resource officer’ has the meaning given that
 7 term in section 1709(4) of the Omnibus Crime Con-
 8 trol and Safe Streets Act of 1968 (34 U.S.C.
 9 10389(4)).”; and

10 (D) by amending paragraph (10), as so re-
 11 designated, to read as follows:

12 “(10) ADDITIONAL TERMS.—The terms ‘elemen-
 13 tary school’, ‘local educational agency’, ‘other staff’,
 14 ‘paraprofessional’, ‘school leader’, ‘secondary school’,
 15 ‘specialized instructional support personnel’, and
 16 ‘State’ have the meanings given those terms in section
 17 8101 of the Elementary and Secondary Education
 18 Act of 1965 (20 U.S.C. 7801).”;
 19 (3) in subsection (b)—

20 (A) in the matter preceding paragraph (1),
 21 by striking “Troops-to-Teachers” and inserting
 22 “Troops-to-Support-Education”; and

23 (B) in paragraph (1), by striking “become
 24 a teacher” and inserting “obtain a qualifying
 25 position”;

1 (C) in paragraph (2)(A)—

2 (i) in clause (i), by striking “or” at
3 the end;

4 (ii) in clause (ii), by striking “and” at
5 the end and inserting “or”; and

6 (iii) by adding at the end the following
7 new clause:

8 “(iii) experiencing a shortage of
9 personnel to fill qualifying positions;
10 and”;

11 (4) in subsection (d)(3)—

12 (A) by redesignating subparagraph (D) as
13 subparagraph (E); and

14 (B) by inserting after subparagraph (C) the
15 following new subparagraph:

16 “(D) If a member of the armed forces is apply-
17 ing for the Program to receive assistance for place-
18 ment in a qualifying position other than a position
19 as a teacher described in subparagraph (B) or sub-
20 paragraph (C), the Secretary shall require the mem-
21 ber to obtain the professional credentials that are re-
22 quired by the State for the position involved.”;

23 (5) in subsection (e)—

24 (A) in paragraph (1)(A)—

1 (i) in clause (i), by striking “become a
2 teacher” and inserting “obtain a qualifying
3 position”; and

4 (ii) in clause (ii), by striking “as an
5 elementary school teacher” and all that fol-
6 lows through the period at the end and in-
7 serting “in a qualifying position for not less
8 than three school years in an eligible school
9 to begin the school year after the member
10 obtains the professional credentials required
11 for the position involved”;

12 (B) in paragraph (2)(E), by striking “as a
13 teacher in an eligible elementary school or sec-
14 ondary school or as a career or technical teach-
15 er” and inserting “in a qualifying position”;
16 and

17 (C) in paragraph (3)—

18 (i) in subparagraph (A), by striking
19 “educational level, certification, or licens-
20 ing” and inserting “educational level, cer-
21 tification, licensing, or other professional
22 credentials”;

23 (ii) in subparagraph (B)(i), by strik-
24 ing “as an elementary school teacher, sec-
25 ondary school teacher, or career or technical

1 *teacher” and inserting “in a qualifying po-*
 2 *sition”; and*

3 *(iii) in subparagraph (C)—*

4 *(I) in clause (i), by striking*
 5 *“5,000” and inserting “7500”; and*

6 *(II) in clause (ii), by striking*
 7 *“3,000” and inserting “4500”;*

8 *(6) in subsection (f)(1)—*

9 *(A) in subparagraph (A)—*

10 *(i) by striking “become a teacher” and*
 11 *inserting “obtain a qualifying position”;*
 12 *and*

13 *(ii) by striking “as an elementary*
 14 *school teacher, secondary school teacher, or*
 15 *career or technical teacher” and insert “in*
 16 *a qualifying position”; and*

17 *(B) in subparagraph (B), by striking “, em-*
 18 *ployment as an elementary school teacher, sec-*
 19 *ondary school teacher, or career or technical*
 20 *teacher” and inserting “employment in a quali-*
 21 *fying position”;*

22 *(7) in subsection (h)(2)(A) by striking “as ele-*
 23 *mentary school teachers, secondary school teachers,*
 24 *and career or technical teachers” and inserting “in*
 25 *qualifying positions”;*

1 (8) *in subsection (i), by striking “\$15,000,000”*
 2 *and inserting “\$20,000,000”; and*

3 (9) *by adding at the end the following new sub-*
 4 *section:*

5 “(j) *PUBLIC-PRIVATE PARTNERSHIP.—*

6 “(1) *IN GENERAL.—The Secretary may enter*
 7 *into one or more partnerships with nonprofit entities,*
 8 *including veterans service organizations, to assist*
 9 *with the placement of participants in eligible schools*
 10 *in accordance with this section.*

11 “(2) *NONPROFIT ENTITY DEFINED.—In this sub-*
 12 *section, the term ‘nonprofit entity’ means an entity*
 13 *qualifying as an exempt organization under section*
 14 *501(c)(3) of the Internal Revenue Code of 1986.”.*

15 (b) *CONFORMING AMENDMENT AND REFERENCES.—*

16 (1) *TABLE OF SECTIONS.—The table of sections*
 17 *at the beginning of chapter 58 of such title is amend-*
 18 *ed by striking the item relating to section 1154 and*
 19 *inserting the following new item:*

 “1154. *Assistance to eligible members and former members to obtain employment*
 in schools: Troops-to-Support-Education Program.”.

20 (2) *REFERENCES.—Any reference in Federal law*
 21 *(other than this Act), regulations, guidance, instruc-*
 22 *tions, or other documents of the Federal Government*
 23 *to the Troops-to-Teachers Program shall be deemed to*

1 *be a reference to the Troops-to-Support-Education*
2 *Program.*

3 **SEC. 569. TRANSITION OUTREACH PILOT PROGRAM.**

4 *(a) ESTABLISHMENT.—Not later than 90 days after*
5 *the enactment of this Act, the Secretary of Defense, in co-*
6 *ordination with the Secretaries of Veterans Affairs, Labor,*
7 *Education, and Homeland Security, and the Administrator*
8 *of the Small Business Administration, shall establish a*
9 *pilot program through the Transition to Veterans Program*
10 *Office that fosters contact between veterans and the Depart-*
11 *ment of Defense.*

12 *(b) CONTACT.—The Secretary of Defense, and with re-*
13 *spect to members of the Coast Guard, the Secretary of the*
14 *Department in which the Coast Guard is operating when*
15 *it is not operating as a service in the Navy, shall direct*
16 *the Military Transition Assistance Teams of the Depart-*
17 *ment of Defense to contact each veteran from the Armed*
18 *Forces at least twice during each of the first three months*
19 *after the veteran separates from the Armed Forces to—*

20 *(1) inquire about the transition of the separated*
21 *member to civilian life, including—*

22 *(A) employment;*

23 *(B) veterans benefits;*

24 *(C) education;*

25 *(D) family life; and*

1 (2) *hear concerns of the veteran regarding tran-*
2 *sition.*

3 (c) *TERMINATION.*—*The Secretary shall complete oper-*
4 *ation of the pilot program under this section not later than*
5 *September 30, 2020.*

6 (d) *REPORT.*—*Not later than 90 days after termi-*
7 *nation of the pilot program under this section, the Secretary*
8 *of Defense shall submit a report to Congress regarding such*
9 *pilot program, including the following, disaggregated by*
10 *armed force:*

11 (1) *The number of veterans contacted, including*
12 *how many times such veterans were contacted.*

13 (2) *Information regarding the age, sex, and geo-*
14 *graphic region of contacted veterans.*

15 (3) *Concerns most frequently raised by the vet-*
16 *erans.*

17 (4) *What benefits the contacted veterans have re-*
18 *ceived, and an estimate of the cost to the Federal Gov-*
19 *ernment for such benefits.*

20 (5) *How many contacted veterans are employed*
21 *or have sought employment, including what fields of*
22 *employment.*

23 (6) *How many contacted veterans are enrolled or*
24 *have sought to enroll in a course of education, includ-*
25 *ing what fields of study.*

1 (7) *Recommendations for legislation to improve*
 2 *the long-term effectiveness of TAP and the well-being*
 3 *of veterans.*

4 (e) *DEFINITIONS.—In this section:*

5 (1) *The term “armed force” has the meaning*
 6 *given that term in section 101 of title 10, United*
 7 *States Code.*

8 (2) *The term “TAP” means the Transition As-*
 9 *sistance Program under sections 1142 and 1144 of*
 10 *title 10, United States Code.*

11 (3) *The term “veteran” has the meaning given*
 12 *that term in section 101 of title 38, United States*
 13 *Code.*

14 **SEC. 570. TRAINING PROGRAM REGARDING**
 15 **DISINFORMATION CAMPAIGNS.**

16 (a) *ESTABLISHMENT.—Not later than September 30,*
 17 *2020, the Secretary of Defense shall establish a program for*
 18 *training members of the Armed Forces and employees of*
 19 *the Department of Defense regarding the threat of*
 20 *disinformation campaigns specifically targeted at such in-*
 21 *dividuals and the families of such individuals.*

22 (b) *REPORT REQUIRED.—Not later than October 30,*
 23 *2020, the Secretary of Defense shall submit a report to the*
 24 *congressional defense committees regarding the program*
 25 *under subsection (a).*

1 **SEC. 570A. ASSESSMENT AND STUDY OF TRANSITION AS-**
2 **SISTANCE PROGRAM.**

3 (a) *ONE-YEAR INDEPENDENT ASSESSMENT OF THE*
4 *EFFECTIVENESS OF TAP.*—

5 (1) *INDEPENDENT ASSESSMENT.*—*Not later than*
6 *90 days after the date of the enactment of this Act,*
7 *the Secretary of Veterans Affairs, in consultation with*
8 *the covered officials, shall enter into an agreement*
9 *with an appropriate entity with experience in adult*
10 *education to carry out a 1-year independent assess-*
11 *ment of TAP, including—*

12 (A) *the effectiveness of TAP for members of*
13 *each military department during the entire mili-*
14 *tary life cycle;*

15 (B) *the appropriateness of the TAP career*
16 *readiness standards;*

17 (C) *a review of information that is provided*
18 *to the Department of Veterans Affairs under*
19 *TAP, including mental health data;*

20 (D) *whether TAP effectively addresses the*
21 *challenges veterans face entering the civilian*
22 *workforce and in translating experience and*
23 *skills from military service to the job market;*

24 (E) *whether TAP effectively addresses the*
25 *challenges faced by the families of veterans mak-*
26 *ing the transition to civilian life;*

1 (F) appropriate metrics regarding TAP
 2 outcomes for members of the Armed Forces one
 3 year after separation, retirement, or discharge
 4 from the Armed Forces;

5 (G) what the Secretary, in consultation
 6 with the covered officials and veterans service or-
 7 ganizations determine to be successful outcomes
 8 for TAP;

9 (H) whether members of the Armed Forces
 10 achieve successful outcomes for TAP, as deter-
 11 mined under subparagraph (G);

12 (I) how the Secretary and the covered offi-
 13 cials provide feedback to each other regarding
 14 such outcomes;

15 (J) recommendations for the Secretaries of
 16 the military departments regarding how to im-
 17 prove outcomes for members of the Armed Forces
 18 after separation, retirement, and discharge; and

19 (K) other topics the Secretary and the cov-
 20 ered officials determine would aid members of
 21 the Armed Forces as they transition to civilian
 22 life.

23 (2) REPORT.—Not later than 90 days after the
 24 completion of the independent assessment under para-
 25 graph (1), the Secretary and the covered officials,

1 *shall submit to the Committees on Veterans' Affairs of*
 2 *the Senate and House of Representatives and the*
 3 *Committees on Armed Services of the Senate and*
 4 *House of Representatives—*

5 *(A) the findings and recommendations (in-*
 6 *cluding recommended legislation) of the inde-*
 7 *pendent assessment prepared by the entity de-*
 8 *scribed in paragraph (1); and*

9 *(B) responses of the Secretary and the cov-*
 10 *ered officials to the findings and recommenda-*
 11 *tions described in subparagraph (G).*

12 *(3) DEFINITIONS.—In this section:*

13 *(A) The term “covered officials” is com-*
 14 *prised of—*

15 *(i) the Secretary of Defense;*

16 *(ii) the Secretary of Labor;*

17 *(iii) the Administrator of the Small*
 18 *Business Administration; and*

19 *(iv) the Secretaries of the military de-*
 20 *partments.*

21 *(B) The term “military department” has*
 22 *the meaning given that term in section 101 of*
 23 *title 10, United States Code.*

24 *(b) LONGITUDINAL STUDY ON CHANGES TO TAP.—*

1 (1) *STUDY*.—Not later than 90 days after the
2 date of the enactment of this Act, the Secretary of Vet-
3 erans Affairs, in consultation with the Secretaries of
4 Defense and Labor and the Administrator of the
5 Small Business Administration, shall conduct a five-
6 year longitudinal study regarding TAP on three sepa-
7 rate cohorts of members of the Armed Forces who have
8 separated from the Armed Forces, including—

9 (A) a cohort that has attended TAP coun-
10 seling as implemented on the date of the enact-
11 ment of this Act;

12 (B) a cohort that attends TAP counseling
13 after the Secretaries of Defense and Labor imple-
14 ment changes recommended in the report under
15 subsection a(2); and

16 (C) a cohort that has not attended TAP
17 counseling.

18 (2) *PROGRESS REPORTS*.—Not later than 90
19 days after the day that is one year after the date of
20 the initiation of the study under paragraph (1) and
21 annually thereafter for the three subsequent years, the
22 Secretaries of Veterans Affairs, Defense, and Labor,
23 and the Administrator of the Small Business Admin-
24 istration, shall submit to the Committees on Veterans'
25 Affairs of the Senate and House of Representatives

1 *and the Committees on Armed Services of the Senate*
2 *and House of Representatives a progress report of ac-*
3 *tivities under the study during the immediately pre-*
4 *ceding year.*

5 (3) *FINAL REPORT.*—*Not later than 180 days*
6 *after the completion of the study under paragraph*
7 *(1), the Secretaries of Veterans Affairs, Defense, and*
8 *Labor, and the Administrator of the Small Business*
9 *Administration, shall submit to the Committees on*
10 *Veterans' Affairs of the Senate and House of Rep-*
11 *resentatives and the Committees on Armed Services of*
12 *the Senate and House of Representatives a report of*
13 *final findings and recommendations based on the*
14 *study.*

15 (4) *ELEMENTS.*—*The final report under para-*
16 *graph (3) shall include information regarding the fol-*
17 *lowing:*

18 (A) *The percentage of each cohort that re-*
19 *ceived unemployment benefits during the study.*

20 (B) *The numbers of months members of each*
21 *cohort were employed during the study.*

22 (C) *Annual starting and ending salaries of*
23 *members of each cohort who were employed dur-*
24 *ing the study.*

1 (D) *How many members of each cohort en-*
 2 *rolled in an institution of higher learning, as*
 3 *that term is defined in section 3452(f) of title 38,*
 4 *United States Code.*

5 (E) *The academic credit hours, degrees, and*
 6 *certificates obtained by members of each cohort*
 7 *during the study.*

8 (F) *The annual income of members of each*
 9 *cohort.*

10 (G) *The total household income of members*
 11 *of each cohort.*

12 (H) *How many members of each cohort own*
 13 *their principal residences.*

14 (I) *How many dependents that members of*
 15 *each cohort have.*

16 (J) *The percentage of each cohort that*
 17 *achieves a successful outcome for TAP, as deter-*
 18 *mined under subsection (1)(G).*

19 (K) *Other criteria the Secretaries and the*
 20 *Administrator of the Small Business Adminis-*
 21 *tration determine appropriate.*

22 **SEC. 570B. INFORMATION REGARDING COUNTY VETERANS**
 23 **SERVICE OFFICERS.**

24 (a) *PROVISION OF INFORMATION.—The Secretary of*
 25 *Defense shall ensure that a member of the Armed Forces*

1 *who is separating or retiring from the Armed Forces may*
 2 *elect to have the Department of Defense form DD-214 of*
 3 *the member transmitted to the appropriate county veterans*
 4 *service officer based on the mailing address provided by the*
 5 *member.*

6 (b) *DATABASE.—The Secretary of Defense, in coordi-*
 7 *nation with the Secretary of Veterans Affairs, shall main-*
 8 *tain a database of all county veterans service officers.*

9 (c) *COUNTY VETERANS SERVICE OFFICER DEFINED.—*
 10 *In this section, the term “county veterans service officer”*
 11 *means an employee of a county government, local govern-*
 12 *ment, or Tribal government who is covered by section*
 13 *14.629(a)(2) of title 38, Code of Federal Regulations.*

14 **SEC. 570C. PILOT PROGRAM TO IMPROVE INFORMATION**
 15 **SHARING BETWEEN DEPARTMENT OF DE-**
 16 **FENSE AND DESIGNATED RELATIVES AND**
 17 **FRIENDS OF MEMBERS OF THE ARMED**
 18 **FORCES REGARDING THE EXPERIENCES AND**
 19 **CHALLENGES OF MILITARY SERVICE.**

20 (a) *PILOT PROGRAM DESCRIBED.—*

21 (1) *PURPOSE.—Not later than one year after the*
 22 *date of the enactment of this Act, the Secretary of De-*
 23 *fense shall seek to enter into an agreement with the*
 24 *American Red Cross to carry out a pilot program*
 25 *under which the American Red Cross—*

1 (A) encourages a member of the Armed
2 Forces, upon the enlistment or appointment of
3 such member, to designate up to 10 persons to
4 whom information regarding the military service
5 of such member shall be disseminated using con-
6 tact information obtained under paragraph (5);
7 and

8 (B) provides such persons, within 30 days
9 after the date on which such persons were des-
10 ignated under subparagraph (A), the option to
11 elect to receive such information regarding mili-
12 tary service; and

13 (2) *TYPES OF INFORMATION.*—The types of infor-
14 mation to be disseminated under the pilot program to
15 persons who elect to receive information shall include
16 information regarding—

17 (A) aspects of daily life and routine experi-
18 enced by members of the Armed Forces;

19 (B) the challenges and stresses of military
20 service, particularly during and after deploy-
21 ment as part of a contingency operation;

22 (C) the services available to members of the
23 Armed Forces and the dependents of such mem-
24 bers to cope with the experiences and challenges
25 of military service;

1 (D) benefits administered by the Depart-
2 ment of Defense for members of the Armed Forces
3 and the dependents of such members;

4 (E) a toll-free telephone number through
5 which such persons who elect to receive informa-
6 tion under the pilot program may request infor-
7 mation regarding the program; and

8 (F) such other information as the Secretary
9 of Defense determines to be appropriate.

10 (3) *PRIVACY OF INFORMATION.*—In carrying out
11 the pilot program under paragraph (1), the Secretary
12 of Defense may not disseminate information under
13 paragraph (2) in violation of laws and regulations
14 pertaining to the privacy of members of the Armed
15 Forces, including requirements pursuant to—

16 (A) section 552a of title 5, United States
17 Code; and

18 (B) the Health Insurance Portability and
19 Accountability Act of 1996 (Public Law 104–
20 191).

21 (4) *NOTICE AND MODIFICATIONS.*—In carrying
22 out the pilot program under paragraph (1), the Sec-
23 retary of Defense shall, with respect to a member of
24 the Armed Forces—

1 (A) ensure that such member is notified of
2 the ability to modify designations made by the
3 member under paragraph (1)(A); and

4 (B) upon the request of a member, authorize
5 the member to modify such designations at any
6 time.

7 (5) *CONTACT INFORMATION.*—In making a des-
8 ignation under the pilot program, a member of the
9 Armed Forces shall provide necessary contact infor-
10 mation, specifically including an email address, to fa-
11 cilitate the dissemination of information regarding
12 the military service of the member.

13 (6) *OPT-OUT OF PROGRAM.*—In carrying out the
14 pilot program under paragraph (1), the Secretary of
15 Defense shall, with respect to a person who has elected
16 to receive information under such pilot program,
17 cease disseminating such information to that person
18 upon request of such person.

19 (b) *SURVEY AND REPORT ON PILOT PROGRAM.*—

20 (1) *SURVEY.*—Not later than two years after the
21 date on which the pilot program commences, the Sec-
22 retary of Defense, in consultation with the American
23 Red Cross, shall administer a survey to persons who
24 elected to receive information under the pilot pro-
25 gram, for the purpose of receiving feedback regarding

1 *the quality of information disseminated under this*
2 *section, including whether such information appro-*
3 *priately reflects the military career progression of*
4 *members of the Armed Forces.*

5 (2) *REPORT.—Not later than three years after*
6 *the date on which the pilot program commences, the*
7 *Secretary of Defense shall submit to the congressional*
8 *defense committees a final report on the pilot pro-*
9 *gram which includes—*

10 (A) *the results of the survey administered*
11 *under paragraph (1);*

12 (B) *a determination as to whether the pilot*
13 *program should be made permanent; and*

14 (C) *recommendations as to modifications*
15 *necessary to improve the program if made per-*
16 *manent.*

17 (3) *CONGRESSIONAL DEFENSE COMMITTEES DE-*
18 *FINED.—The term “congressional defense committees”*
19 *has the meaning given that term in section 101 of*
20 *title 10, United States Code.*

21 (c) *TERMINATION OF PILOT PROGRAM.—The pilot pro-*
22 *gram shall terminate upon submission of the report re-*
23 *quired by subsection (b)(2).*

1 **SEC. 570D. REPORT REGARDING EFFECTIVENESS OF TRANSITION ASSISTANCE PROGRAM FOR FEMALE**
 2
 3 **MEMBERS OF THE ARMED FORCES.**

4 *Section 552(b)(4) of the John S. McCain National De-*
 5 *fense Authorization Act for Fiscal Year 2019 (Public Law*
 6 *115–232) is amended by adding at the end the following:*

7 *“(E) The evaluation of the Secretary re-*
 8 *garding the effectiveness of the Transition Assist-*
 9 *ance Program for female members of the Armed*
 10 *Forces.”.*

11 **SEC. 570E. NOTICE TO SEPARATING SERVICEMEMBERS OF**
 12 **RIGHTS UNDER THE SERVICEMEMBERS CIVIL**
 13 **RELIEF ACT.**

14 *Section 105 of the Servicemembers Civil Relief Act (50*
 15 *U.S.C. 3915) is amended—*

16 *(1) by inserting “(a) INITIAL NOTICE.—” before*
 17 *“The Secretary concerned”; and*

18 *(2) by adding at the end the following new sub-*
 19 *section:*

20 *“(b) NOTICE AFTER PERIOD OF MILITARY SERVICE.—*
 21 *The Secretary concerned shall ensure that a notice described*
 22 *in subsection (a) is provided in writing to each person not*
 23 *sooner than 150 days after and not later than 180 days*
 24 *after the date of the termination of a period of military*
 25 *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 assist-*
8 *ing members of the Armed Forces and Veterans partici-*
9 *pating in the Transition Assistance Program (in this sec-*
10 *tion 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 and*
15 *veterans participating in TAP.*

16 (c) *ELEMENTS FOR VETERANS AND MEMBERS OF THE*
17 *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 U.S.C.*
6 *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 location*
11 *in which the individual resides or intends to reside*
12 *after separation from the Armed Forces:*

13 *(A) A current list of employment opportuni-*
14 *ties collected from employers.*

15 *(B) A current list of educational institu-*
16 *tions.*

17 *(C) A current list of facilities of the Depart-*
18 *ment of Veterans Affairs.*

19 *(D) A current list of local veterans service*
20 *organizations.*

21 *(5) The dashboard under paragraph (4) shall in-*
22 *clude a list of benefits for which an individual as a*
23 *veteran or separated member of the Armed Forces is*
24 *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 expiration*
3 *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 management*
 6 *software, including training courses with a minimum*
 7 *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 email,*
 11 *with mentors who can use the online application to*
 12 *track the jobs mentees have applied for, the training*
 13 *mentees have undertaken, and any other appropriate*
 14 *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 information*
6 *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 se-*
15 *cure 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 the*
20 *United States.*

21 (D) *Regular scans of the online application,*
22 *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 the*
 4 *online application is made available for use by indi-*
 5 *viduals 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 the*
 13 *dates that are one and two years after the date of the*
 14 *commencement of the pilot program, the Secretaries*
 15 *shall jointly assess the pilot program.*

16 (2) *FINAL ASSESSMENT.*—*Not later than the date*
 17 *that is three years after the date of the commencement*
 18 *of the pilot program, the Secretaries shall jointly*
 19 *carry out a final assessment of the pilot program.*

20 (3) *PURPOSE.*—*The general objective of each as-*
 21 *essment under this subsection shall be to determine*
 22 *if the online application under the pilot program as-*
 23 *sists participants in TAP accomplish the goals of*
 24 *TAP, accounting for the individual profiles of partici-*

1 *pants, including military experience and geographic*
2 *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 Sec-*
25 *retaries shall submit a report to Congress on its findings*

1 *regarding the pilot program, including recommendations*
 2 *for legislation.*

3 **SEC. 570G. INCLUSION OF QUESTION REGARDING IMMIGRA-**
 4 **TION 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 checklist*
 8 *for active component, active guard reserve, active reserve,*
 9 *full time support, and reserve program administrator serv-*
 10 *ice members (DD Form 2648) to include a specific block*
 11 *wherein a member of the Armed Forces may indicate that*
 12 *the member would like to receive information regarding the*
 13 *immigration status of that member and expedited natu-*
 14 *ralization.*

15 **SEC. 570H. COUNSELING TO MEMBERS WHO ARE NOT CITI-**
 16 **ZENS OF THE UNITED STATES.**

17 *(a) IN GENERAL.—The Secretary concerned shall fur-*
 18 *nish to covered individuals under the jurisdiction of that*
 19 *Secretary counseling regarding how to apply for natu-*
 20 *ralization.*

21 *(b) COVERED INDIVIDUAL DEFINED.—In this section,*
 22 *the term “covered individual” means a member of the*
 23 *Armed Forces who is not a citizen of the United States.*

1 ***Subtitle H—Military Family Readiness and Dependents’ Education***

3 ***SEC. 571. AUTHORIZING MEMBERS TO TAKE LEAVE FOR A***
 4 ***BIRTH OR ADOPTION IN MORE THAN ONE IN-***
 5 ***CREMENT.***

6 *Section 701(i) of title 10, United States Code, is*
 7 *amended by striking paragraph (5).*

8 ***SEC. 572. DEFERRED DEPLOYMENT FOR MEMBERS WHO***
 9 ***GIVE BIRTH.***

10 *Section 701 of title 10, United States Code, is amended*
 11 *by adding at the end the following new subsection:*

12 *“(l) A member of the armed forces who gives birth may*
 13 *not be deployed during the period of 12 months beginning*
 14 *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:*

1 “(8)(A) *Transportation of the remains, and trav-*
2 *el and transportation allowances as specified in regu-*
3 *lations prescribed under section 464 of title 37 for an*
4 *escort of one person, to the place, subject to subpara-*
5 *graph (B), selected by the person designated to direct*
6 *disposition of the remains or, if such a selection is not*
7 *made, to a national or other cemetery which is se-*
8 *lected by the Secretary and in which burial of the de-*
9 *cedent is authorized.*

10 “(B) *The person designated to direct disposition*
11 *of the remains may select two places under subpara-*
12 *graph (A) if the second place is a national cemetery.*
13 *If that person selects two places, the Secretary con-*
14 *cerned may pay for transportation to the second place*
15 *only by means of reimbursement under to subsection*
16 *(b).*

17 “(C) *When transportation of the remains in-*
18 *cludes transportation by aircraft under section 562 of*
19 *the John Warner National Defense Authorization Act*
20 *for Fiscal Year 2007 (Public Law 109–364; 10 U.S.C.*
21 *1482 note), the Secretary concerned shall provide, to*
22 *the maximum extent practicable, for delivery of the*
23 *remains by air to the commercial, general aviation,*
24 *or military airport nearest to the place selected by the*
25 *designee.”.*

1 (b) *MILITARY ESCORT AND HONOR GUARD ONLY TO*
 2 *FIRST LOCATION.*—Section 562(b) of the John Warner Na-
 3 *tional Defense Authorization Act for Fiscal Year 2007 (Pub-*
 4 *lic Law 109–364; 10 U.S.C. 1482 note)* is amended by add-
 5 *ing at the end the following: “If the person designated to*
 6 *direct disposition of the remains selects two places under*
 7 *such section, the term means only the first of those two*
 8 *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 paragraph:
 14 “(3) The Secretary of Defense may not prescribe any
 15 regulation that would provide for a limitation on eligibility
 16 to transfer unused education benefits to family members
 17 based on a maximum number of years of service in the
 18 Armed Forces.”.

19 **SEC. 575. ABSENTEE BALLOT TRACKING PROGRAM.**

20 (a) *ESTABLISHMENT AND OPERATION OF PROGRAM.*—
 21 Section 102(h) of the Uniformed and Overseas Citizens Ab-
 22 sentee Voting Act (52 U.S.C. 20302(h)) is amended to read
 23 as follows:

24 “(h) *ABSENTEE BALLOT TRACKING PROGRAM.*—

1 “(1) *REQUIRING ESTABLISHMENT AND OPER-*
 2 *ATION OF PROGRAM.*—*The chief State election official,*
 3 *in coordination with local election jurisdictions, shall*
 4 *establish and operate an absentee ballot tracking pro-*
 5 *gram described in paragraph (2) for the use of absent*
 6 *uniformed services voters and overseas voters.*

7 “(2) *PROGRAM DESCRIBED.*—

8 “(A) *INFORMATION ON TRANSMISSION AND*
 9 *RECEIPT OF ABSENTEE BALLOTS.*—*An absentee*
 10 *ballot tracking program described in this para-*
 11 *graph is a program under which—*

12 “(i) *the State or local election official*
 13 *responsible for the transmission of absentee*
 14 *ballots in an election for Federal office oper-*
 15 *ates procedures to track and confirm the*
 16 *transmission of such ballots and to make*
 17 *information on the transmission of such a*
 18 *ballot available by means of online access*
 19 *using the internet site of the official’s office;*
 20 *and*

21 “(ii) *the State or local election official*
 22 *responsible for the receipt of absentee ballots*
 23 *in an election for Federal office operates*
 24 *procedures to track and confirm the receipt*
 25 *of such ballots and (subject to subparagraph*

(B)) to make information on the receipt of such a ballot available by means of online access using the internet site of the official's office.

“(B) *SPECIFIC INFORMATION ON RECEIPT OF VOTED ABSENTEE BALLOTS.*—The information required to be made available under clause (ii) of subparagraph (A) with respect to the receipt of a voted absentee ballot in an election for Federal office shall include information regarding whether the vote cast on the ballot was counted, and, in the case of a vote which was not counted, the reasons therefor. The appropriate State or local election official shall make the information described in the previous sentence available during the 30-day period that begins on the date on which the results of the election are certified, or during such earlier 30-day period as the official may provide.

“(3) *USE OF TOLL-FREE TELEPHONE NUMBER BY OFFICIALS WITHOUT INTERNET SITE.*—A program established and operated by a State or local election official whose office does not have an internet site may meet the requirements of paragraph (2) if the official has established and operates a toll-free telephone

1 *number that may be used to obtain the information*
 2 *on the transmission or receipt of the absentee ballot*
 3 *which is required under such paragraph.”.*

4 *(b) EFFECTIVE DATE.—The amendment made by sub-*
 5 *section (a) shall apply with respect to elections held during*
 6 *2020 or any succeeding year.*

7 **SEC. 576. ANNUAL STATE REPORT CARD.**

8 *Section 1111(h)(1)(C)(ii) of the Elementary and Sec-*
 9 *ondary Education Act of 1965 (20 U.S.C.*
 10 *6311(h)(1)(C)(ii)) is amended by striking “on active duty*
 11 *(as defined in section 101(d)(5) of such title)”.*

12 **SEC. 577. TRANSPORTATION OF REMAINS OF CASUALTIES;**
 13 **TRAVEL EXPENSES FOR NEXT OF KIN.**

14 *(a) TRANSPORTATION FOR REMAINS OF A MEMBER*
 15 *WHO DIES NOT IN A THEATER OF COMBAT OPERATIONS.—*
 16 *Section 562 of the John Warner National Defense Author-*
 17 *ization Act for Fiscal Year 2007 (Public Law 109–364; 10*
 18 *U.S.C. 1482 note) is amended—*

19 *(1) in the heading, by striking “**DYING IN A***
 20 ***THEATER OF COMBAT OPERATIONS*”; and**

21 *(2) in subsection (a), by striking “in a combat*
 22 *theater of operations” and inserting “outside of the*
 23 *United States”.*

24 *(b) TRANSPORTATION FOR FAMILY.—The Secretary of*
 25 *Defense shall revise Department of Defense Instruction*

1 1300.18 to extend travel privileges via Invitational Travel
 2 Authorization to family members of members of the Armed
 3 Forces who die outside of the United States and whose re-
 4 mains are returned to the United States through the mor-
 5 tuary facility at Dover Air Force Base, Delaware.

6 **SEC. 578. MEETINGS OF OFFICIALS OF THE DEPARTMENT**
 7 **OF DEFENSE WITH SURVIVORS OF DECEASED**
 8 **MEMBERS OF THE ARMED FORCES.**

9 (a) *CHIEFS OF THE ARMED FORCES.*—The Secretary
 10 of Defense shall direct the chiefs of the Armed Forces to meet
 11 periodically with survivors of deceased members of the
 12 Armed Forces to receive feedback from those survivors re-
 13 garding issues affecting such survivors. The Chief of the Na-
 14 tional Guard Bureau shall meet with survivors of deceased
 15 members of the Air National Guard and the Army National
 16 Guard.

17 (b) *UNDER SECRETARY OF DEFENSE FOR PERSONNEL*
 18 *AND READINESS.*—The Under Secretary of Defense for Per-
 19 sonnel and Readiness shall meet periodically with survivors
 20 of deceased members of the Armed Forces to discuss policies
 21 of the Department of Defense regarding military casualties
 22 and Gold Star families.

23 (c) *BRIEFING.*—Not later than April 1, 2020, the
 24 Under Secretary of Defense for Personnel and Readiness
 25 shall brief the Committee on Armed Services of the House

1 *of Representatives regarding policies established and the re-*
 2 *sults of the meetings under subsection (b).*

3 **SEC. 579. DIRECT EMPLOYMENT PILOT PROGRAM FOR MEM-**
 4 **BERS OF THE NATIONAL GUARD AND RE-**
 5 **SERVE, VETERANS, THEIR SPOUSES AND DE-**
 6 **PENDENTS, AND MEMBERS OF GOLD STAR**
 7 **FAMILIES.**

8 (a) *IN GENERAL.*—*The Secretary of Defense may*
 9 *carry out a pilot program to enhance the efforts of the De-*
 10 *partment of Defense to provide job placement assistance and*
 11 *related employment services directly to the following:*

12 (1) *Members of the National Guard and Reserves*
 13 *in reserve active status.*

14 (2) *Veterans of the Armed Forces.*

15 (3) *Spouses and other dependents of individuals*
 16 *referred to in paragraphs (1) and (2).*

17 (4) *Members of Gold Star Families.*

18 (5) *Spouses and other dependents of members of*
 19 *the Armed Forces on active duty.*

20 (b) *ADMINISTRATION.*—*The pilot program shall be of-*
 21 *fered to, and administered by, the adjutants general ap-*
 22 *pointed under section 314 of title 32, United States Code,*
 23 *or other officials in the States concerned designated by the*
 24 *Secretary for purposes of the pilot program.*

1 (c) *COST-SHARING REQUIREMENT.*—As a condition on
2 the provision of funds under this section to a State to sup-
3 port the operation of the pilot program in the State, the
4 State must agree to contribute an amount, derived from
5 non-Federal sources, equal to at least 50 percent of the funds
6 provided by the Secretary to the State under this section.

7 (d) *DIRECT EMPLOYMENT PROGRAM MODEL.*—The
8 pilot program should follow a job placement program model
9 that focuses on working one-on-one with individuals speci-
10 fied in subsection (a) to cost-effectively provide job place-
11 ment services, including services such as identifying unem-
12 ployed and underemployed individuals, job matching serv-
13 ices, resume editing, interview preparation, and post-em-
14 ployment follow up. Development of the pilot program
15 should be informed by existing State direct employment
16 programs for members of the reserve components and vet-
17 erans.

18 (e) *TRAINING.*—The pilot program should draw on the
19 resources provided to transitioning members of the Armed
20 Forces with civilian training opportunities through the
21 SkillBridge transition training program administered by
22 the Department of Defense.

23 (f) *EVALUATION.*—The Secretary shall develop outcome
24 measurements to evaluate the success of the pilot program.

25 (g) *REPORTING REQUIREMENTS.*—

1 (1) *REPORT REQUIRED.*—Not later than March
2 1, 2021, the Secretary of Defense shall submit to the
3 congressional defense committees a report describing
4 the results of the pilot program. The Secretary shall
5 prepare the report in coordination with the Secretary
6 of Veterans Affairs and the Chief of the National
7 Guard Bureau.

8 (2) *ELEMENTS OF REPORT.*—A report under
9 paragraph (1) shall include the following:

10 (A) A description and assessment of the ef-
11 fectiveness and achievements of the pilot pro-
12 gram, including the number of members of the
13 reserve components and veterans of the Armed
14 Forces hired and the cost-per-placement of par-
15 ticipating members and veterans.

16 (B) An assessment of the impact of the pilot
17 program and increased reserve component em-
18 ployment levels on the readiness of members of
19 the reserve components and on the retention of
20 members of the Armed Forces.

21 (C) A comparison of the pilot program to
22 other programs conducted by the Department of
23 Defense and Department of Veterans Affairs to
24 provide unemployment and underemployment
25 support to members of the reserve components

1 *and veterans of the Armed Forces, including the*
 2 *best practices developed through and used in*
 3 *such programs.*

4 *(D) An assessment of the pilot program's*
 5 *minority outreach efforts, participation out-*
 6 *comes, and participation rates for individuals*
 7 *specified under subsection (a).*

8 *(E) Any other matters considered appro-*
 9 *priate by the Secretary of Defense.*

10 *(h) DURATION OF AUTHORITY.—The authority to*
 11 *carry out the pilot program expires on September 30, 2023,*
 12 *except that the Secretary may, at the Secretary's discretion,*
 13 *extend the pilot program for not more than two additional*
 14 *fiscal years.*

15 **SEC. 580. CONTINUED ASSISTANCE TO SCHOOLS WITH SIG-**
 16 **NIFICANT NUMBERS OF MILITARY DEPEND-**
 17 **ENT STUDENTS.**

18 *(a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT*
 19 *NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the*
 20 *amount authorized to be appropriated for fiscal year 2020*
 21 *in Division D of this Act and available for operation and*
 22 *maintenance for Defense-wide activities as specified in the*
 23 *funding table in Section 4301 of this Act, \$40,000,000 shall*
 24 *be available only for the purpose of providing assistance*
 25 *to local educational agencies under subsection (a) of section*

1 572 of the National Defense Authorization Act for Fiscal
 2 Year 2006 (Public Law 109–163; 20 U.S.C. 7703b).

3 (b) *IMPACT AID FOR CHILDREN WITH SEVERE DIS-*
 4 *ABILITIES.*—Of the amount authorized to be appropriated
 5 for fiscal year 2020 in Division D of this Act and available
 6 for operation and maintenance for Defense-wide activities
 7 as specified in the funding table in Section 4301 of this
 8 Act, \$10,000,000 shall be available for payments under sec-
 9 tion 363 of the Floyd D. Spence National Defense Author-
 10 ization Act for Fiscal Year 2001 (Public Law 106–398; 20
 11 U.S.C. 7703a).

12 (c) *LOCAL EDUCATIONAL AGENCY DEFINED.*—In this
 13 section, the term “local educational agency” has the mean-
 14 ing given that term in section 7013(9) of the Elementary
 15 and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

16 **SEC. 580A. PILOT PROGRAM TO FUND NON-PROFIT ORGANI-**
 17 **ZATIONS THAT SUPPORT MILITARY FAMILIES.**

18 (a) *ESTABLISHMENT.*—The Secretary of Defense shall
 19 establish a two-year pilot program to provide grants to eli-
 20 gible nonprofit organizations.

21 (b) *INCREASE.*—Notwithstanding the amounts set forth
 22 in the funding tables in division D, the amount authorized
 23 to be appropriated in section 301 for Operations and Main-
 24 tenance, Defense Wide, as specified in the corresponding

1 *funding table in section 4301, line 460 for the Office of the*
 2 *Secretary of Defense is hereby increased by \$1,000,000.*

3 (c) *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 of*
 6 *Wheeled and Tracked Combat Vehicles, Army, as specified*
 7 *in the corresponding funding table in section 4101, for*
 8 *Bradley Program (Mod) is hereby reduced by \$1,000,000.*

9 (d) *DISTRIBUTION OF FUNDS.*—*The Secretary may*
 10 *operate the pilot program under this section on not more*
 11 *than eight covered military installations in a fiscal year,*
 12 *expending not more than \$125,000 per such covered mili-*
 13 *tary installation.*

14 (e) *REPORT.*—*Not later than 180 days after the Sec-*
 15 *retary disburses the last of the funds appropriated for the*
 16 *pilot program, the Secretary shall submit to Congress a re-*
 17 *port regarding—*

18 (1) *the efficacy of the pilot program; and*
 19 (2) *any recommendation of the Secretary to ex-*
 20 *pand, extend, or make permanent the pilot program.*

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

22 (1) *The term “eligible organization” means an*
 23 *organization that—*

1 (A) is a nonprofit organization under sec-
 2 tion 501(c)(3) of the Internal Revenue Code of
 3 1986;

4 (B) on the date of the enactment of this Act,
 5 is providing food, clothing, or other assistance to
 6 families on a covered military installation; and

7 (C) proves, to the satisfaction of the Sec-
 8 retary, that the organization has received fund-
 9 ing commitments that match each dollar re-
 10 quested from the Secretary by the organization
 11 under the pilot program under this section.

12 (2) The term “covered military installation”
 13 means a military installation—

14 (A) on which not more than 5,000 members
 15 of the Armed Forces serve on active duty; and

16 (B) located in a county for which the Sec-
 17 retary determines the cost of living exceeds the
 18 national average.

19 **SEC. 580B. EXPANSION OF THE MY CAREER ADVANCEMENT**
 20 **ACCOUNT PROGRAM FOR MILITARY SPOUSES**
 21 **TO NONPORTABLE CAREER FIELDS AND OC-**
 22 **CUPATIONS.**

23 *The Secretary of Defense shall modify the My Career*
 24 *Advancement Account program of the Department of De-*
 25 *fense to ensure that military spouses participating in the*

1 *program may receive financial assistance for the pursuit*
 2 *of a license, certification, or Associate's degree in any career*
 3 *field or occupation, including both portable and nonport-*
 4 *able career fields and occupations.*

5 **SEC. 580C. EXPANSION OF THE MY CAREER ADVANCEMENT**
 6 **ACCOUNT PROGRAM FOR MILITARY SPOUSES.**

7 (a) *COAST GUARD.*—*The spouse of a member of the*
 8 *Coast Guard may participate in the My Career Advance-*
 9 *ment Account program of the Department of Defense.*

10 (b) *ALL ENLISTED GRADES.*—*The spouse of an en-*
 11 *listed member of the Armed Forces may participate in the*
 12 *My Career Advancement Account program of the Depart-*
 13 *ment of Defense.*

14 **SEC. 580D. REPORT ON TRAINING AND SUPPORT AVAIL-**
 15 **ABLE TO MILITARY SPOUSES.**

16 (a) *REPORT REQUIRED.*—*Not later than 180 days*
 17 *after the date of the enactment of this Act, the Under Sec-*
 18 *retary of Defense for Personnel and Readiness shall submit*
 19 *to the congressional defense committees a report that in-*
 20 *cludes a description of the following:*

21 (1) *Financial literacy programs currently de-*
 22 *signed specifically for military spouses.*

23 (2) *Programs designed to educate spouses and*
 24 *service members about the risks of multi-level mar-*
 25 *keting.*

1 (3) *Efforts to evaluate the effectiveness of finan-*
2 *cial literacy programs.*

3 (4) *The number of counseling sessions requested*
4 *by military spouses at Family Support Centers in the*
5 *previous 5 years.*

6 (b) *PUBLIC AVAILABILITY.—The report submitted*
7 *under subsection (a) shall be made available on a publicly*
8 *accessible website of the Department of Defense.*

9 **SEC. 580E. FULL MILITARY HONORS CEREMONY FOR CER-**
10 **TAIN VETERANS.**

11 *Section 1491(b) of title 10, United States Code, is*
12 *amended by adding at the end the following:*

13 “(3) *The Secretary concerned shall provide full mili-*
14 *tary honors (as determined by the Secretary concerned) for*
15 *the funeral of a veteran who—*

16 “(A) *is first interred or first inurned in Arling-*
17 *ton National Cemetery on or after the date of the en-*
18 *actment of this paragraph;*

19 “(B) *was awarded the medal of honor or the*
20 *prisoner-of-war medal; and*

21 “(C) *is not entitled to full military honors by the*
22 *grade of that veteran.”.*

1 **SEC. 580F. INCREASE IN ASSISTANCE TO CERTAIN LOCAL**
 2 **EDUCATIONAL AGENCIES.**

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, Defense-Wide, as specified in the cor-
 7 responding funding table in section 4301, for Department
 8 of Defense Education Activity, line 410 is hereby increased
 9 by \$10,000,000 (with the amount of such increase to be
 10 made available for support to local educational agencies
 11 that serve military communities and families).

12 (b) *OFFSET.*—Notwithstanding the amounts set forth
 13 in the funding tables in division D, the amount authorized
 14 to be appropriated in section 101 for procurement, as speci-
 15 fied in the corresponding funding table in section 4101, for
 16 shipbuilding and conversion, Navy, ship to shore connector,
 17 line 024 is hereby reduced by \$10,000,000.

18 **SEC. 580G. ASSISTANCE FOR DEPLOYMENT-RELATED SUP-**
 19 **PORT OF MEMBERS OF THE ARMED FORCES**
 20 **UNDERGOING DEPLOYMENT AND THEIR FAM-**
 21 **ILIES BEYOND THE YELLOW RIBBON RE-**
 22 **INTEGRATION PROGRAM.**

23 Section 582 of the National Defense Authorization Act
 24 for Fiscal Year 2008 (10 U.S.C. 10101 note) is amended—

25 (1) by redesignating subsections (k) and (l) as
 26 subsections (l) and (m), respectively; and

1 (2) *by inserting after subsection (j) the following*
 2 *new subsection (k):*

3 “(k) *SUPPORT BEYOND PROGRAM.—The Secretary of*
 4 *Defense shall provide funds to States, Territories, and gov-*
 5 *ernment entities to carry out programs, and other activities*
 6 *as the Secretary considers appropriate, that provide deploy-*
 7 *ment cycle information, services, and referrals to members*
 8 *of the armed forces, and their families, throughout the de-*
 9 *ployment cycle. Such programs may include the provision*
 10 *of access to outreach services, including the following:*

11 “(1) *Employment counseling.*

12 “(2) *Behavioral health counseling.*

13 “(3) *Suicide prevention.*

14 “(4) *Housing advocacy.*

15 “(5) *Financial counseling.*

16 “(6) *Referrals for the receipt of other related*
 17 *services.”.*

18 ***Subtitle I—Decorations and Awards***

19 ***SEC. 581. EXPANSION OF GOLD STAR LAPEL BUTTON ELIGI-*** 20 ***BILITY TO STEPSIBLINGS; FREE REPLACE-*** 21 ***MENT.***

22 “(a) *ELIGIBILITY OF STEPSIBLINGS.—Subsection (d)(3)*
 23 *of section 1126 of title 10, United States Code, is amended*
 24 *by striking “and half sisters” and inserting “half sisters,*
 25 *stepbrothers, and stepsisters”.*

1 (b) *FREE REPLACEMENT*.—Subsection (c) of such sec-
 2 tion is amended by striking “and payment of an amount
 3 sufficient to cover the cost of manufacture and distribution”
 4 and inserting “at no cost to that person”.

5 **SEC. 582. ESTABLISHMENT OF THE ATOMIC VETERANS**
 6 **SERVICE MEDAL.**

7 (a) *SERVICE MEDAL REQUIRED*.—The Secretary of
 8 Defense shall design and produce a military service medal,
 9 to be known as the “Atomic Veterans Service Medal”, to
 10 honor retired and former members of the Armed Forces who
 11 are radiation-exposed veterans (as such term is defined in
 12 section 1112(c)(3) of title 38, United States Code).

13 (b) *DISTRIBUTION OF MEDAL*.—

14 (1) *ISSUANCE TO RETIRED AND FORMER MEM-*
 15 *BERS*.—At the request of a radiation-exposed veteran,
 16 the Secretary of Defense shall issue the Atomic Vet-
 17 erans Service Medal to the veteran.

18 (2) *ISSUANCE TO NEXT-OF-KIN*.—In the case of a
 19 radiation-exposed veteran who is deceased, the Sec-
 20 retary may provide for issuance of the Atomic Vet-
 21 erans Service Medal to the next-of-kin of the person.

22 (3) *APPLICATION*.—The Secretary shall prepare
 23 and disseminate as appropriate an application by
 24 which radiation-exposed veterans and their next-of-

1 *kin may apply to receive the Atomic Veterans Service*
 2 *Medal.*

3 **SEC. 583. REVIEW OF WORLD WAR I VALOR MEDALS.**

4 (a) *REVIEW REQUIRED.*—*Each Secretary concerned*
 5 *shall review the service records of each World War I veteran*
 6 *described in subsection (b) under the jurisdiction of such*
 7 *Secretary who is recommended for such review by the Valor*
 8 *Medals Review Task Force referred to in subsection (c), or*
 9 *another veterans service organization, in order to determine*
 10 *whether such veteran should be awarded the Medal of Honor*
 11 *for valor during World War I.*

12 (b) *COVERED WORLD WAR I VETERANS.*—*The World*
 13 *War I veterans whose service records are to be reviewed*
 14 *under subsection (a) are the following:*

15 (1) *Any African American war veteran, Asian*
 16 *American war veteran, Hispanic American war vet-*
 17 *eran, Jewish American war veteran, or Native Amer-*
 18 *ican war veteran who was awarded the Distinguished*
 19 *Service Cross or the Navy Cross for an action that oc-*
 20 *curred between April 6, 1917, and November 11,*
 21 *1918.*

22 (2) *Any African American war veteran, Asian*
 23 *American war veteran, Hispanic American war vet-*
 24 *eran, Jewish American war veteran, or Native Amer-*
 25 *ican war veteran who was awarded the Croix de*

1 *Guerre with Palm* (that is, awarded at the Army level
2 or above) by the Government of France for an action
3 that occurred between April 6, 1917, and November
4 11, 1918.

5 (3) *Any African American war veteran, Asian*
6 *American war veteran, Hispanic American war vet-*
7 *eran, Jewish American war veteran, or Native Amer-*
8 *ican war veteran who was recommended for a Medal*
9 *of Honor for an action that occurred from April 6,*
10 *1917, to November 11, 1918, if the Department of De-*
11 *fense possesses or receives records relating to such rec-*
12 *ommendation.*

13 (c) *CONSULTATIONS.—In carrying out the review*
14 *under subsection (a), each Secretary concerned may consult*
15 *with the Valor Medals Review Task Force, jointly estab-*
16 *lished by the United States Foundation for the Commemo-*
17 *ration of the World Wars (in consultation with the United*
18 *States World War One Centennial Commission) and the*
19 *George S. Robb Centre for the Study of the Great War, and*
20 *with such other veterans service organizations as such Sec-*
21 *retary determines appropriate, until the conclusion of the*
22 *review.*

23 (d) *RECOMMENDATION BASED ON REVIEW.—If a Sec-*
24 *retary concerned determines, based upon the review under*
25 *subsection (a), that the award of the Medal of Honor to*

1 *a covered World War I veteran is warranted, such Secretary*
 2 *shall submit to the President a recommendation that the*
 3 *President award the Medal of Honor to that veteran.*

4 *(e) AUTHORITY TO AWARD MEDAL OF HONOR.—The*
 5 *Medal of Honor may be awarded to a World War I veteran*
 6 *in accordance with a recommendation of a Secretary con-*
 7 *cerned under subsection (d).*

8 *(f) WAIVER OF TIME LIMITATIONS.—An award of the*
 9 *Medal of Honor may be made under subsection (e) without*
 10 *regard to—*

11 *(1) section 7274 or 8298 of title 10, United*
 12 *States Code, as applicable; and*

13 *(2) any regulation or other administrative re-*
 14 *striction on—*

15 *(A) the time for awarding the Medal of*
 16 *Honor; or*

17 *(B) the awarding of the Medal of Honor for*
 18 *service for which a Distinguished Service Cross*
 19 *or Navy Cross has been awarded.*

20 *(g) DEFINITIONS.—*

21 *(1) IN GENERAL.—In this section:*

22 *(A) AFRICAN AMERICAN WAR VETERAN.—*
 23 *The term “African American war veteran”*
 24 *means any person who served in the United*
 25 *States Armed Forces between April 6, 1917, and*

1 *November 11, 1918, and who identified himself*
2 *as of African descent on his military personnel*
3 *records.*

4 (B) *ASIAN AMERICAN WAR VETERAN.*—*The*
5 *term “Asian American war veteran” means any*
6 *person who served in the United States Armed*
7 *Forces between April 6, 1917, and November 11,*
8 *1918, and who identified himself racially, na-*
9 *tionally, or ethnically as originating from a*
10 *country in Asia on his military personnel*
11 *records.*

12 (C) *HISPANIC AMERICAN WAR VETERAN.*—
13 *The term “Hispanic American war veteran”*
14 *means any person who served in the United*
15 *States Armed Forces between April 6, 1917, and*
16 *November 11, 1918, and who identified himself*
17 *racially, nationally, or ethnically as originating*
18 *from a country where Spanish is an official lan-*
19 *guage on his military personnel 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.*—*The*
 2 *term “Native American war veteran” means any*
 3 *person who served in the United States Armed*
 4 *Forces between April 6, 1917, and November 11,*
 5 *1918, and who identified himself as a member of*
 6 *a federally recognized tribe within the modern*
 7 *territory of the United States on his military*
 8 *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 be-*
 18 *tween April 6, 1917, and November 11,*
 19 *1918.*

20 (2) *APPLICATION OF DEFINITIONS OF ORIGIN.*—
 21 *If the military personnel records of a person do not*
 22 *reflect the person’s membership in one of the groups*
 23 *identified in subparagraphs (B) through (F) of para-*
 24 *graph (1) but historical evidence exists that dem-*
 25 *onstrates the person’s Jewish faith held at the time of*

1 *service, or that the person identified himself as of Af-*
 2 *rican, Asian, Hispanic, or Native American descent,*
 3 *the person may be treated as being a member of the*
 4 *applicable group by the Secretary concerned (in con-*
 5 *sultation with the organizations referred to in sub-*
 6 *section (c)) for purposes of this section.*

7 **SEC. 584. AUTHORIZATION FOR AWARD OF THE MEDAL OF**
 8 **HONOR TO ALWYN CASHE FOR ACTS OF**
 9 **VALOR DURING OPERATION IRAQI FREEDOM.**

10 (a) *WAIVER OF TIME LIMITATIONS.*—Notwithstanding
 11 *the time limitations specified in section 7271 of title 10,*
 12 *United States Code, or any other time limitation with re-*
 13 *spect to the awarding of certain medals to persons who*
 14 *served in the Armed Forces, the President may award the*
 15 *Medal of Honor under section 7271 of such title to Alwyn*
 16 *C. Cashe for the acts of valor during Operation Iraqi Free-*
 17 *dom described in subsection (b).*

18 (b) *ACTS OF VALOR DESCRIBED.*—The acts of valor
 19 *referred to in subsection (a) are the actions of Alwyn Cashe*
 20 *on October 17, 2005, in Samarra, Iraq, during Operation*
 21 *Iraqi Freedom, when, as a Sergeant First Class in Com-*
 22 *pany A, 1st Battalion, 15th Infantry Regiment, 3rd Infan-*
 23 *try Division, with no regard to his own safety or wellbeing,*
 24 *he repeatedly entered a burning Bradley Fighting Vehicle*
 25 *after it struck an improvised explosive device. While receiv-*

1 ing small arms fire, he made his first evacuation of his Sol-
 2 diers. On his second evacuation of Soldiers, his own fuel-
 3 soaked uniform caught on fire, yet he returned to the burn-
 4 ing Bradley Fighting Vehicle for a third evacuation. Cashe,
 5 injured the worst of all involved, with second- and third-
 6 degree burns over 72 percent of his body, still led recovery
 7 efforts and refused medical evacuation until his men were
 8 evacuated to safety and treatment. Cashe's actions saved the
 9 lives of six of his Soldiers. Sergeant First Class Alwyn
 10 Cashe succumbed from his wounds on November 8, 2005 at
 11 Brooks Army Medical Center, Fort Sam Houston, San An-
 12 tonio, Texas. He was posthumously awarded the Silver Star
 13 for his heroism.

14 **SEC. 585. ELIGIBILITY OF VETERANS OF OPERATION END**
 15 **SWEEP FOR VIETNAM SERVICE MEDAL.**

16 *The Secretary of the military department concerned*
 17 *may, upon the application of an individual who is a vet-*
 18 *eran who participated in Operation End Sweep, award*
 19 *that individual the Vietnam Service Medal.*

20 ***Subtitle J—Miscellaneous Reports***
 21 ***and Other Matters***

22 **SEC. 591. REPEAL OF QUARTERLY REPORT ON END**
 23 **STRENGTHS.**

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

1 **SEC. 592. REVISION OF WORKPLACE AND GENDER RELA-**
 2 **TIONS SURVEYS.**

3 (a) *SURVEYS OF MEMBERS OF THE ARMED FORCES.*—

4 *Section 481(c) of title 10, United States Code, is amended—*

5 (1) *in the matter preceding paragraph (1), by*
 6 *inserting “unwanted sexual contact,” after “assault,”;*

7 (2) *by redesignating paragraphs (3) through (5)*
 8 *as paragraphs (4) through (6), respectively;*

9 (3) *by inserting after paragraph (2), the fol-*
 10 *lowing new paragraph (3):*

11 “(3) *The specific types of unwanted sexual con-*
 12 *tact that have occurred, and the number of times each*
 13 *respondent has been subjected to unwanted sexual con-*
 14 *tact during the preceding year.”;*

15 (4) *in paragraph (5), as so redesignated, by*
 16 *striking “and assault” and inserting “assault, and*
 17 *unwanted sexual contact”;*

18 (5) *in paragraph (6), as so redesignated, by*
 19 *striking “or assault” and inserting “assault, or un-*
 20 *wanted sexual contact”.*

21 (b) *SURVEYS OF CIVILIAN EMPLOYEES OF THE DE-*
 22 *PARTMENT OF DEFENSE.*—*Section 481a of title 10, United*
 23 *States Code, is amended—*

24 (1) *in subsection (a)(1), by striking “and dis-*
 25 *crimination” and inserting “discrimination, and un-*
 26 *wanted sexual contact”;*

1 (2) in subsection (b)—

2 (A) by redesignating paragraphs (3)
3 through (5) as paragraphs (4) through (6), re-
4 spectively;

5 (B) by inserting after paragraph (2) the fol-
6 lowing new paragraph (3):

7 “(3) The specific types of unwanted sexual con-
8 tact that civilian employees of the Department were
9 subjected to by other personnel of the Department (in-
10 cluding contractor personnel), and the number of
11 times each respondent has been subjected to unwanted
12 sexual contact during the preceding fiscal year.”;

13 (C) in paragraph (5), as so redesignated, by
14 striking “and discrimination” and inserting
15 “discrimination, and unwanted sexual contact”;
16 and

17 (D) in paragraph (6), as so redesignated, by
18 striking “or discrimination” and inserting “dis-
19 crimination, or unwanted sexual contact”.

20 (c) *EFFECTIVE DATE.*—The amendments made by sub-
21 sections (a) and (b) shall take effect on the date of the enact-
22 ment of this Act and shall apply with respect to surveys
23 under sections 481 and 481a of title 10, United States Code,
24 that are initiated after such date.

1 **SEC. 593. MODIFICATION OF ELEMENTS OF REPORTS ON**
 2 **THE IMPROVED TRANSITION ASSISTANCE**
 3 **PROGRAM.**

4 *Section 552(b)(4) of the John S. McCain National De-*
 5 *fense Authorization Act for Fiscal Year 2019 (Public Law*
 6 *115–232) is amended—*

7 *(1) by redesignating subparagraphs (A) through*
 8 *(D) as subparagraphs (B) through (E), respectively;*

9 *(2) by inserting before subparagraph (B), as re-*
 10 *designated by paragraph (1), the following new sub-*
 11 *paragraph (A):*

12 *“(A) The total number of members eligible*
 13 *to attend Transition Assistance Program coun-*
 14 *seling.”; and*

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

17 *“(F) The number of members who partici-*
 18 *pated in programs under section 1143(e) of title*
 19 *10, United States Code (commonly referred to as*
 20 *‘Job Training, Employment Skills, Apprentices-*
 21 *ships and Internships (JTEST-AI)’ or ‘Skill*
 22 *Bridge’).*

23 *“(G) Such other information as is required*
 24 *to provide Congress with a comprehensive de-*
 25 *scription of the participation of the members in*

1 *the Transition Assistance Program and pro-*
 2 *grams described in subparagraph (F).”.*

3 **SEC. 594. QUESTIONS IN WORKPLACE SURVEYS REGARDING**
 4 **SUPREMACIST, EXTREMIST, AND RACIST AC-**
 5 **TIVITY.**

6 *The Secretary of Defense shall include, in the work-*
 7 *place and equal opportunity, command climate, and work-*
 8 *place and gender relations surveys administered by the Of-*
 9 *fice of People Analytics of the Department of Defense, ques-*
 10 *tions regarding whether respondents have ever—*

11 *(1) experienced or witnessed in the workplace—*

12 *(A) supremacist activity;*

13 *(B) extremist activity;*

14 *(C) racism; or*

15 *(D) anti-Semitism; and*

16 *(2) reported activity described in paragraph (1).*

17 **SEC. 595. COMMAND MATTERS IN CONNECTION WITH TRAN-**
 18 **SITION ASSISTANCE PROGRAMS.**

19 *(a) INCLUSION OF SUPPORT FOR PARTICIPATION IN*
 20 *PROGRAMS IN COMMAND CLIMATE ASSESSMENTS.—Not*
 21 *later than 180 days after the date of the enactment of this*
 22 *Act, each command climate assessment for the commander*
 23 *of a military installation shall include an assessment of the*
 24 *extent to which the commander and other command per-*
 25 *sonnel at the installation encourage and support the par-*

1 *ticipation in covered transition assistance programs of*
 2 *members of the Armed Forces at the installation who are*
 3 *eligible for participation in such programs.*

4 *(b) TRAINING ON PROGRAMS.—The training provided*
 5 *a commander of a military installation in connection with*
 6 *the commencement of assignment to the installation shall*
 7 *include a module on the covered transition assistance pro-*
 8 *grams available for members of the Armed Forces assigned*
 9 *to the installation.*

10 *(c) COVERED TRANSITION ASSISTANCE PROGRAMS*
 11 *DEFINED.—In this section, the term “covered transition as-*
 12 *sistance programs” means the following:*

13 *(1) The Transition Assistance Program.*

14 *(2) The programs under section 1143(e) of title*
 15 *10, United States Code (commonly referred to as “Job*
 16 *Training, Employment Skills, Apprenticeships and*
 17 *Internships (JTEST–AI)” or “Skill Bridge”).*

18 *(3) Any program of apprenticeship, on-the-job-*
 19 *training, internship, education, or transition assist-*
 20 *ance offered (whether by public or private entities) in*
 21 *the vicinity of the military installation concerned in*
 22 *which members of the Armed Forces at the installa-*
 23 *tion are eligible to participate.*

24 *(4) Any other program of apprenticeship, on-the-*
 25 *job training, internship, education, or transition as-*

1 *sistance specified by the Secretary of Defense for pur-*
 2 *poses of this section.*

3 **SEC. 596. EXPRESSING SUPPORT FOR THE DESIGNATION OF**
 4 **A “GOLD STAR FAMILIES REMEMBRANCE**
 5 **DAY”.**

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

7 *(1) March 2, 2020, marked the 91st anniversary*
 8 *of President Calvin Coolidge signing an Act of Con-*
 9 *gress that approved and funded the first Gold Star*
 10 *pilgrimage to enable Gold Star families to travel to*
 11 *the gravesites of their loved ones who died during*
 12 *World War I.*

13 *(2) The members of the Armed Forces of the*
 14 *United States bear the burden of protecting the free-*
 15 *dom of the people of the United States.*

16 *(3) The sacrifices of the families of the fallen*
 17 *members of the Armed Forces of the United States*
 18 *should never be forgotten.*

19 *(b) SENSE OF CONGRESS.—It is the sense of Congress*
 20 *to—*

21 *(1) support the designation of a “Gold Star*
 22 *Families Remembrance Day”;*

23 *(2) honor and recognize the sacrifices made by*
 24 *the families of members of the Armed Forces of the*

1 *United States who gave their lives to defend freedom*
2 *and protect America; and*

3 *(3) encourage the people of the United States to*
4 *observe “Gold Star Families Remembrance Day”*
5 *by—*

6 *(A) performing acts of service and good will*
7 *in their communities; and*

8 *(B) celebrating the lives of those who have*
9 *made the ultimate sacrifice so that others could*
10 *continue to enjoy life, liberty, and the pursuit of*
11 *happiness.*

12 **SEC. 597. REPORT ON CERTAIN WAIVERS RECEIVED BY**
13 **TRANSGENDER INDIVIDUALS.**

14 *(a) IN GENERAL.—Not later than 120 days after the*
15 *date of the enactment of this Act, and annually thereafter*
16 *during the two subsequent calendar years, the Secretary of*
17 *Defense shall submit to the Committees on Armed Services*
18 *of the House of Representatives and the Senate a report*
19 *identifying the number of individuals (disaggregated by the*
20 *status of the individuals as exempt individuals or non-*
21 *exempt individuals) to whom the following applied during*
22 *the reporting period for such report:*

23 *(1) Diagnosed with a covered medical condi-*
24 *tion—*

1 (A) prior to accession into the Armed
2 Forces; or

3 (B) as a member of the Armed Forces.

4 (2) Presumptively denied accession into the
5 Armed Forces as a result of a covered medical condi-
6 tion.

7 (3) Applied for a service waiver as a result of a
8 covered medical condition.

9 (4) Received a service waiver for a covered med-
10 ical condition.

11 (5) Denied a service waiver for a covered med-
12 ical condition.

13 (6) Separated from the Armed Forces as a result
14 of a covered medical condition.

15 (b) DEFINITIONS.—In this section:

16 (1) EXEMPT AND NONEXEMPT INDIVIDUALS.—
17 The terms “exempt individuals” and “nonexempt in-
18 dividuals” have the meanings given those terms in at-
19 tachment 3 of the memorandum—

20 (A) issued by the Office of the Deputy Sec-
21 retary of Defense;

22 (B) dated March 12, 2019; and

23 (C) with the subject heading “Directive-type
24 Memorandum (DTM)–19–004–Military Service

1 *by Transgender Persons and Persons with Gen-*
 2 *der Dysphoria”.*

3 (2) *COVERED MEDICAL CONDITION.*—*The term*
 4 *“covered medical condition” means—*

5 *(A) gender dysphoria;*

6 *(B) gender transition treatment; or*

7 *(C) any other condition related to gender*
 8 *dysphoria or gender transition treatment.*

9 (3) *REPORTING PERIOD.*—*The term “reporting*
 10 *period” means, with respect to a report submitted*
 11 *under subsection (a), the calendar year most recently*
 12 *completed before the date on which such report is to*
 13 *be submitted.*

14 (4) *SERVICE WAIVER.*—*The term “service waiv-*
 15 *er” includes a waiver—*

16 *(A) for accession into the Armed Forces;*

17 *(B) to continue service in the Armed Forces;*

18 *or*

19 *(C) to otherwise permit service in the*
 20 *Armed Forces.*

21 **SEC. 598. STUDY ON BEST PRACTICES FOR PROVIDING FI-**
 22 **NANCIAL LITERACY EDUCATION FOR VET-**
 23 **ERANS.**

24 (a) *STUDY REQUIRED.*—*The Secretary of Defense and*
 25 *the Secretary of Veterans Affairs, and with respect to mem-*

1 *bers of the Coast Guard, in coordination with the Secretary*
2 *of the Department in which the Coast Guard is operating*
3 *when it is not operating as a service in the Navy, shall*
4 *conduct a study on the best practices to provide financial*
5 *literacy education for separating members of the Armed*
6 *Forces and veterans.*

7 *(b) ELEMENTS.—The study required by subsection (a)*
8 *shall include—*

9 *(1) an examination, recommendations, and re-*
10 *porting on best practices for providing financial lit-*
11 *eracy education to veterans and separating members*
12 *of the Armed Forces;*

13 *(2) detailed current financial literacy programs*
14 *for separating members of the Armed Forces, and an*
15 *examination of linkages between these programs and*
16 *those for veterans provided by the Department of Vet-*
17 *erans Affairs; and*

18 *(3) steps to improve coordination between the*
19 *Department of Defense and Department of Veterans*
20 *Affairs for the provision of these services.*

21 *(c) CONSULTATION.—In conducting the study required*
22 *by subsection (a), the Secretaries shall consult with the Fi-*
23 *nancial Literacy and Education Commission of the Depart-*
24 *ment of the Treasury.*

1 (d) *REPORT.*—Not later than 120 days after the date
 2 of the enactment of this Act, the Secretary of Defense shall
 3 submit to the appropriate congressional committees a report
 4 on the study under subsection (a).

5 (e) *DEFINITION.*— In this section:

6 (1) The term “financial literacy” means edu-
 7 cation of personal finance including the insurance,
 8 credit, loan, banking, career training and education
 9 benefits available to veterans.

10 (2) The term “appropriate congressional com-
 11 mittees” means the Committees on Armed Services of
 12 the Senate and House of Representatives, and the
 13 Committees on Veterans’ Affairs of the Senate and
 14 House of Representatives.

15 **SEC. 599. HONORARY PROMOTION OF COLONEL CHARLES E.**

16 **MCGEE TO BRIGADIER GENERAL IN THE AIR**
 17 **FORCE.**

18 The President is authorized to issue an honorary com-
 19 mission promoting, to brigadier general in the Air Force,
 20 Colonel Charles E. McGee, United States Air Force (re-
 21 tired), a distinguished Tuskegee Airman whose honorary
 22 promotion has the recommendation of the Secretary of the
 23 Air Force under section 1563 of title 10, United States
 24 Code.

1 **SEC. 599A. RECOMMENDING THAT THE PRESIDENT GRANT**
2 **LIEUTENANT COLONEL RICHARD COLE,**
3 **UNITED STATES AIR FORCE (RET.), AN HON-**
4 **ORARY AND POSTHUMOUS PROMOTION TO**
5 **THE GRADE OF COLONEL.**

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

7 (1) *Richard E. Cole (in this section referred to*
8 *as “Cole”) graduated from Steele High School in*
9 *Dayton, Ohio, and completed two years at Ohio Uni-*
10 *versity before enlisting in the Army Air Corps in No-*
11 *vember, 1940.*

12 (2) *Cole completed pilot training and was com-*
13 *missioned as a Second Lieutenant in July, 1941.*

14 (3) *On April 18, 1942, the United States con-*
15 *ducted air raids on Tokyo led by Lieutenant Colonel*
16 *James “Jimmy” Doolittle, which later became known*
17 *as “the Doolittle Raid”.*

18 (4) *Cole flew in the Doolittle Raid as Lieutenant*
19 *Colonel Doolittle’s co-pilot in aircraft number 1.*

20 (5) *For their outstanding heroism, valor, skill,*
21 *and service to the United States, the Doolittle Raid-*
22 *ers, including Cole, were awarded the Congressional*
23 *Gold Medal in 2014.*

24 (b) *RECOMMENDATION OF HONORARY PROMOTION FOR*
25 *RICHARD E. COLE.*—Pursuant to section 1563 of title 10,
26 *United States Code, Congress recommends that the Presi-*

1 *dent grant Lieutenant Colonel Richard E. Cole, United*
 2 *States Air Force (retired), an honorary and posthumous*
 3 *promotion to the grade of colonel.*

4 *(c) ADDITIONAL BENEFITS NOT TO ACCRUE.—The ad-*
 5 *vancement of Richard E. Cole on the retired list of the Air*
 6 *Force under subsection (b) shall not affect the retired pay*
 7 *or other benefits from the United States to which Richard*
 8 *E. Cole would have been entitled based upon his military*
 9 *service, or affect any benefits to which any other person*
 10 *may become entitled based on such military service.*

11 **SEC. 599B. INCLUSION OF CERTAIN VETERANS ON TEM-**
 12 **PORARY DISABILITY OR PERMANENT DIS-**
 13 **ABLED RETIREMENT LISTS IN MILITARY**
 14 **ADAPTIVE SPORTS PROGRAMS.**

15 *(a) INCLUSION OF CERTAIN VETERANS.—Subsection*
 16 *(a)(1) of section 2564a of title 10, United States Code, is*
 17 *amended by striking “for members of the armed forces who”*
 18 *and all that follows through the period at the end and in-*
 19 *serting the following: “for—*

20 *“(A) any member of the armed forces who*
 21 *is eligible to participate in adaptive sports be-*
 22 *cause of an injury, illness, or wound incurred in*
 23 *the line of duty in the armed forces; and*

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

4 “(i) is on the Temporary Disability
5 Retirement List or Permanently Disabled
6 Retirement List;

7 “(ii) is eligible to participate in adapt-
8 ive sports because of an injury, illness, or
9 wound incurred in the line of duty in the
10 armed forces; and

11 “(iii) was enrolled in the program au-
12 thorized under this section prior to the vet-
13 eran’s date of separation.”.

14 (b) *CONFORMING AMENDMENT.*—Subsection (b) of such
15 section is amended by inserting “and veterans” after “mem-
16 bers”.

17 (c) *CLERICAL AMENDMENTS.*—

18 (1) *HEADING AMENDMENT.*—The heading of such
19 section is amended to read as follows:

20 **“§ 2564a. Provision of assistance for adaptive sports**
21 **programs: members of the armed forces;**
22 **certain veterans”.**

23 (2) *TABLE OF SECTIONS.*—The table of sections
24 at the beginning of chapter 152 of such title is

1 *amended by striking the item relating to section*
 2 *2564a and inserting the following new item:*

*“2564a. Provision of assistance for adaptive sports programs: members of the
 armed forces; certain veterans.”.*

3 **SEC. 599C. SENSE OF CONGRESS REGARDING THE HIGH-AL-**
 4 **TITUDE ARMY NATIONAL GUARD AVIATION**
 5 **TRAINING SITE.**

6 (a) *FINDING.*—Congress finds that the High-Altitude
 7 *Army National Guard Aviation Training Site is the lone*
 8 *school of the Department of Defense where rotary-wing avi-*
 9 *ators in the Armed Forces and the militaries of foreign al-*
 10 *lies learn how to safely fly rotary-wing aircraft in moun-*
 11 *tainous, high-altitude environments.*

12 (b) *SENSE OF CONGRESS.*—It is the sense of Congress
 13 *that military aviation training in Colorado, including the*
 14 *training conducted at the High-Altitude Army National*
 15 *Guard Aviation Training Site, is critical to the national*
 16 *security of the United States and the readiness of the Armed*
 17 *Forces.*

1 **TITLE VI—COMPENSATION AND**
 2 **OTHER PERSONNEL BENEFITS**
 3 **Subtitle A—Pay and Allowances**

4 **SEC. 601. CLARIFICATION OF CONTINUATION OF PAYS DUR-**
 5 **ING HOSPITALIZATION AND REHABILITATION**
 6 **RESULTING FROM WOUNDS, INJURY, OR ILL-**
 7 **NESS INCURRED WHILE ON DUTY IN A HOS-**
 8 **TILE FIRE AREA OR EXPOSED TO AN EVENT**
 9 **OF HOSTILE FIRE OR OTHER HOSTILE AC-**
 10 **TION.**

11 *Section 372(b)(1) of title 37, United States Code, is*
 12 *amended to read as follows:*

13 *“(1) The date on which the member is returned*
 14 *for assignment to other than a medical or patient*
 15 *unit for duty; however, in the case of a member under*
 16 *the jurisdiction of a Secretary of a military depart-*
 17 *ment, the date on which the member is determined fit*
 18 *for duty.”.*

19 **SEC. 602. BASIC NEEDS ALLOWANCE FOR LOW-INCOME REG-**
 20 **ULAR MEMBERS.**

21 *(a) IN GENERAL.—Chapter 7 of title 37, United States*
 22 *Code, is amended by inserting after section 402a the fol-*
 23 *lowing new section:*

1 **“§ 402b. Basic needs allowance for low-income regular**
 2 **members**

3 “(a) *ALLOWANCE REQUIRED.—(1) Subject to para-*
 4 *graph (2), the Secretary of Defense shall pay to each covered*
 5 *member a basic needs allowance in the amount determined*
 6 *for such member under subsection (b).*

7 “(2) *In the event a household contains two or more*
 8 *covered members entitled to receive the allowance under this*
 9 *section in a given year, only one allowance may be paid*
 10 *for that year to a covered member among such covered mem-*
 11 *bers whom such covered members shall jointly elect.*

12 “(b) *AMOUNT OF ALLOWANCE FOR A COVERED MEM-*
 13 *BER.—(1) The amount of the monthly allowance payable*
 14 *to a covered member under subsection (a) for a year shall*
 15 *be the aggregate amount equal to—*

16 “(A) *the aggregate amount equal to—*

17 “(i) *130 percent of the Federal poverty guide-*
 18 *lines of the Department of Health and Human Serv-*
 19 *ices for the location and number of persons in the*
 20 *household of the covered member for such year; minus*

21 “(ii) *the gross household income of the covered*
 22 *member during the preceding year; and*

23 “(B) *divided by 12.*

24 “(2) *The monthly allowance payable to a covered mem-*
 25 *ber for a year shall be payable for each of the 12 months*
 26 *following March of such year.*

1 “(c) *NOTICE OF ELIGIBILITY.*—(1)(A) *Not later than*
 2 *December 31 each year, the Director of the Defense Finance*
 3 *and Accounting Service shall notify, in writing, each indi-*
 4 *vidual whom the Director estimates will be a covered mem-*
 5 *ber during the following year of the potential entitlement*
 6 *of that individual to the allowance described in subsection*
 7 *(a) for that following year.*

8 “(B) *The preliminary notice under subparagraph (A)*
 9 *shall include information regarding financial management*
 10 *and assistance programs administered by the Secretary of*
 11 *Defense for which a covered member is eligible.*

12 “(2) *Not later than January 31 each year, each indi-*
 13 *vidual who seeks to receive the allowance for such year*
 14 *(whether or not subject to a notice for such year under para-*
 15 *graph (1)) shall submit to the Director such information*
 16 *as the Director shall require for purposes of this section in*
 17 *order to determine whether or not such individual is a cov-*
 18 *ered member for such year.*

19 “(3) *Not later than February 28 each year, the Direc-*
 20 *tor shall notify, in writing, each individual the Director*
 21 *determines to be a covered member for such year.*

22 “(d) *ELECTION NOT TO RECEIVE ALLOWANCE.*—(1) *A*
 23 *covered member otherwise entitled to receive the allowance*
 24 *under subsection (a) for a year may elect, in writing, not*
 25 *to receive the allowance for such year. Any election under*

1 *this subsection shall be effective only for the year for which*
 2 *made. Any election for a year under this subsection is irrev-*
 3 *ocable.*

4 “(2) *A covered member who does not submit informa-*
 5 *tion described in subsection (d)(2) for a year as otherwise*
 6 *required by that subsection shall be deemed to have elected*
 7 *not to receive the allowance for such year.*

8 “(e) *DEFINITIONS.—In this section:*

9 “(1) *The term ‘covered member’ means a regular*
 10 *member of the Army, Navy, Marine Corps, or Air*
 11 *Force—*

12 “(A) *who has completed initial entry train-*
 13 *ing;*

14 “(B) *whose gross household income during*
 15 *the most recent year did not exceed an amount*
 16 *equal to 130 percent of the Federal poverty*
 17 *guidelines of the Department of Health and*
 18 *Human Services for the location and number of*
 19 *persons in the household of the covered member*
 20 *for such year; and*

21 “(C) *who does not elect under subsection (d)*
 22 *not to receive the allowance for such year.*

23 “(2) *The term ‘gross household income’ of a cov-*
 24 *ered member for a year for purposes of paragraph*
 25 *(1)(B) does not include any basic allowance for hous-*

(b) *CLERICAL AMENDMENT.*—The table of sections at the beginning of chapter 7 of such title is amended by inserting after the item relating to section 402a the following new item:

15 *SEC. 603. TEMPORARY INCREASE OF RATES OF BASIC AL-*
16 *LOWANCE FOR HOUSING FOLLOWING DETER-*
17 *MINATION THAT LOCAL CIVILIAN HOUSING*
18 *COSTS SIGNIFICANTLY EXCEED SUCH RATES.*

21 “(8)(A) *The Secretary of Defense may prescribe a tem-*
22 *porary increase in the current rates of basic allowance for*
23 *housing for a military housing area or a portion thereof*
24 *(in this paragraph, ‘BAH rates’) if the Secretary deter-*
25 *mines that the actual costs of adequate housing for civilians*

1 *in that military housing area or portion thereof exceed the*
 2 *current BAH rates by more than 20 percent.*

3 “(B) *Any temporary increase in BAH rates under this*
 4 *paragraph shall remain in effect only until the effective date*
 5 *of the first adjustment of BAH rates for the affected mili-*
 6 *tary housing area that occurs after the date of the increase*
 7 *under this paragraph.*

8 “(C) *This paragraph shall cease to be effective on Sep-*
 9 *tember 30, 2022.”*

10 **SEC. 604. BASIC ALLOWANCE FOR HOUSING FOR A MEMBER**
 11 **WITHOUT DEPENDENTS WHEN RELOCATION**
 12 **WOULD FINANCIALLY DISADVANTAGE THE**
 13 **MEMBER.**

14 *Section 403(o) of title 37, United States Code, is*
 15 *amended—*

16 *(1) by inserting “(1)” before “In”; and*

17 *(2) by adding at the end the following new para-*
 18 *graph:*

19 “(2)(A) *In the case of a member described in subpara-*
 20 *graph (B), the member may be treated for the purposes of*
 21 *this section as if the unit to which the member is assigned*
 22 *did not undergo a change of home port or a change of per-*
 23 *manent duty station if the Secretary concerned determines*
 24 *that it would be inequitable to base the member’s entitle-*

1 *ment to, and amount of, a basic allowance for housing on*
 2 *the new home port or permanent duty station.*

3 “(B) *A member described in this subparagraph—*

4 *“(i) has no dependents;*

5 *“(ii) is assigned to a unit that undergoes a*
 6 *change of home port or a change of permanent duty*
 7 *station; and*

8 *“(iii) is in receipt of orders to return to the pre-*
 9 *vious home port or duty station.”.*

10 **SEC. 605. PARTIAL DISLOCATION ALLOWANCE.**

11 (a) *CURRENT AUTHORITY.*—Section 477(f)(1) of title
 12 37, *United States Code*, is amended by striking “family”.

13 (b) *FUTURE AUTHORITY.*—Section 452(c) of title 37,
 14 *United States Code*, is amended—

15 (1) *by redesignating paragraph (3) as para-*
 16 *graph (4); and*

17 (2) *by inserting after paragraph (2) the fol-*
 18 *lowing new paragraph (3):*

19 “(3)(A) *A partial dislocation allowance paid to*
 20 *a member ordered to occupy or vacate housing pro-*
 21 *vided by the United States.*

22 “(B) *Beginning on January 1, 2022, the partial*
 23 *dislocation allowance under subparagraph (A) shall,*
 24 *subject to subparagraph (C), be equal in value to the*
 25 *allowance under section 477(f) of this title on Decem-*

1 *ber 31, 2021, as adjusted in regulations prescribed by*
2 *the Secretary concerned under the authority estab-*
3 *lished by that section.*

4 *“(C) Effective on the same date in 2022 and any*
5 *subsequent year that the monthly rates of basic pay*
6 *for all members are increased under section 1009 of*
7 *this title or another provision of law, the Secretary of*
8 *Defense shall adjust the rate of the partial dislocation*
9 *allowance under this paragraph by the percentage*
10 *equal to the average percentage increase in the rates*
11 *of basic pay.”.*

12 **SEC. 606. INCREASE IN BASIC PAY.**

13 *Effective on January 1, 2020, the rates of monthly*
14 *basic pay for members of the uniformed services are in-*
15 *creased by 3.1 percent.*

16 **SEC. 607. ANNUAL ADJUSTMENT OF BASIC PAY.**

17 *The adjustment in the rates of monthly basic pay re-*
18 *quired by subsection (a) of section 1009 of title 37, United*
19 *States Code, to be made on January 1, 2020, shall take*
20 *effect, notwithstanding any determination made by the*
21 *President under subsection (e) of such section with respect*
22 *to an alternative pay adjustment to be made on such date.*

1 **SEC. 608. STUDY REGARDING RECOUPMENT OF SEPARA-**
 2 **TION PAY, SPECIAL SEPARATION BENEFITS,**
 3 **AND VOLUNTARY SEPARATION INCENTIVE**
 4 **PAYMENTS FROM MEMBERS OF THE ARMED**
 5 **FORCES AND VETERANS WHO RECEIVE DIS-**
 6 **ABILITY COMPENSATION UNDER LAWS AD-**
 7 **MINISTERED BY THE SECRETARY OF VET-**
 8 **ERANS AFFAIRS.**

9 *(a) STUDY.—The Secretaries of Defense and Veterans*
 10 *Affairs shall conduct a joint study to determine, with re-*
 11 *gards to members of the Armed Forces and veterans whose*
 12 *separation pay, special separation benefits, and voluntary*
 13 *separation incentive payments either Secretary recoups be-*
 14 *cause such members and veterans subsequently receive dis-*
 15 *ability compensation under laws administered by the Sec-*
 16 *retary of Veterans Affairs—*

17 *(1) how many such members and veterans are*
 18 *affected by such recoupment; and*

19 *(2) the aggregated amount of additional money*
 20 *such members and veterans would receive but for such*
 21 *recoupment.*

22 *(b) REPORT REQUIRED.—Not later than September*
 23 *30, 2020, the Secretaries shall submit to the Committees on*
 24 *Armed Services and Veterans' Affairs of the Senate and*
 25 *House of Representatives a report regarding the results of*
 26 *the study under subsection (a).*

1 **SEC. 609. ANNUAL REPORTS ON APPROVAL OF EMPLOY-**
 2 **MENT OR COMPENSATION OF RETIRED GEN-**
 3 **ERAL OR FLAG OFFICERS BY FOREIGN GOV-**
 4 **ERNMENTS FOR EMOLUMENTS CLAUSE PUR-**
 5 **POSES.**

6 (a) *ANNUAL REPORTS.*—Section 908 of title 37,
 7 *United States Code* is amended—

8 (1) *by redesignating subsection (c) as subsection*
 9 *(d); and*

10 (2) *by inserting after subsection (b) the following*
 11 *new subsection (c):*

12 “(c) *ANNUAL REPORTS ON APPROVALS FOR RETIRED*
 13 *GENERAL AND FLAG OFFICERS.*—(1) *Not later than Janu-*
 14 *ary 31 each year, the Secretaries of the military depart-*
 15 *ments shall jointly submit to the appropriate committees*
 16 *and Members of Congress a report on each approval under*
 17 *subsection (b) for employment or compensation described in*
 18 *subsection (a) for a retired member of the armed forces in*
 19 *general or flag officer grade that was issued during the pre-*
 20 *ceding year. The report shall be posted on a publicly avail-*
 21 *able Internet website of the Department of Defense no later*
 22 *than 30 days after it has been submitted to Congress.*

23 “(2) *In this subsection, the appropriate committees*
 24 *and Members of Congress are—*

1 “(A) *the Committee on Armed Services, the Com-*
 2 *mittee on Foreign Relations, and the Committee on*
 3 *Appropriations of the Senate;*

4 “(B) *the Committee on Armed Services, the Com-*
 5 *mittee on Foreign Relations, and the Committee on*
 6 *Appropriations of the House of Representatives;*

7 “(C) *the Majority Leader and the Minority*
 8 *Leader of the Senate; and*

9 “(D) *the Speaker of the House of Representatives*
 10 *and the Minority Leader of the House of Representa-*
 11 *tives.”.*

12 (b) *SCOPE OF FIRST REPORT.—The first report sub-*
 13 *mitted pursuant to subsection (c) of section 908 of title 37,*
 14 *United States Code (as amended by subsection (a) of this*
 15 *section), after the date of the enactment of this Act shall*
 16 *cover the five-year period ending with the year before the*
 17 *year in which such report is submitted.*

18 **SEC. 610. CONTINUED ENTITLEMENTS WHILE A MEMBER OF**
 19 **THE ARMED FORCES PARTICIPATES IN A CA-**
 20 **REER INTERMISSION PROGRAM.**

21 *Section 710(h) of title 10, United States Code, is*
 22 *amended—*

23 (1) *in paragraph (1), by striking “; and” and*
 24 *inserting a semicolon;*

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

3 (3) by adding at the end the following new para-
4 graphs:

5 “(3) the entitlement of the member and of the
6 survivors of the member to all death benefits under
7 the provisions of chapter 75 of this title;

8 “(4) the provision of all travel and transpor-
9 tation allowances for the survivors of deceased mem-
10 bers to attend burial ceremonies under section 481f of
11 title 37; and

12 “(5) the eligibility of the member for general ben-
13 efits as provided in part II of title 38.”.

14 **SEC. 610A. REPORT REGARDING TRANSITION FROM OVER-**
15 **SEAS HOUSING ALLOWANCE TO BASIC AL-**
16 **LOWANCE FOR HOUSING FOR**
17 **SERVICEMEMBERS IN THE TERRITORIES.**

18 Not later than February 1, 2020, the Secretary of De-
19 fense shall submit a report to the congressional defense com-
20 mittees regarding the recommendation of the Secretary
21 whether members of the uniformed services located in the
22 territories of the United States and who receive the overseas
23 housing allowance should instead receive the basic allow-
24 ance for housing to ensure the most appropriate housing
25 compensation for such members and their families.

1 **SEC. 610B. EXEMPTION FROM REPAYMENT OF VOLUNTARY**
 2 **SEPARATION PAY.**

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

5 *(1) in paragraph (1), by striking “paragraphs*
 6 *(2) and (3)” and inserting “paragraphs (2), (3), and*
 7 *(4)”;*

8 *(2) by redesignating paragraph (4) as para-*
 9 *graph (5); and*

10 *(3) by inserting after paragraph (3) the fol-*
 11 *lowing new paragraph:*

12 *“(4) This subsection shall not apply to a member*
 13 *who—*

14 *“(A) is involuntarily recalled to active duty or*
 15 *full-time National Guard duty; and*

16 *“(B) in the course of such duty, incurs a service-*
 17 *connected disability rated as total under section 1155*
 18 *of title 38.”.*

19 ***Subtitle B—Bonuses and Special***
 20 ***Incentive Pays***

21 **SEC. 611. ONE-YEAR EXTENSION OF CERTAIN EXPIRING**
 22 **BONUS AND SPECIAL PAY AUTHORITIES.**

23 *(a) AUTHORITIES RELATING TO RESERVE FORCES.—*

24 *Section 910(g) of title 37, United States Code, relating to*
 25 *income replacement payments for reserve component mem-*
 26 *bers experiencing extended and frequent mobilization for ac-*

1 *tive duty service, is amended by striking “December 31,*
 2 *2019” and inserting “December 31, 2020”.*

3 **(b) TITLE 10 AUTHORITIES RELATING TO HEALTH**
 4 **CARE PROFESSIONALS.**—*The following sections of title 10,*
 5 *United States Code, are amended by striking “December 31,*
 6 *2019” and inserting “December 31, 2020”:*

7 (1) *Section 2130a(a)(1), relating to nurse officer*
 8 *candidate accession program.*

9 (2) *Section 16302(d), relating to repayment of*
 10 *education loans for certain health professionals who*
 11 *serve in the Selected Reserve.*

12 **(c) AUTHORITIES RELATING TO NUCLEAR OFFI-**
 13 **CERS.**—*Section 333(i) of title 37, United States Code, is*
 14 *amended by striking “December 31, 2019” and inserting*
 15 *“December 31, 2020”.*

16 **(d) AUTHORITIES RELATING TO TITLE 37 CONSOLI-**
 17 **DATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AU-**
 18 **THORITIES.**—*The following sections of title 37, United*
 19 *States Code, are amended by striking “December 31, 2019”*
 20 *and inserting “December 31, 2020”:*

21 (1) *Section 331(h), relating to general bonus au-*
 22 *thority for enlisted members.*

23 (2) *Section 332(g), relating to general bonus au-*
 24 *thority for officers.*

1 (3) *Section 334(i), relating to special aviation*
 2 *incentive pay and bonus authorities for officers.*

3 (4) *Section 335(k), relating to special bonus and*
 4 *incentive pay authorities for officers in health profes-*
 5 *sions.*

6 (5) *Section 336(g), relating to contracting bonus*
 7 *for cadets and midshipmen enrolled in the Senior Re-*
 8 *serve Officers' Training Corps.*

9 (6) *Section 351(h), relating to hazardous duty*
 10 *pay.*

11 (7) *Section 352(g), relating to assignment pay or*
 12 *special duty pay.*

13 (8) *Section 353(i), relating to skill incentive pay*
 14 *or proficiency bonus.*

15 (9) *Section 355(h), relating to retention incen-*
 16 *tives for members qualified in critical military skills*
 17 *or assigned to high priority units.*

18 (e) *AUTHORITY TO PROVIDE TEMPORARY INCREASE IN*
 19 *RATES OF BASIC ALLOWANCE FOR HOUSING.—Section*
 20 *403(b)(7)(E) of title 37, United States Code, is amended*
 21 *by striking “December 31, 2019” and inserting “December*
 22 *31, 2020”.*

1 ***Subtitle C—Family and Survivor***
 2 ***Benefits***

3 ***SEC. 621. PAYMENT OF TRANSITIONAL COMPENSATION FOR***
 4 ***CERTAIN DEPENDENTS.***

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

7 *(1) in the subsection heading, by inserting*
 8 *“MEMBERS OR” after “DEPENDENTS OF”;*

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

11 *(3) by amending paragraph (3) to read as fol-*
 12 *lows:*

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

15 *“(A) the date an administrative separation is*
 16 *initiated by a commander of the member;*

17 *“(B) the date the court-martial sentence is ad-*
 18 *judged if the sentence, as adjudged, includes a dis-*
 19 *missal, dishonorable discharge, bad conduct discharge,*
 20 *or forfeiture of all pay and allowances; or*

21 *“(C) the date the member’s term of service ex-*
 22 *pires.”.*

23 ***SEC. 622. DEATH GRATUITY FOR ROTC GRADUATES.***

24 *(a) IN GENERAL.—Section 1475(a)(4) of title 10,*
 25 *United States Code, is amended by adding “; or a graduate*

1 of a reserve officers' training corps who has yet to receive
 2 a first duty assignment; or" at the end.

3 (b) *EFFECTIVE DATE.*—The amendment under sub-
 4 section (a) applies to deaths that occur on or after the date
 5 of the enactment of this Act.

6 **SEC. 623. CONTINUED ELIGIBILITY FOR EDUCATION AND**
 7 **TRAINING OPPORTUNITIES FOR SPOUSES OF**
 8 **PROMOTED MEMBERS.**

9 Section 1784a(b) of title 10, United States Code, is
 10 amended—

11 (1) by inserting "(1)" before "Assistance"; and

12 (2) by adding at the end the following new para-
 13 graph:

14 "(2) A spouse who is eligible for a program under this
 15 section and begins a course of education or training for a
 16 degree, license, or credential described in subsection (a) may
 17 not become ineligible to complete such course of education
 18 or training solely because the member to whom the spouse
 19 is married is promoted to a higher grade."

20 **SEC. 624. OCCUPATIONAL IMPROVEMENTS FOR RELOCATED**
 21 **SPOUSES OF MEMBERS OF THE UNIFORMED**
 22 **SERVICES.**

23 (a) *IMPROVEMENT OF OCCUPATIONAL LICENSE PORT-*
 24 *ABILITY FOR MILITARY SPOUSES THROUGH INTERSTATE*
 25 *COMPACTS.*—Section 1784 of title 10, United States Code,

1 *is amended by adding at the end the following new sub-*
 2 *section:*

3 “(h) *IMPROVEMENT OF OCCUPATIONAL LICENSE*
 4 *PORTABILITY THROUGH INTERSTATE COMPACTS.*—

5 “(1) *IN GENERAL.*—*The Secretary of Defense*
 6 *may enter into a cooperative agreement with the*
 7 *Council of State Governments to assist with funding*
 8 *of the development of interstate compacts on licensed*
 9 *occupations in order to alleviate the burden associated*
 10 *with relicensing in such an occupation by spouse of*
 11 *a members of the armed forces in connection with a*
 12 *permanent change of duty station of members to an-*
 13 *other State.*

14 “(2) *LIMITATION.*—*The amount provided under*
 15 *paragraph (1) as assistance for the development of*
 16 *any particular interstate compact may not exceed*
 17 *\$1,000,000.*

18 “(3) *ANNUAL REPORT.*—*Not later than February*
 19 *28 each year, the Secretary shall submit to the Com-*
 20 *mittees on Armed Services of the Senate and the*
 21 *House of Representatives a report on interstate com-*
 22 *pacts described in paragraph (1) developed through*
 23 *assistance provided under that paragraph. Each re-*
 24 *port shall set forth the following:*

1 “(A) *Any interstate compact developed dur-*
 2 *ing the preceding calendar year, including the*
 3 *occupational licenses covered by such compact*
 4 *and the States agreeing to enter into such com-*
 5 *pact.*

6 “(B) *Any interstate compact developed dur-*
 7 *ing a prior calendar year into which one or*
 8 *more additional States agreed to enter during*
 9 *the preceding calendar year.*

10 “(4) *EXPIRATION.—The authority to enter into a*
 11 *cooperative agreement under paragraph (1), and to*
 12 *provide assistance described in that paragraph pursu-*
 13 *ant to such cooperative agreement, shall expire on*
 14 *September 30, 2024.”.*

15 **(b) GUARANTEE OF RESIDENCY FOR REGISTRATION OF**
 16 **BUSINESSES OF SPOUSES OF MEMBERS OF UNIFORMED**
 17 **SERVICES.—**

18 (1) *IN GENERAL.—Title VI of the*
 19 *Servicemembers Civil Relief Act (50 U.S.C. 4021 et*
 20 *seq.) is amended by adding at the end the following*
 21 *new section:*

22 **“SEC. 707. GUARANTEE OF RESIDENCY FOR BUSINESSES OF**
 23 **SPOUSES OF SERVICEMEMBERS.**

24 *“For the purposes of registering a business—*

1 “(1) a person who is absent from a State because
 2 the person is accompanying the person’s spouse who
 3 is absent from that same State in compliance with
 4 military or naval orders shall not, solely by reason of
 5 that absence—

6 “(A) be deemed to have lost a residence or
 7 domicile in that State, without regard to whether
 8 or not the person intends to return to that State;

9 “(B) be deemed to have acquired a residence
 10 or domicile in any other State; or

11 “(C) be deemed to have become a resident in
 12 or a resident of any other State; and

13 “(2) the spouse of a servicemember may elect to
 14 use the same residence as the servicemember regardless
 15 of the date on which the marriage of the spouse and
 16 the servicemember occurred.”.

17 (2) CLERICAL AMENDMENT.—The table of con-
 18 tents in section 1(b) of such Act is amended by insert-
 19 ing after the item relating to section 706 the following
 20 new item:

“Sec. 707. Guarantee of residency for businesses of spouses of servicemembers.”.

1 **SEC. 625. EXPANSION OF AUTHORITY TO PROVIDE FINAN-**
 2 **CIAL ASSISTANCE TO CIVILIAN PROVIDERS**
 3 **OF CHILD CARE SERVICES OR YOUTH PRO-**
 4 **GRAM SERVICES WHO PROVIDE SUCH SERV-**
 5 **ICES TO SURVIVORS OF MEMBERS OF THE**
 6 **ARMED FORCES WHO DIE IN LINE OF DUTY.**

7 *Section 1798(a) of title 10, United States Code, is*
 8 *amended by inserting “, survivors of members of the armed*
 9 *forces who die in line of duty while on active duty, active*
 10 *duty for training, or inactive duty for training,” after*
 11 *“armed forces”.*

12 **SEC. 626. SPACE-AVAILABLE TRAVEL ON MILITARY AIR-**
 13 **CRAFT FOR CHILDREN AND SURVIVING**
 14 **SPOUSES OF MEMBERS WHO DIE OF HOSTILE**
 15 **ACTION OR TRAINING DUTY.**

16 *Section 2641b(c) of title 10, United States Code, is*
 17 *amended—*

18 *(1) by redesignating paragraph (6) as para-*
 19 *graph (7); and*

20 *(2) by inserting after paragraph (5) the fol-*
 21 *lowing new paragraph (6):*

22 *“(6) Children (as described by section*
 23 *1072(2)(D) or section 1110b(b) of this title, as the*
 24 *case may be) and surviving spouses of members of the*
 25 *armed forces who die as a result of hostile action or*
 26 *training duty.”.*

1 **SEC. 627. CONSIDERATION OF SERVICE ON ACTIVE DUTY TO**
 2 **REDUCE AGE OF ELIGIBILITY FOR RETIRED**
 3 **PAY FOR NON-REGULAR SERVICE.**

4 *Section 12731(f)(2)(B)(i) of title 10, United States*
 5 *Code, is amended by striking “under a provision of law*
 6 *referred to in section 101(a)(13)(B) or under section*
 7 *12301(d)” and inserting “under section 12301(d) or 12304b*
 8 *of this title, or under a provision of law referred to in sec-*
 9 *tion 101(a)(13)(B)”.*

10 **SEC. 628. MODIFICATION TO AUTHORITY TO REIMBURSE**
 11 **FOR STATE LICENSURE AND CERTIFICATION**
 12 **COSTS OF A SPOUSE OF A MEMBER ARISING**
 13 **FROM RELOCATION.**

14 *Section 476(p) of title 37, United States Code, is*
 15 *amended—*

16 *(1) in paragraph (1), by striking “armed forces”*
 17 *and inserting “uniformed services”;*

18 *(2) in paragraph (2), by striking “\$500” and in-*
 19 *serting “\$1,000”;*

20 *(3) in paragraph (3)—*

21 *(A) in subparagraph (A), by striking*
 22 *“and”;*

23 *(B) in subparagraph (B), by striking the*
 24 *period and inserting “; and”; and*

25 *(C) by adding at the end the following new*
 26 *subparagraph:*

1 “(C) *an analysis of whether the maximum reim-*
 2 *bursement amount under paragraph (2) is sufficient*
 3 *to cover the average costs of relicensing described in*
 4 *paragraph (1).’*; and

5 (4) *in paragraph (4), by striking “December 31,*
 6 *2022” and inserting “December 31, 2024”.*

7 **SEC. 629. IMPROVEMENTS TO CHILD CARE FOR MEMBERS**
 8 **OF THE ARMED FORCES.**

9 (a) *EXPANSION OF AUTHORITY TO PROVIDE FINAN-*
 10 *CIAL ASSISTANCE TO CIVILIAN PROVIDERS OF CHILD CARE*
 11 *SERVICES OR YOUTH PROGRAM SERVICES WHO PROVIDE*
 12 *SUCH SERVICES TO SURVIVORS OF MEMBERS OF THE*
 13 *ARMED FORCES WHO DIE IN THE LINE OF DUTY.*—Section
 14 1798(a) of title 10, United States Code, is amended by in-
 15 serting “, survivors of members of the armed forces who die
 16 in the line of duty while on active military, naval, or air
 17 service (as that term is defined in section 101 of title 38),”
 18 after “armed forces”.

19 (b) *EXPANSION OF DIRECT HIRING AUTHORITY FOR*
 20 *CHILD CARE SERVICE PROVIDERS.*—Section 559 of the Na-
 21 tional Defense Authorization Act for Fiscal Year 2018 (Pub-
 22 lic Law 115–91; 10 U.S.C. 1792 note) is amended—

23 (1) *in the section heading, by striking “FOR DE-*
 24 **PARTMENT CHILD DEVELOPMENT CENTERS”;**

1 (2) in subsection (a)(1), by striking for “Depart-
 2 ment of Defense child development centers” and in-
 3 serting “for the Department of Defense”; and

4 (3) in subsection (e), by striking “in child devel-
 5 opment centers”.

6 (c) *ASSESSMENT OF FINANCIAL ASSISTANCE PRO-*
 7 *VIDED TO CIVILIAN CHILD CARE PROVIDERS.—*

8 (1) *ASSESSMENT.—The Secretary of Defense*
 9 *shall assess the maximum amount of financial assist-*
 10 *ance provided to eligible civilian providers of child*
 11 *care services or youth program services that furnish*
 12 *such service for members of the armed forces and em-*
 13 *ployees of the United States under section 1798 of*
 14 *title 10, United States Code, as amended by sub-*
 15 *section (a). Such assessment shall include the fol-*
 16 *lowing:*

17 (A) *The determination of the Secretary*
 18 *whether the maximum allowable financial assist-*
 19 *ance should be standardized across the Armed*
 20 *Forces.*

21 (B) *Whether the maximum allowable*
 22 *amount adequately accounts for high-cost duty*
 23 *stations.*

24 (2) *REPORT.—No later than June 1, 2020, the*
 25 *Secretary of Defense shall submit a report to the Com-*

1 *mittees on Armed Services of the Senate and the*
 2 *House of Representatives regarding the results of the*
 3 *assessment under paragraph (1) and any actions*
 4 *taken by the Secretary to remedy identified shortfalls*
 5 *in assistance described in that paragraph.*

6 *(d) ASSESSMENT OF CHILD CARE CAPACITY ON MILI-*
 7 *TARY INSTALLATIONS.—*

8 *(1) ASSESSMENT.—The Secretary of Defense*
 9 *shall assess the capacity for child care at all military*
 10 *installations to ensure that members of the Armed*
 11 *Forces have meaningful access to child care during*
 12 *tours of duty.*

13 *(2) REMEDIAL ACTION.—The Secretary of De-*
 14 *fense shall take steps the Secretary determines nec-*
 15 *essary to alleviate the waiting lists for child care de-*
 16 *scribed in paragraph (1).*

17 *(3) REPORT.—Not later than June 1, 2020, the*
 18 *Secretary of Defense shall provide a report to the*
 19 *Committees on Armed Forces of the Senate and the*
 20 *House of Representative regarding—*

21 *(A) the assessment under paragraph (1);*
 22 *(B) action taken under paragraph (2); and*
 23 *(C) any additional resources (including ad-*
 24 *ditional funding for and child care facilities and*

1 workers) the Secretary determines necessary to
2 increase access described in paragraph (1).

3 (e) *ASSESSMENT OF ACCESSIBILITY OF WEBSITES OF*
4 *THE DEPARTMENT OF DEFENSE RELATED TO CHILD CARE*
5 *AND SPOUSAL EMPLOYMENT.*—

6 (1) *ASSESSMENT.*—The Secretary of Defense
7 shall review the functions and accessibility of websites
8 of the Department of Defense designed for members of
9 the Armed Forces and the families of such members
10 to access information and services offered by the De-
11 partment regarding child care, spousal employment,
12 and other family matters.

13 (2) *REPORT.*—Not later than March 1, 2020, the
14 Secretary of Defense shall provide a briefing to the
15 Committees on Armed Services of the Senate and the
16 House of Representatives regarding the results of the
17 assessment under paragraph (1) and actions taken to
18 enhance accessibility of the websites.

19 (f) *PORTABILITY OF BACKGROUND INVESTIGATIONS*
20 *FOR CHILD CARE PROVIDERS.*—Not later than 180 days
21 after the date of the enactment of this Act, the Secretary
22 of Defense shall ensure that the background investigation
23 and training certification for a child care provider em-
24 ployed by the Department of Defense in a facility of the
25 Department may be transferred to another facility of the

1 *Department, without regard to which Secretary of a mili-*
 2 *tary department has jurisdiction over either such facility.*

3 **SEC. 630. CASUALTY ASSISTANCE FOR SURVIVORS OF DE-**
 4 **CEASED ROTC GRADUATES.**

5 *Section 633 of the National Defense Authorization Act*
 6 *for Fiscal Year 2014 (10 U.S.C. 1475 note) is amended by*
 7 *adding at the end the following new subsection:*

8 “(c) *ROTC GRADUATES.*—

9 “(1) *TREATED AS MEMBERS.*—*For purposes of*
 10 *this section, a graduate of a reserve officers’ training*
 11 *corps who dies before receiving a first duty assign-*
 12 *ment shall be treated as a member of the Armed*
 13 *Forces who dies while on active duty.*

14 “(2) *EFFECTIVE DATE.*—*This subsection applies*
 15 *to deaths on or after the date of the enactment of the*
 16 *National Defense Authorization Act for Fiscal Year*
 17 *2020.”.*

18 **SEC. 630A. REPEAL OF REQUIREMENT OF REDUCTION OF**
 19 **SURVIVOR BENEFIT PLAN SURVIVOR ANNU-**
 20 **ITIES BY AMOUNT OF DEPENDENCY AND IN-**
 21 **DEMNITY COMPENSATION.**

22 (a) *REPEAL.*—

23 (1) *REPEAL.*—*Subchapter II of chapter 73 of*
 24 *title 10, United States Code, is amended as follows:*

1 (A) *In section 1450, by striking subsection*
 2 (c).

3 (B) *In section 1451(c)—*

4 (i) *by striking paragraph (2); and*

5 (ii) *by redesignating paragraphs (3)*
 6 *and (4) as paragraphs (2) and (3), respec-*
 7 *tively.*

8 (2) *CONFORMING AMENDMENTS.—Such sub-*
 9 *chapter is further amended as follows:*

10 (A) *In section 1450—*

11 (i) *by striking subsection (e); and*

12 (ii) *by striking subsection (k).*

13 (B) *In section 1451(g)(1), by striking sub-*
 14 *paragraph (C).*

15 (C) *In section 1452—*

16 (i) *in subsection (f)(2), by striking*
 17 *“does not apply—” and all that follows and*
 18 *inserting “does not apply in the case of a*
 19 *deduction made through administrative*
 20 *error.”; and*

21 (ii) *by striking subsection (g).*

22 (D) *In section 1455(c), by striking “,*
 23 *1450(k)(2),”.*

24 (b) *PROHIBITION ON RETROACTIVE BENEFITS.—No*
 25 *benefits may be paid to any person for any period before*

1 *the effective date provided under subsection (f) by reason*
 2 *of the amendments made by subsection (a).*

3 (c) *PROHIBITION ON RECOUPMENT OF CERTAIN*
 4 *AMOUNTS PREVIOUSLY REFUNDED TO SBP RECIPIENTS.—*
 5 *A surviving spouse who is or has been in receipt of an an-*
 6 *nuity under the Survivor Benefit Plan under subchapter*
 7 *II of chapter 73 of title 10, United States Code, that is in*
 8 *effect before the effective date provided under subsection (f)*
 9 *and that is adjusted by reason of the amendments made*
 10 *by subsection (a) and who has received a refund of retired*
 11 *pay under section 1450(e) of title 10, United States Code,*
 12 *shall not be required to repay such refund to the United*
 13 *States.*

14 (d) *REPEAL OF AUTHORITY FOR OPTIONAL ANNUITY*
 15 *FOR DEPENDENT CHILDREN.—Section 1448(d)(2) of such*
 16 *title is amended—*

17 (1) *by striking “DEPENDENT CHILDREN.—” and*
 18 *all that follows through “In the case of a member de-*
 19 *scribed in paragraph (1),” and inserting “DEPEND-*
 20 *ENT CHILDREN.—In the case of a member described*
 21 *in paragraph (1),”; and*

22 (2) *by striking subparagraph (B).*

23 (e) *RESTORATION OF ELIGIBILITY FOR PREVIOUSLY*
 24 *ELIGIBLE SPOUSES.—The Secretary of the military depart-*
 25 *ment concerned shall restore annuity eligibility to any eli-*

1 gible surviving spouse who, in consultation with the Sec-
 2 retary, previously elected to transfer payment of such annu-
 3 ity to a surviving child or children under the provisions
 4 of section 1448(d)(2)(B) of title 10, United States Code, as
 5 in effect on the day before the effective date provided under
 6 subsection (f). Such eligibility shall be restored whether or
 7 not payment to such child or children subsequently was ter-
 8 minated due to loss of dependent status or death. For the
 9 purposes of this subsection, an eligible spouse includes a
 10 spouse who was previously eligible for payment of such an-
 11 nuity and is not remarried, or remarried after having at-
 12 tained age 55, or whose second or subsequent marriage has
 13 been terminated by death, divorce or annulment.

14 (f) *EFFECTIVE DATE.*—This section and the amend-
 15 ments made by this section shall take effect on the later of—

16 (1) October 1, 2019; and

17 (2) the first day of the first month that begins
 18 after the date of the enactment of this Act.

19 ***Subtitle D—Defense Resale Matters***

20 ***SEC. 631. GAO REVIEW OF DEFENSE RESALE OPTIMIZATION*** 21 ***STUDY.***

22 (a) *REVIEW.*—The Comptroller General of the United
 23 States shall conduct a review of the business case analysis
 24 performed as part of the defense resale optimization study
 25 conducted by the Reform Management Group, titled “Study

1 *to Determine the Feasibility of Consolidation of the Defense*
 2 *Resale Entities” and dated December 4, 2018.*

3 (b) *REPORT REQUIRED; ELEMENTS.*—Not later than
 4 April 1, 2020, the Comptroller General shall submit to the
 5 Committees on Armed Services of the Senate and the House
 6 of Representatives a report regarding the review performed
 7 under this section. The report shall include evaluations of
 8 the following:

9 (1) *The descriptions and justifications for the as-*
 10 *sumptions, analytical choices and data used by the*
 11 *Reform Management Group to calculate:*

12 (A) *Pricing.*

13 (B) *Sales assumptions.*

14 (C) *Accuracy of methods employed to meas-*
 15 *ure patron savings levels.*

16 (2) *The timetable for consolidation of military*
 17 *exchanges and commissaries.*

18 (3) *The recommendations for consolidation devel-*
 19 *oped as part of the business case analysis, including*
 20 *the overall cost of consolidation.*

21 (4) *The budget and oversight implications of*
 22 *merging non-appropriated funds and appropriated*
 23 *funds to implement the recommended reforms.*

24 (5) *The extent to which the Reform Management*
 25 *Group coordinated with the Secretaries of the mili-*

1 *tary departments and the chiefs of the Armed Forces*
 2 *in preparing the study.*

3 *(6) The extent to which the Reform Management*
 4 *Group addressed concerns of the Secretaries of the*
 5 *military departments and the chiefs of the Armed*
 6 *Forces in the study.*

7 *(7) If the recommendations in the business case*
 8 *analysis were implemented—*

9 *(A) the ability of military exchanges and*
 10 *commissaries to provide earnings to support on-*
 11 *base morale, welfare, and recreation programs;*
 12 *and*

13 *(B) the financial viability of the military*
 14 *exchanges and commissaries.*

15 *(c) DELAY ON CONSOLIDATION.—The Secretary of De-*
 16 *fense may not take any action to consolidate military ex-*
 17 *changes and commissaries until the Committees on Armed*
 18 *Services of the Senate and the House of Representatives no-*
 19 *tify the Secretary in writing of receipt and acceptance of*
 20 *the findings of the Comptroller General in the report re-*
 21 *quired under this section.*

22 **SEC. 632. REPORT REGARDING MANAGEMENT OF MILITARY**
 23 **COMMISSARIES AND EXCHANGES.**

24 *(a) REPORT REQUIRED.—Not later than 180 days*
 25 *after the enactment of this Act, the Secretary of Defense*

1 *shall submit to the congressional defense committees a re-*
 2 *port regarding management practices of military com-*
 3 *missaries and exchanges.*

4 (b) *ELEMENTS.*—*The report required under this sec-*
 5 *tion shall include a cost-benefit analysis with the goals of—*

6 (1) *reducing the costs of operating military com-*
 7 *missaries and exchanges by \$2,000,000,000 during*
 8 *fiscal years 2020 through 2024; and*

9 (2) *not raising costs for patrons of military com-*
 10 *missaries and exchanges.*

11 **SEC. 633. REDUCTIONS ON ACCOUNT OF EARNINGS FROM**
 12 **WORK PERFORMED WHILE ENTITLED TO AN**
 13 **ANNUITY SUPPLEMENT.**

14 *Section 8421a of title 5, United States Code, is amend-*
 15 *ed in subsection (c)—*

16 (1) *by striking “full-time as an air traffic con-*
 17 *trol instructor” and inserting “as an air traffic con-*
 18 *trol instructor, or supervisor thereof,”; and*

19 (2) *by inserting “or supervisor” after “an in-*
 20 *structor”.*

21 **SEC. 634. EXTENSION OF CERTAIN MORALE, WELFARE, AND**
 22 **RECREATION PRIVILEGES TO FOREIGN SERV-**
 23 **ICE OFFICERS ON MANDATORY HOME LEAVE.**

24 (a) *IN GENERAL.*—*Section 1065 of title 10, United*
 25 *States Code, as added by section 621 of the John S. McCain*

1 *National Defense Authorization Act for Fiscal Year 2019*
 2 *(Public Law 115–232), is amended—*

3 *(1) in the heading, by striking “**veterans and***
 4 ***caregivers for veterans**” and inserting “**vet-***
 5 ***erans, caregivers for veterans, and For-***
 6 ***eign Service officers**”;*

7 *(2) by redesignating subsections (f) and (g) as*
 8 *subsections (g) and (h), respectively;*

9 *(3) by inserting after subsection (e) the following*
 10 *new subsection (f):*

11 *“(f) ELIGIBILITY OF FOREIGN SERVICE OFFICERS ON*
 12 *MANDATORY HOME LEAVE.—A Foreign Service officer on*
 13 *mandatory home leave may be permitted to use military*
 14 *lodging referred to in subsection (h).”;* and

15 *(4) in subsection (h), as redesignated by para-*
 16 *graph (2), by adding at the end the following new*
 17 *paragraphs:*

18 *“(5) The term ‘Foreign Service officer’ has the*
 19 *meaning given that term in section 103 of the Foreign*
 20 *Service Act of 1980 (22 U.S.C. 3903).*

21 *“(6) The term ‘mandatory home leave’ means*
 22 *leave under section 903 of the Foreign Service Act of*
 23 *1980 (22 U.S.C. 4083).”.*

1 (b) *EFFECTIVE DATE.*—*The amendments made by this*
 2 *section shall take effect on January 1, 2020, as if originally*
 3 *incorporated in section 621 of Public Law 115–232.*

4 ***TITLE VII—HEALTH CARE***
 5 ***PROVISIONS***

6 ***Subtitle A—TRICARE and Other***
 7 ***Health Care Benefits***

8 ***SEC. 701. CONTRACEPTION COVERAGE PARITY UNDER THE***
 9 ***TRICARE PROGRAM.***

10 (a) *IN GENERAL.*—*Section 1074d of title 10, United*
 11 *States Code, is amended—*

12 (1) *in subsection (a), by inserting “FOR MEM-*
 13 *BERS AND FORMER MEMBERS” after “SERVICES*
 14 *AVAILABLE”;*

15 (2) *by redesignating subsection (b) as subsection*
 16 *(d); and*

17 (3) *by inserting after subsection (a) the following*
 18 *new subsections:*

19 “(b) *CARE RELATED TO PREVENTION OF PREG-*
 20 *NANCY.*—*Female covered beneficiaries shall be entitled to*
 21 *care related to the prevention of pregnancy described by*
 22 *subsection (d)(3).*

23 “(c) *PROHIBITION ON COST SHARING FOR CERTAIN*
 24 *SERVICES.*—*Notwithstanding section 1074g(a)(6), section*
 25 *1075, or section 1075a of this title, or any other provision*

1 of law, cost sharing may not be imposed or collected for
 2 care related to the prevention of pregnancy provided pursu-
 3 ant to subsection (a) or (b), including for any method of
 4 contraception provided, whether provided through a facility
 5 of the uniformed services, the TRICARE retail pharmacy
 6 program, or the national mail-order pharmacy program.”.

7 (b) CONFORMING AMENDMENT.—Section 1077(a)(13)
 8 of such title is amended by striking “section 1074d(b)” and
 9 inserting “section 1074d(d)”.

10 (c) CARE RELATED TO PREVENTION OF PREGNANCY.—
 11 Subsection (d)(3) of such section 1074d, as redesignated by
 12 subsection (a)(2) of this section, is further amended by in-
 13 serting before the period at the end the following: “(includ-
 14 ing all methods of contraception approved by the Food and
 15 Drug Administration, contraceptive care (including with
 16 respect to insertion, removal, and follow up), sterilization
 17 procedures, and patient education and counseling in con-
 18 nection therewith)”.

19 **SEC. 702. PREGNANCY PREVENTION ASSISTANCE AT MILI-**
 20 **TARY MEDICAL TREATMENT FACILITIES FOR**
 21 **SEXUAL ASSAULT SURVIVORS.**

22 (a) IN GENERAL.—Chapter 55 of title 10, United
 23 States Code, is amended by inserting after section 1074o
 24 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 Secretary*
 5 *of Defense shall promptly furnish to sexual assault sur-*
 6 *vivors at each military medical treatment facility the fol-*
 7 *lowing:*

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 survivor,*
 17 *emergency contraception or, if applicable, a prescrip-*
 18 *tion for emergency contraception.*

19 “(b) *INFORMATION.*—*The Secretary shall ensure that*
 20 *information provided pursuant to subsection (a) is provided*
 21 *in language that—*

22 “(1) *is clear and concise;*

23 “(2) *is readily comprehensible; and*

24 “(3) *meets such conditions (including conditions*
 25 *regarding the provision of information in languages*

1 *other than English) as the Secretary may prescribe in*
 2 *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 who*
 10 *states that the individual experienced a sexual*
 11 *assault; or*

12 “(C) *whom the personnel of the facility rea-*
 13 *sonably believes to be a survivor of sexual as-*
 14 *sault.*

15 “(2) *The term ‘sexual assault’ means the conduct*
 16 *described in section 1565b(c) of this title that may re-*
 17 *sult in pregnancy.”.*

18 (b) *CLERICAL AMENDMENT.—The table of sections at*
 19 *the beginning of such chapter is amended by inserting after*
 20 *the item relating to section 1074o the following new 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” and*
 6 *inserting “During the period preceding January 1, 2030,*
 7 *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 10,*
 12 *United States Code, is amended by adding at the end*
 13 *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 housing*
 18 *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 level*
 21 *of lead in the blood of the child at approximately*
 22 *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 sub-*
 26 *paragraph (A) whose parent or guardian, at any*

1 *time during the first 24 months of the life of the child,*
 2 *has a military occupational specialty that the Sec-*
 3 *retary determines poses an elevated risk of lead expo-*
 4 *sure—*

5 “(i) *the first testing of the child for the level*
 6 *of lead in the blood of the child at approximately*
 7 *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 sub-*
 11 *paragraph (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 subpara-*
 18 *graph (C) whose screening indicates an elevated risk*
 19 *of lead exposure, testing of the child for the level of*
 20 *lead in the blood of the child.*

21 “(2) *The Secretary shall ensure that any care provided*
 22 *to a child pursuant to this chapter for lead poisoning, in-*
 23 *cluding the care under paragraph (1), is carried out in ac-*
 24 *cordance with applicable advice from the Centers for Dis-*
 25 *ease Control and Prevention.*

1 “(3)(A) *With respect to a child who receives a test*
 2 *under paragraph (1), the Secretary shall provide the results*
 3 *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 the*
 6 *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 Preven-*
 11 *tion if the child resides outside the United States.*

12 “(C) *In providing information regarding a child to a*
 13 *State or the Centers for Disease Control and Prevention*
 14 *under subparagraph (B), the Secretary may not provide*
 15 *any identifying information or health information of the*
 16 *child that is not specifically authorized in such subpara-*
 17 *graph.*

18 “(D) *In this paragraph, the term ‘State’ means each*
 19 *of the several States, the District of Columbia, the Common-*
 20 *wealth of Puerto Rico, and any territory or possession of*
 21 *the United States.’”.*

22 (2) CONFORMING AMENDMENT.—*Subsection*
 23 *(a)(8) of such section is amended by striking “includ-*
 24 *ing well-baby care that includes one screening of an*
 25 *infant for the level of lead in the blood of the infant”*

1 and inserting “including, in accordance with sub-
2 section (i), well-baby care that includes screenings
3 and testings for lead exposure and lead poisoning”.

4 (3) *STUDY*.—Not later than January 1, 2021,
5 the Secretary of Defense shall submit to the congres-
6 sional defense committees a report detailing the fol-
7 lowing:

8 (A) *The number of children who were tested*
9 *for the level of lead in the blood of the child pur-*
10 *suant to subparagraph (A) of subsection (i)(1) of*
11 *section 1077 of title 10, United States Code, as*
12 *added by paragraph (1), and of such number, the*
13 *number who were found to have elevated blood*
14 *lead levels.*

15 (B) *The number of children who were tested*
16 *for the level of lead in the blood of the child pur-*
17 *suant to subparagraph (B) of such subsection*
18 *(i)(1), and of such number, the number who were*
19 *found to have lead poisoning.*

20 (C) *The number of children who were*
21 *screened for an elevated risk of lead exposure*
22 *pursuant to subparagraph (C) of such subsection*
23 *(i)(1).*

24 (D) *The number of children who were tested*
25 *for the level of lead in the blood of the child pur-*

1 *suant to subparagraph (D) of such subsection,*
2 *and of such number, the number who were found*
3 *to have elevated blood lead levels.*

4 *(E) The treatment provided to children pur-*
5 *suant to chapter 55 of title 10, United States*
6 *Code, for lead poisoning.*

7 *(4) GAO REPORT.—Not later than January 1,*
8 *2022, the Comptroller General of the United States*
9 *shall submit to the congressional defense committees a*
10 *report on the effectiveness of screening, testing, and*
11 *treating children for lead exposure and lead poisoning*
12 *pursuant to chapter 55 of title 10, United States*
13 *Code.*

14 *(b) NOTIFICATION OF HOUSING.—Section 403 of title*
15 *37, United States Code, is amended by adding at the end*
16 *the following new subsection:*

17 *“(p) RECORDS REGARDING HOUSING AND LEAD-*
18 *BASED PAINT.—(1) The Secretary concerned shall keep a*
19 *record of whether the following housing was built before,*
20 *during, or after 1978:*

21 *“(A) Quarters of the United States under the ju-*
22 *risdiction of that Secretary concerned.*

23 *“(B) A housing facility under the jurisdiction of*
24 *that Secretary concerned.*

1 “(C) *Other housing in which a member of the*
 2 *uniformed service of that Secretary concerned resides.*

3 “(2) *As a condition of receipt of a basic allowance for*
 4 *housing under this section, a member of the uniformed serv-*
 5 *ices shall notify the Secretary concerned whether the hous-*
 6 *ing in which that member resides was built before, during,*
 7 *or after 1978.”.*

8 **SEC. 705. EXPOSURE TO OPEN BURN PITS AND TOXIC AIR-**
 9 **BORNE CHEMICALS OR OTHER AIRBORNE**
 10 **CONTAMINANTS AS PART OF PERIODIC**
 11 **HEALTH ASSESSMENTS AND OTHER PHYS-**
 12 **ICAL EXAMINATIONS.**

13 (a) *PERIODIC HEALTH ASSESSMENT.*—*The Secretary*
 14 *of Defense shall ensure that any periodic health assessment*
 15 *provided to members of the Armed Forces includes an eval-*
 16 *uation of whether the member has been—*

17 (1) *based or stationed at a location where an*
 18 *open burn pit was used; or*

19 (2) *exposed to toxic airborne chemicals or other*
 20 *airborne contaminants, including any information*
 21 *recorded as part of the Airborne Hazards and Open*
 22 *Burn Pit Registry.*

23 (b) *SEPARATION HISTORY AND PHYSICAL EXAMINA-*
 24 *TIONS.*—*Section 1145(a)(5) of title 10, United States Code,*

1 *is amended by adding at the end the following new subpara-*
 2 *graph:*

3 “(C) *The Secretary concerned shall ensure that each*
 4 *physical examination of a member under subparagraph (A)*
 5 *includes an assessment of whether the member was—*

6 “(i) *based or stationed at a location where an*
 7 *open burn pit, as defined in subsection (c) of section*
 8 *201 of the Dignified Burial and Other Veterans’ Ben-*
 9 *efits Improvement Act of 2012 (Public Law 112–260;*
 10 *38 U.S.C. 527 note), was used; or*

11 “(ii) *exposed to toxic airborne chemicals or other*
 12 *airborne contaminants, including any information*
 13 *recorded as part of the registry established by the Sec-*
 14 *retary of Veterans Affairs under such section 201.”.*

15 (c) *DEPLOYMENT ASSESSMENTS.—Section 1074f(b)(2)*
 16 *of title 10, United States Code, is amended by adding at*
 17 *the end the following new subparagraph:*

18 “(D) *An assessment of whether the member*
 19 *was—*

20 “(i) *based or stationed at a location where*
 21 *an open burn pit, as defined in subsection (c) of*
 22 *section 201 of the Dignified Burial and Other*
 23 *Veterans’ Benefits Improvement Act of 2012*
 24 *(Public Law 112–260; 38 U.S.C. 527 note), was*
 25 *used; or*

1 “(ii) *exposed to toxic airborne chemicals or*
2 *other airborne contaminants, including any in-*
3 *formation recorded as part of the registry estab-*
4 *lished by the Secretary of Veterans Affairs under*
5 *such section 201.*”.

6 (d) *SHARING OF INFORMATION.*—

7 (1) *DOD–VA.*—*The Secretary of Defense and the*
8 *Secretary of Veterans Affairs shall jointly enter into*
9 *a memorandum of understanding providing for the*
10 *sharing by the Department of Defense with the De-*
11 *partment of Veterans Affairs of the results of covered*
12 *evaluations regarding the exposure by a member of*
13 *the Armed Forces to toxic airborne chemicals or other*
14 *airborne contaminants.*

15 (2) *REGISTRY.*—*If a covered evaluation of a*
16 *member of the Armed Forces establishes that the mem-*
17 *ber was based or stationed at a location where an*
18 *open burn pit was used or that the member was ex-*
19 *posed to toxic airborne chemicals or other airborne*
20 *contaminants, the member shall be enrolled in the*
21 *Airborne Hazards and Open Burn Pit Registry un-*
22 *less the member elects to not so enroll.*

23 (e) *RULE OF CONSTRUCTION.*—*Nothing in this section*
24 *may be construed to preclude eligibility for benefits under*
25 *the laws administered by the Secretary of Veterans Affairs*

1 *by reason of the open burn pit exposure history of a veteran*
2 *not being recorded in a covered evaluation.*

3 (f) *DEFINITIONS.—In this section:*

4 (1) *The term “Airborne Hazards and Open Burn*
5 *Pit Registry” means the registry established by the*
6 *Secretary of Veterans Affairs under section 201 of the*
7 *Dignified Burial and Other Veterans’ Benefits Im-*
8 *provement Act of 2012 (Public Law 112–260; 38*
9 *U.S.C. 527 note).*

10 (2) *The term “covered evaluation” means—*

11 (A) *a periodic health assessment conducted*
12 *in accordance with subsection (a);*

13 (B) *a separation history and physical ex-*
14 *amination conducted under section 1145(a)(5) of*
15 *title 10, United States Code, as amended by this*
16 *section; and*

17 (C) *a deployment assessment conducted*
18 *under section 1074f(b)(2) of such title, as amend-*
19 *ed by this section.*

20 (3) *The term “open burn pit” has the meaning*
21 *given that term in section 201(c) of the Dignified*
22 *Burial and Other Veterans’ Benefits Improvement Act*
23 *of 2012 (Public Law 112–260; 38 U.S.C. 527 note).*

1 **SEC. 706. ENHANCEMENT OF RECORDKEEPING AND**
 2 **POSTDEPLOYMENT MEDICAL ASSESSMENT**
 3 **REQUIREMENTS RELATED TO OCCUPATIONAL**
 4 **AND ENVIRONMENTAL HAZARD EXPOSURE**
 5 **DURING DEPLOYMENT.**

6 (a) *RECORDING OF OCCUPATIONAL AND ENVIRON-*
 7 *MENTAL HEALTH RISKS IN DEPLOYMENT AREA.—*

8 (1) *ELEMENTS OF MEDICAL TRACKING SYS-*
 9 *TEM.—Subsection (b)(1)(A) of section 1074f of title*
 10 *10, United States Code, is amended—*

11 (A) *in clause (ii), by striking “and” at the*
 12 *end;*

13 (B) *in clause (iii), by striking the period at*
 14 *the end and inserting “; and”; and*

15 (C) *by adding at the end the following new*
 16 *clause:*

17 “(iv) *accurately record any*
 18 *exposure to occupational and en-*
 19 *vironmental health risks during*
 20 *the course of their deployment.”.*

21 (2) *RECORDKEEPING.—Subsection (c) of such*
 22 *section is amended by inserting after “deployment*
 23 *area” the following: “(including the results of any as-*
 24 *essment performed by the Secretary of occupational*
 25 *and environmental health risks for such area)”.*

1 (3) *EFFECTIVE DATE.*—*The amendments made*
2 *by this subsection shall take effect on the date of the*
3 *enactment of this Act.*

4 (b) *INTEGRATION OF BURN PIT REGISTRY INFORMA-*
5 *TION INTO ELECTRONIC HEALTH RECORDS.*—

6 (1) *UPDATES TO ELECTRONIC HEALTH*
7 *RECORDS.*—*Beginning not later than one year after*
8 *the date of the enactment of this Act—*

9 (A) *the Secretary of Defense shall ensure*
10 *that the electronic health record maintained by*
11 *such Secretary of a member of the Armed Forces*
12 *registered with the burn pit registry is updated*
13 *with any information contained in such registry;*
14 *and*

15 (B) *the Secretary of Veterans Affairs shall*
16 *ensure that the electronic health record main-*
17 *tained by such Secretary of a veteran registered*
18 *with the burn pit registry is updated with any*
19 *information contained in such registry.*

20 (2) *BURN PIT REGISTRY DEFINED.*—*In this sub-*
21 *section, the term “burn pit registry” means the reg-*
22 *istry established under section 201 of the Dignified*
23 *Burial and Other Veterans’ Improvements Act of*
24 *2012 (Public Law 112–260; 38 U.S.C. 527 note).*

1 (c) *POSTDEPLOYMENT MEDICAL EXAMINATION AND*
 2 *REASSESSMENTS.*—

3 (1) *ADDITIONAL REQUIREMENTS.*—Section 1074f
 4 of title 10, United States Code is further amended by
 5 adding at the end the following new subsection:

6 “(g) *ADDITIONAL REQUIREMENTS FOR*
 7 *POSTDEPLOYMENT MEDICAL EXAMINATIONS AND HEALTH*
 8 *REASSESSMENTS.*—(1) *The Secretary of Defense shall—*

9 “(A) *standardize and make available to a pro-*
 10 *vider that conducts a postdeployment medical exam-*
 11 *ination or reassessment under the system described in*
 12 *subsection (a) questions relating to occupational and*
 13 *environmental health exposure; and*

14 “(B) *prior to an examination or reassessment of*
 15 *a member of the armed forces, require such provider*
 16 *to review information applicable to such member—*

17 “(i) *in a Periodic Occupational and Envi-*
 18 *ronmental Monitoring Summary (or any suc-*
 19 *cessor document); and*

20 “(ii) *on the Defense Occupational and En-*
 21 *vironmental Health Readiness System (or any*
 22 *successor system).*

23 “(2) *The Secretary shall ensure that the medical record*
 24 *of a member includes information on the external cause re-*
 25 *lating to a diagnosis of the member, including by associ-*

1 *ating an external cause code (as issued under the Inter-*
 2 *national Statistical Classification of Diseases, 10th Revi-*
 3 *sion (or any successor revision)).”.*

4 (2) *EFFECTIVE DATE.*—*The amendments made*
 5 *by this subsection shall take effect 180 days after the*
 6 *date of the enactment of this Act.*

7 (d) *REPORT BY COMPTROLLER GENERAL OF THE*
 8 *UNITED STATES.*—*Not later than two years after the date*
 9 *of the enactment of this Act, the Comptroller General of the*
 10 *United States shall submit to the congressional defense com-*
 11 *mittees and the Committees on Veterans’ Affairs of the*
 12 *House of Representatives and the Senate a report con-*
 13 *taining an evaluation of the implementation of this section*
 14 *(and the amendments made by this section), including an*
 15 *assessment of the extent to which the Secretary of Defense*
 16 *and Secretary of Veterans Affairs are in compliance with*
 17 *the applicable requirements of this section (and the amend-*
 18 *ments made by this section).*

19 **SEC. 707. MODIFICATIONS TO POST-DEPLOYMENT MENTAL**
 20 **HEALTH ASSESSMENTS FOR MEMBERS OF**
 21 **THE ARMED FORCES DEPLOYED IN SUPPORT**
 22 **OF A CONTINGENCY OPERATION.**

23 (a) *REQUIRED ASSESSMENTS.*—*Section 1074m(a)(1)*
 24 *of title 10, United States Code, is amended by striking sub-*

1 paragraphs (C) and (D) and inserting the following new
 2 subparagraphs:

3 “(C) Subject to paragraph (3) and sub-
 4 section (d), once during the period beginning on
 5 the date of redeployment from the contingency
 6 operation and ending 14 days after such rede-
 7 ployment date.

8 “(D) Subject to subsection (d), not less than
 9 once annually—

10 “(i) beginning 14 days after the date of
 11 redeployment from the contingency oper-
 12 ation; or

13 “(ii) if the assessment required by sub-
 14 paragraph (C) is performed during the pe-
 15 riod specified in paragraph (3), beginning
 16 180 days after the date of redeployment
 17 from the contingency operation.”.

18 (b) *EXCEPTIONS.*—Section 1074m(a) of such title, as
 19 amended by subsection (a), is further amended by striking
 20 paragraph (2) and inserting the following new paragraphs:

21 “(2) A mental health assessment is not required for
 22 a member of the armed forces under subparagraphs (C) and
 23 (D) of paragraph (1) (including an assessment performed
 24 pursuant to paragraph (3)) if the Secretary determines that
 25 providing such assessment to the member during the time

1 *periods under such subparagraphs would remove the mem-*
 2 *ber from forward deployment or put members or oper-*
 3 *ational objectives at risk.*

4 “(3) *A mental health assessment required under sub-*
 5 *paragraph (C) of paragraph (1) may be provided during*
 6 *the period beginning 90 days after the date of redeployment*
 7 *from the contingency operation and ending 180 days after*
 8 *such redeployment date if the Secretary determines that—*

9 “(A) *an insufficient number of personnel are*
 10 *available to perform the assessment during the time*
 11 *period under such subparagraph; or*

12 “(B) *an administrative processing issue exists*
 13 *upon the return of the member to the home unit or*
 14 *duty station that would prohibit the effective perform-*
 15 *ance of the assessment during such time period.”.*

16 (c) *ELIMINATION OF SUNSET FOR ASSESSMENTS DUR-*
 17 *ING DEPLOYMENT.—Section 1074m(a)(1)(B) of such title is*
 18 *amended by striking “Until January 1, 2019, once” and*
 19 *inserting “Once”.*

20 (d) *EFFECTIVE DATE.—The amendments made by*
 21 *subsections (a) and (b) shall apply with respect to a date*
 22 *of redeployment that is on or after January 1, 2020.*

1 **SEC. 708. PROVISION OF BLOOD TESTING FOR FIRE-**
2 **FIGHTERS OF DEPARTMENT OF DEFENSE TO**
3 **DETERMINE EXPOSURE TO**
4 **PERFLUOROALKYL AND POLYFLUOROALKYL**
5 **SUBSTANCES.**

6 *The Secretary of Defense shall include, as part of the*
7 *annual physical examination provided by the Secretary to*
8 *each firefighter of the Department of Defense, blood testing*
9 *to determine and document the potential exposure of such*
10 *firefighters to perfluoroalkyl and polyfluoroalkyl substances*
11 *(commonly known as “PFAS”).*

12 **SEC. 709. INCLUSION OF INFERTILITY TREATMENTS FOR**
13 **MEMBERS OF THE UNIFORMED SERVICES.**

14 *(a) INCLUSION.—The Secretary of Defense may pro-*
15 *vide to members of uniformed services under section 1074(a)*
16 *of title 10, United States Code, and spouses of such mem-*
17 *bers, treatment for infertility, including nonexperimental*
18 *assisted reproductive services, including, at a minimum, the*
19 *following:*

20 *(1) Services, medications, and supplies for non-*
21 *coital reproductive technologies.*

22 *(2) Counseling on such services.*

23 *(3) Reversal of tubal ligation or vasectomy in*
24 *conjunction with services furnished under this section.*

25 *(4) Cryopreservation, including associated serv-*
26 *ices, supplies, and storage.*

1 (b) *PROHIBITION ON COST SHARING.*—*The Secretary*
 2 *may not require any fees or other cost-sharing requirements*
 3 *under subsection (a).*

4 (c) *INFERTILITY DEFINED.*—*In this section, the term*
 5 *“infertility” means a disease, characterized by the failure*
 6 *to establish a clinical pregnancy—*

7 (1) *after 12 months of regular, unprotected sex-*
 8 *ual intercourse; or*

9 (2) *due to a person’s incapacity for reproduction*
 10 *either as an individual or with his or her partner,*
 11 *which may be determined after a period of less than*
 12 *12 months of regular, unprotected sexual intercourse,*
 13 *or based on medical, sexual and reproductive history,*
 14 *age, physical findings, or diagnostic testing.*

15 **SEC. 710. AUTHORIZATION OF APPROPRIATIONS FOR**
 16 **TRICARE LEAD SCREENING AND TESTING**
 17 **FOR CHILDREN.**

18 (a) *INCREASE.*—*Notwithstanding the amounts set*
 19 *forth in the funding tables in division D, the amount au-*
 20 *thorized to be appropriated in section 1405 for the Defense*
 21 *Health Program, as specified in the corresponding funding*
 22 *table in section 4501, for Undistributed, TRICARE lead*
 23 *level screening and testing for children, is hereby increased*
 24 *by \$5,000,000.*

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 101 for Procurement of
 4 Wheeled and Tracked Combat Vehicles, Army, as specified
 5 in the corresponding funding table in section 4101, for
 6 Bradley Program (Mod) is hereby reduced by \$5,000,000.

7 ***Subtitle B—Health Care***
 8 ***Administration***

9 ***SEC. 711. REQUIREMENTS FOR CERTAIN PRESCRIPTION***
 10 ***DRUG LABELS.***

11 (a) *REQUIREMENT*.—Section 1074g of title 10, United
 12 States Code, is amended—

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

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

17 “(h) *LABELING*.—The Secretary of Defense shall ensure
 18 that drugs made available through the facilities of the
 19 armed forces under the jurisdiction of the Secretary include
 20 labels that—

21 “(1) are printed and physically located on or
 22 within the package from which the drug is to be dis-
 23 pensed; and

24 “(2) provide adequate directions for the purposes
 25 for which the drug is intended.”.

1 (b) *CONFORMING AMENDMENT.*—Subsection (b)(1) of
 2 such section is amended by striking “under subsection (h)”
 3 and inserting “under subsection (j)”.

4 (c) *IMPLEMENTATION.*—Beginning not later than 90
 5 days after the date of the enactment of this Act, the Sec-
 6 retary of Defense shall implement subsection (h) of section
 7 1074g of title 10, United States Code, as added by sub-
 8 section (a).

9 **SEC. 712. OFFICERS AUTHORIZED TO COMMAND ARMY DEN-**
 10 **TAL UNITS.**

11 Section 7081(d) of title 10, United States Code, is
 12 amended by striking “Dental Corps Officer” and inserting
 13 “commissioned officer of the Army Medical Department”.

14 **SEC. 713. IMPROVEMENTS TO INTERAGENCY PROGRAM OF-**
 15 **FICE OF THE DEPARTMENT OF DEFENSE AND**
 16 **THE DEPARTMENT OF VETERANS AFFAIRS.**

17 (a) *LEADERSHIP.*—Subsection (c) of section 1635 of
 18 the Wounded Warrior Act (title XVI of Public Law 110–
 19 181; 10 U.S.C. 1071 note) is amended to read as follows:

20 “(c) *LEADERSHIP.*—

21 “(1) *DIRECTOR.*—The Director of the Office shall
 22 be the head of the Office.

23 “(2) *DEPUTY DIRECTOR.*—The Deputy Director
 24 of the Office shall be the deputy head of the Office and

1 *shall assist the Director in carrying out the duties of*
2 *the Director.*

3 “(3) *REPORTING.*—*The Director shall report to*
4 *the Department of Veterans Affairs-Department of*
5 *Defense Joint Executive Committee established by sec-*
6 *tion 320 of title 38, United States Code.*

7 “(4) *APPOINTMENTS.*—

8 “(A) *DIRECTOR.*—*The Director shall be*
9 *jointly appointed by the Secretary of Veterans*
10 *Affairs and the Secretary of Defense for a five-*
11 *year term. The Director may be reappointed for*
12 *one or more additional terms.*

13 “(B) *DEPUTY DIRECTOR.*—*The Deputy Di-*
14 *rector shall be jointly appointed by the Secretary*
15 *of Veterans Affairs and the Secretary of Defense*
16 *for a five-year term. The Deputy Director may*
17 *be reappointed for one or more additional terms.*

18 “(C) *ADVICE.*—*The Department of Veterans*
19 *Affairs-Department of Defense Joint Executive*
20 *Committee shall provide the Secretary of Vet-*
21 *erans Affairs and the Secretary of Defense with*
22 *advice regarding potential individuals to be ap-*
23 *pointed Director and Deputy Director under*
24 *subparagraphs (A) and (B), respectively.*

1 “(D) *MINIMUM QUALIFICATIONS.*—*The De-*
2 *partment of Veterans Affairs-Department of De-*
3 *fense Joint Executive Committee shall develop*
4 *qualification requirements for the office of the*
5 *Director and the Deputy Director. Such require-*
6 *ments shall ensure that, at a minimum, the Di-*
7 *rector and Deputy Director, individually or to-*
8 *gether, meet the following qualifications:*

9 “(i) *Significant experience as a clini-*
10 *cian, at the level of chief medical officer or*
11 *equivalent.*

12 “(ii) *Significant experience in health*
13 *informatics, at the level of chief health*
14 *informatics officer or equivalent.*

15 “(iii) *Significant experience leading*
16 *implementation of enterprise-wide tech-*
17 *nology in a health care setting in the public*
18 *or private sector.*

19 “(5) *ADDITIONAL GUIDANCE.*—*In addition to*
20 *providing direction, supervision, and control of the*
21 *Office pursuant to paragraph (3), the Department of*
22 *Veterans Affairs-Department of Defense Joint Execu-*
23 *tive Committee shall—*

24 “(A) *provide guidance in the discharge of*
25 *the functions of the Office under this section; and*

1 “(B) facilitate the establishment of a charter
2 and mission statement for the Office.

3 “(6) INFORMATION TO CONGRESS.—Upon request
4 by any of the appropriate committees of Congress, the
5 Director and the Deputy Director shall testify before
6 such committee, or provide a briefing or otherwise
7 provide requested information to such committee, re-
8 garding the discharge of the functions of the Office
9 under this section.”.

10 (b) AUTHORITY.—Paragraph (1) of subsection (b) of
11 such section is amended by adding at the end the following
12 new sentence: “The Office shall carry out decision making
13 authority delegated to the office by the Secretary of Defense
14 and the Secretary of Veterans Affairs with respect to the
15 definition, coordination, and management of functional,
16 technical, and programmatic activities that are jointly
17 used, carried out, and shared by the Departments.”.

18 (c) PURPOSES.—Paragraph (2) of subsection (b) of
19 such section is by adding at the end the following new sub-
20 paragraphs:

21 “(C) To develop and implement a com-
22 prehensive interoperability strategy, including
23 pursuant to the National Defense Authorization
24 Act for Fiscal Year 2020 or other provision of
25 law requiring such strategy.

1 “(D) To pursue the highest level of inter-
2 operability (as defined in section 713 of the Na-
3 tional Defense Authorization Act for Fiscal Year
4 2020) for the delivery of health care by the De-
5 partment of Defense and the Department of Vet-
6 erans Affairs.

7 “(E) To accelerate the exchange of health
8 care information between the Departments in
9 order to support the delivery of health care by
10 both Departments.

11 “(F) To collect the operational and strategic
12 requirements of the Departments relating to the
13 strategy under subsection (a) and communicate
14 such requirements and activities to the Office of
15 the National Coordinator for Health Information
16 Technology of the Department of Health and
17 Human Services for the purpose of implementing
18 title IV of the 21st Century Cures Act (division
19 A of Public Law 114–255), and the amendments
20 made by that title, and other objectives of the Of-
21 fice of the National Coordinator for Health In-
22 formation Technology.

23 “(G) To plan for and effectuate the broadest
24 possible implementation of standards, specifi-
25 cally with respect to the Fast Healthcare Inter-

1 *operability Resources standard or successor*
2 *standard, the evolution of such standards, and*
3 *the obsolescence of such standards.*

4 “(H) *To actively engage with national and*
5 *international health standards setting organiza-*
6 *tions, including by taking membership in such*
7 *organizations, to ensure that standards estab-*
8 *lished by such organizations meet the needs of*
9 *the Department of Defense and the Department*
10 *of Veterans Affairs pursuant to the strategy*
11 *under subsection (a), and oversee and approve*
12 *adoption of and mapping to such standards by*
13 *the Departments.*

14 “(I) *To express the content and format of*
15 *health data of the Departments using a common*
16 *language to improve the exchange of data be-*
17 *tween the Departments and with the private sec-*
18 *tor, and to ensure that clinicians of both Depart-*
19 *ments have access to integrated, computable,*
20 *comprehensive health records of patients.*

21 “(J) *To inform each Chief Information Offi-*
22 *cer of the Department of Defense and the Chief*
23 *Information Officer of the Department of Vet-*
24 *erans Affairs of any activities of the Office affect-*
25 *ing or relevant to cybersecurity.”.*

1 (d) *RESOURCES AND STAFFING.*—Subsection (g) of
2 such section is amended—

3 (1) in paragraph (1), by inserting before the pe-
4 riod at the end the following: “, including the assign-
5 ment of clinical or technical personnel of the Depart-
6 ment of Defense or the Department of Veterans Affairs
7 to the Office”; and

8 (2) by adding at the end the following new para-
9 graphs:

10 “(3) *COST SHARING.*—The Secretary of Defense
11 and the Secretary of Veterans Affairs, acting through
12 the Department of Veterans Affairs-Department of
13 Defense Joint Executive Committee, shall enter into
14 an agreement on cost sharing and providing resources
15 for the operations and staffing of the Office.

16 “(4) *HIRING AUTHORITY.*—The Secretary of De-
17 fense and the Secretary of Veterans Affairs shall dele-
18 gate to the Director the authority under title 5,
19 United States Code, regarding appointments in the
20 competitive service to hire personnel of the Office.”.

21 (e) *BUDGET MATTERS.*—Such section is amended by
22 adding at the end the following new subsection:

23 “(k) *BUDGET AND CONTRACTING MATTERS.*—

24 “(1) *BUDGET.*—The Director may obligate and
25 expend funds allocated to the operations of the Office.

1 “(2) *CONTRACT AUTHORITY.*—*The Director may*
2 *enter into contracts to carry out this section.*”.

3 (f) *REPORTS.*—*Subsection (h) of such section is*
4 *amended to read as follows:*

5 “(h) *REPORTS.*—

6 “(1) *ANNUAL REPORTS.*—*Not later than Sep-*
7 *tember 30, 2020, and each year thereafter through*
8 *2024, the Director shall submit to the Secretary of*
9 *Defense and the Secretary of Veterans Affairs, and to*
10 *the appropriate committees of Congress, a report on*
11 *the activities of the Office during the preceding cal-*
12 *endar year. Each report shall include the following:*

13 “(A) *A detailed description of the activities*
14 *of the Office during the year covered by such re-*
15 *port, including a detailed description of the*
16 *amounts expended and the purposes for which*
17 *expended.*

18 “(B) *With respect to the objectives of the*
19 *strategy under paragraph (2)(C) of subsection*
20 *(b), and the purposes of the Office under such*
21 *subsection—*

22 “(i) *a discussion, description, and as-*
23 *essment of the progress made by the De-*
24 *partment of Defense and the Department of*

1 *Veterans Affairs during the preceding cal-*
 2 *endar year; and*

3 “(ii) *a discussion and description of*
 4 *the goals of the Department of Defense and*
 5 *the Department of Veterans Affairs for the*
 6 *following calendar year.*

7 “(2) *QUARTERLY REPORTS.*—On a quarterly
 8 *basis, the Director shall submit to the appropriate*
 9 *committees of Congress a detailed financial summary*
 10 *of the activities of the Office, including the funds allo-*
 11 *cated to the Office by each Department, the expendi-*
 12 *tures made, and an assessment as to whether the cur-*
 13 *rent funding is sufficient to carry out the activities*
 14 *of the Office.*

15 “(3) *AVAILABILITY.*—Each report under this sub-
 16 *section shall be made publicly available.”.*

17 “(g) *CONFORMING REPEAL.*—Section 713 of the Na-
 18 *tional Defense Authorization Act for Fiscal Year 2014 (Pub-*
 19 *lic Law 113–66; 10 U.S.C. 1071 note) is repealed.*

20 **SEC. 714. COMPREHENSIVE ENTERPRISE INTEROPER-**
 21 **ABILITY STRATEGY FOR THE ARMED FORCES**
 22 **AND THE DEPARTMENT OF VETERANS AF-**
 23 **FAIRS.**

24 “(a) *IN GENERAL.*—The Secretary of Defense and the
 25 *Secretary of Veterans Affairs, acting through the office es-*

1 *tablished by section 1635(b) of the Wounded Warrior Act*
2 *(title XVI of Public Law 110–181; 10 U.S.C. 1071 note),*
3 *shall jointly develop and implement a comprehensive inter-*
4 *operability strategy to—*

5 *(1) improve the delivery of health care by the*
6 *Armed Forces and the Department of Veterans Affairs*
7 *by taking advantage of advances in the health infor-*
8 *mation technology marketplace;*

9 *(2) achieve interoperability capabilities that are*
10 *more adaptable and farther reaching than those*
11 *achievable through bidirectional information exchange*
12 *between electronic health records or the exchange of*
13 *read-only data alone;*

14 *(3) establish an environment that will enable*
15 *and encourage the adoption of innovative technologies*
16 *for health care delivery;*

17 *(4) leverage data integration to advance health*
18 *research and develop an evidence base for the health*
19 *care programs of both Departments;*

20 *(5) prioritize open systems architecture;*

21 *(6) ensure ownership and control by patients of*
22 *their health data;*

23 *(7) protect patient privacy and enhance opportu-*
24 *nities for innovation by preventing contractors of the*

1 *Departments or other non-Department entities from*
2 *owning or exclusively controlling patient health data;*

3 *(8) make maximum use of open-application pro-*
4 *gram interfaces and the Fast Healthcare Interoper-*
5 *ability Resources standard, or successor standard;*
6 *and*

7 *(9) achieve—*

8 *(A) a single lifetime longitudinal personal*
9 *health record between the Armed Forces and the*
10 *Department of Veterans Affairs; and*

11 *(B) interoperability capabilities sufficient*
12 *to enable the provision of seamless health care re-*
13 *lating to—*

14 *(i) the Armed Forces and private-sector*
15 *health care providers under the TRICARE*
16 *program; and*

17 *(ii) the Department of Veterans Affairs*
18 *and community health care providers pur-*
19 *suant to sections 1703 and 1703A of title*
20 *38, United States Code, and other provi-*
21 *sions of law administered by the Secretary*
22 *of Veterans Affairs.*

23 *(b) CONTENT.—The strategy under subsection (a)*
24 *shall—*

1 (1) *include, but shall not be limited to, the Elec-*
2 *tronic Health Record Modernization Program and the*
3 *Healthcare Management System Modernization Pro-*
4 *gram of the Armed Forces; and*

5 (2) *consist of—*

6 (A) *elements formulated and implemented*
7 *jointly by the Secretary of Defense and the Sec-*
8 *retary of Veterans Affairs; and*

9 (B) *elements that are unique to either De-*
10 *partment and are formulated and implemented*
11 *separately by either Secretary.*

12 (c) *SUBMISSION OF STRATEGY.—*

13 (1) *STRATEGY.—Not later than 180 days after*
14 *the date of the enactment of this Act, the Director*
15 *shall submit to each Secretary concerned, and to the*
16 *appropriate congressional committees, the strategy*
17 *under subsection (a), including any accompanying or*
18 *associated implementation plans and supporting in-*
19 *formation.*

20 (2) *UPDATED STRATEGY.—Not later than De-*
21 *cember 31, 2024, the Director shall submit to each*
22 *Secretary concerned, and to the appropriate congres-*
23 *sional committees, an update to the strategy under*
24 *subsection (a), including any accompanying or asso-*

1 *ciated implementation plans and supporting informa-*
2 *tion.*

3 (3) *AVAILABILITY.—The Secretaries concerned*
4 *shall make available to the public the strategy sub-*
5 *mitted under paragraphs (1) and (2), including by*
6 *posting such strategy on the internet websites of the*
7 *Secretaries that is available to the public.*

8 (d) *DEFINITIONS.—In this section:*

9 (1) *The term “appropriate congressional com-*
10 *mittees” means the following:*

11 (A) *The congressional defense committees.*

12 (B) *The Committees on Veterans’ Affairs of*
13 *the House of Representatives and the Senate.*

14 (2) *The term “Director” means the Director of*
15 *the office established by section 1635(b) of the Wound-*
16 *ed Warrior Act (title XVI of Public Law 110–181; 10*
17 *U.S.C. 1071 note).*

18 (3) *The term “Electronic Health Record Mod-*
19 *ernization Program” has the meaning given that term*
20 *in section 503 of the Veterans Benefits and Transition*
21 *Act of 2018 (Public Law 115–407; 132 Stat. 5376).*

22 (4) *The term “interoperability” means the abil-*
23 *ity of different information systems, devices, or appli-*
24 *cations to connect in a coordinated and secure man-*
25 *ner, within and across organizational boundaries,*

1 across the complete spectrum of care, including all
 2 applicable care settings, and with relevant stake-
 3 holders, including the person whose information is
 4 being shared, to access, exchange, integrate, and use
 5 computable data regardless of the data's origin or des-
 6 tination or the applications employed, and without
 7 additional intervention by the end user, including—

8 (A) the capability to reliably exchange in-
 9 formation without error;

10 (B) the ability to interpret and to make ef-
 11 fective use of the information so exchanged; and

12 (C) the ability for information that can be
 13 used to advance patient care to move between
 14 health care entities, regardless of the technology
 15 platform in place or the location where care was
 16 provided.

17 (5) The term “seamless health care” means
 18 health care which is optimized through access by pa-
 19 tients and clinicians to integrated, relevant, and com-
 20 plete information about the patient's clinical experi-
 21 ences, social and environmental determinants of
 22 health, and health trends over time in order to enable
 23 patients and clinicians to move from task to task and
 24 encounter to encounter, within and across organiza-
 25 tional boundaries, such that high-quality decisions

1 *may be formed easily and complete plans of care may*
 2 *be carried out smoothly.*

3 (6) *The term “Secretary concerned” means—*

4 (A) *the Secretary of Defense, with respect to*
 5 *matters concerning the Department of Defense;*

6 (B) *the Secretary of Veterans Affairs, with*
 7 *respect to matters concerning the Department of*
 8 *Veterans Affairs; and*

9 (C) *the Secretary of Homeland Security,*
 10 *with respect to matters concerning the Coast*
 11 *Guard when it is not operating as a service in*
 12 *the Department of the Navy.*

13 (7) *The term “TRICARE program” has the*
 14 *meaning given that term in section 1072 of title 10,*
 15 *United States Code.*

16 **SEC. 715. DEMONSTRATION OF INTEROPERABILITY MILE-**
 17 **STONES.**

18 (a) *MILESTONES.—*

19 (1) *EVALUATION.—To demonstrate increasing*
 20 *levels of interoperability, functionality, and seamless*
 21 *health care within the electronic health record systems*
 22 *of the Department of Defense and the Department of*
 23 *Veterans Affairs, the Office shall seek to enter into an*
 24 *agreement with an independent entity to conduct an*
 25 *evaluation of the following use cases 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 can*
10 *access and meaningfully interact with a complete*
11 *patient health record of a member of the Armed*
12 *Forces serving on active duty from a medical*
13 *center of the Department of Veterans Affairs.*

14 (C) *By not later than two years after the*
15 *date of the enactment of this Act, whether a cli-*
16 *nician in the Department of Defense and the De-*
17 *partment of Veterans Affairs can access and*
18 *meaningfully interact with the data elements of*
19 *the health record of a veteran patient or member*
20 *of the Armed Forces which are generated when*
21 *the veteran patient or member of the Armed*
22 *Forces receives health care from a community*
23 *care provider of the Department of Veterans Af-*
24 *airs or a TRICARE provider of the Department*
25 *of Defense*

1 (D) *By not later than two years after the*
2 *date of the enactment of this Act, whether a com-*
3 *munity care provider of the Department of the*
4 *Veterans Affairs and a TRICARE provider on a*
5 *Health Information Exchange-supported elec-*
6 *tronic health record can access a veteran and ac-*
7 *tive-duty member patient health record from the*
8 *provider's system.*

9 (E) *By not later than two years after the*
10 *enactment of this Act, and subsequently after*
11 *each significant implementation wave, an assess-*
12 *ment of interoperability between the legacy elec-*
13 *tronic health record systems and the future elec-*
14 *tronic health record systems of the Department of*
15 *Veterans Affairs and the Department of Defense.*

16 (F) *By not later than two years after the*
17 *enactment of this Act, and subsequently after*
18 *each significant implementation wave, an assess-*
19 *ment of the use of interoperable content between*
20 *the legacy electronic health record systems and*
21 *the future electronic health record systems of the*
22 *Department of Veterans Affairs and the Depart-*
23 *ment of Defense, and third-party applications.*

24 (2) *SUBMISSION.—The Office shall submit to the*
25 *appropriate congressional committees a report detail-*

1 *ing the evaluation, methodology for testing, and find-*
2 *ings for each milestone demonstration under para-*
3 *graph (1) by not later than the date specified under*
4 *such paragraph.*

5 *(b) SYSTEM CONFIGURATION MANAGEMENT.—The Of-*
6 *fice shall—*

7 *(1) maintain the common configuration baseline*
8 *for the electronic health record systems of the Depart-*
9 *ment of Defense and the Department of Veterans Af-*
10 *fairs; and*

11 *(2) continually evaluate the state of configura-*
12 *tion, the impacts on interoperability, and shall pro-*
13 *mote the enhancement of such electronic health records*
14 *systems.*

15 *(c) REGULAR CLINICAL CONSULTATION.—The Office*
16 *shall convene at least annually a clinical workshop to in-*
17 *clude clinical staff from the Department of Defense, the De-*
18 *partment of Veterans Affairs, the Coast Guard, community*
19 *providers, and other leading clinical experts to assess the*
20 *state of clinical use of the electronic health record systems*
21 *and whether the systems are meeting clinical and patient*
22 *needs. The clinical workshop shall make recommendations*
23 *to the Office on the need for any improvements or concerns*
24 *with the electronic health record systems.*

1 (d) *CLINICIAN AND PATIENT SATISFACTION SURVEY.*—
 2 *Beginning October 1, 2021, on at least a biannual basis,*
 3 *the Office shall undertake a clinician and patient satisfac-*
 4 *tion survey regarding clinical use and patient experience*
 5 *with the electronic health record systems of the Department*
 6 *of Defense and the Department of Veterans Affairs.*

7 (e) *ANNUAL REPORTS.*—*Not later than September 30,*
 8 *2020, and annually thereafter, the Office shall submit to*
 9 *the appropriate congressional committees a report on—*

10 (1) *the state of the configuration baseline under*
 11 *subsection (b) and any activities which decremented*
 12 *or enhanced the state of configuration; and*

13 (2) *the activities, assessments and recommenda-*
 14 *tions of the clinical workshop under subsection (c)*
 15 *and the response of the Office to the workshop rec-*
 16 *ommendations and any action plans to implement the*
 17 *recommendations.*

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

19 (1) *The term “appropriate congressional com-*
 20 *mittees” means the following:*

21 (A) *The congressional defense committees.*

22 (B) *The Committees on Veterans’ Affairs of*
 23 *the House of Representatives and the Senate.*

24 (2) *The term “configuration baseline” means a*
 25 *fixed reference in the development cycle or an agreed-*

1 upon specification of a product at a point in time.
 2 It serves as a documented basis for defining incre-
 3 mental change in all aspects of an information tech-
 4 nology product.

5 (3) The term “interoperability” means the abil-
 6 ity of different information systems, devices, or appli-
 7 cations to connect in a coordinated and secure man-
 8 ner, within and across organizational boundaries,
 9 across the complete spectrum of care, including all
 10 applicable care settings, and with relevant stake-
 11 holders, including the person whose information is
 12 being shared, to access, exchange, integrate, and use
 13 computable data regardless of the data’s origin or des-
 14 tination or the applications employed, and without
 15 additional intervention by the end user, including—

16 (A) the capability to reliably exchange in-
 17 formation without error;

18 (B) the ability to interpret and to make ef-
 19 fective use of the information so exchanged; and

20 (C) the ability for information that can be
 21 used to advance patient care to move between
 22 health care entities, regardless of the technology
 23 platform in place or the location where care was
 24 provided.

1 (4) *The term “meaningfully interact” means*
2 *that information can be viewed, consumed, acted*
3 *upon, and edited in a clinical setting to facilitate*
4 *high quality clinical decision making in a clinical*
5 *setting.*

6 (5) *The term “Office” means the office estab-*
7 *lished by section 1635(b) of the Wounded Warrior Act*
8 *(title XVI of Public Law 110–181; 10 U.S.C. 1071*
9 *note).*

10 (6) *The term “seamless health care” means*
11 *health care which is optimized through access by pa-*
12 *tients and clinicians to integrated, relevant, and com-*
13 *plete information about the patient’s clinical experi-*
14 *ences, social and environmental determinants of*
15 *health, and health trends over time in order to enable*
16 *patients and clinicians to move from task to task and*
17 *encounter to encounter, within and across organiza-*
18 *tional boundaries, such that high-quality decisions*
19 *may be formed easily and complete plans of care may*
20 *be carried out smoothly.*

21 (7) *The term “TRICARE program” has the*
22 *meaning given that term in section 1072 of title 10,*
23 *United States Code.*

1 **SEC. 716. INCLUSION OF BLAST EXPOSURE HISTORY IN**
2 **MEDICAL RECORDS OF MEMBERS OF THE**
3 **ARMED FORCES.**

4 (a) *REQUIREMENT.*—The Secretary of Defense, in co-
5 ordination with the Secretaries of the military departments,
6 shall document blast exposure history in the medical record
7 of a member of the Armed Forces to—

8 (1) *assist in determining whether a future illness*
9 *or injury of the member is service-connected; and*

10 (2) *inform future blast exposure risk mitigation*
11 *efforts of the Department of Defense.*

12 (b) *ELEMENTS.*—A blast exposure history under sub-
13 section (a) shall include, at a minimum, the following:

14 (1) *The date of the exposure.*

15 (2) *The duration of the exposure, and, if known,*
16 *the measured blast pressure experienced by the indi-*
17 *vidual during such exposure.*

18 (3) *Whether the exposure occurred during combat*
19 *or training.*

20 (4) *Such other information relating to the expo-*
21 *sure as the Secretary of Defense may specify pursuant*
22 *to the guidance described in subsection (c)(1).*

23 (c) *COLLECTION OF EXPOSURE INFORMATION.*—The
24 Secretary of Defense shall collect blast exposure information
25 with respect to a member of the Armed Forces in a man-
26 ner—

1 (1) *consistent with blast exposure measurement*
2 *training guidance of the Department, including any*
3 *new guidance developed pursuant to—*

4 (A) *the study on blast pressure exposure re-*
5 *quired by section 734 of the National Defense*
6 *Authorization Act for Fiscal Year 2018 (Public*
7 *Law 115–91; 131 Stat. 1444); and*

8 (B) *the review of guidance on blast exposure*
9 *during training required by section 253 of the*
10 *John S. McCain National Defense Authorization*
11 *Act for Fiscal Year 2019 (Public Law 115–232;*
12 *132 Stat. 1704, 10 U.S.C. 2001 note);*

13 (2) *compatible with training and operational ob-*
14 *jectives; and*

15 (3) *that is automated, to the extent practicable,*
16 *to minimize the reporting burden of unit com-*
17 *manders.*

18 (d) *REPORT.—Not later than one year after the date*
19 *of the enactment of this Act, the Secretary of Defense shall*
20 *submit to the Committees on Armed Services of the Senate*
21 *and the House of Representatives a report on the types of*
22 *information included in a blast exposure history under sub-*
23 *section (a).*

1 **SEC. 717. COMPREHENSIVE POLICY FOR PROVISION OF**
2 **MENTAL HEALTH CARE TO MEMBERS OF THE**
3 **ARMED FORCES.**

4 (a) *POLICY REQUIRED.*—Not later than 180 days after
5 the date of the enactment of this Act, the Secretary of De-
6 fense, acting through the Under Secretary of Defense for
7 Personnel and Readiness, shall develop and implement a
8 comprehensive policy for the provision of mental health care
9 to members of the Armed Forces.

10 (b) *ELEMENTS.*—The policy under subsection (a) shall
11 address each of the following:

12 (1) *The compliance of health professionals in the*
13 *military health system engaged in the provision of*
14 *health care services to members with clinical practice*
15 *guidelines for—*

16 (A) *suicide prevention;*

17 (B) *medication-assisted therapy for alcohol*
18 *use disorders; and*

19 (C) *medication-assisted therapy for opioid*
20 *use disorders.*

21 (2) *The access and availability of mental health*
22 *care services to members who are victims of sexual as-*
23 *sault or domestic violence.*

24 (3) *The availability of naloxone reversal capa-*
25 *bility on military installations.*

1 (4) *The promotion of referrals of members by ci-*
2 *vilian health care providers to military medical treat-*
3 *ment facilities when such members are—*

4 (A) *at high risk for suicide and diagnosed*
5 *with a psychiatric disorder; or*

6 (B) *receiving treatment for opioid use dis-*
7 *orders.*

8 (5) *The provision of comprehensive behavioral*
9 *health treatment to members of the reserve compo-*
10 *nents that takes into account the unique challenges*
11 *associated with the deployment pattern of such mem-*
12 *bers and the difficulty such members encounter post-*
13 *deployment with respect to accessing such treatment*
14 *in civilian communities.*

15 (c) *CONSIDERATION.—In developing the policy under*
16 *subsection (a), the Secretary of Defense shall solicit and*
17 *consider recommendations from the Secretaries of the mili-*
18 *tary departments and the Chairman of the Joint Chiefs of*
19 *Staff regarding the feasibility of implementation and execu-*
20 *tion of particular elements of the policy.*

21 (d) *REPORT.—Not later than 18 months after the date*
22 *of the enactment of this Act, the Secretary of Defense shall*
23 *submit to the Committees on Armed Services of the Senate*
24 *and the House of Representatives a report on the implemen-*
25 *tation of the policy under subsection (a).*

1 **SEC. 718. LIMITATION ON THE REALIGNMENT OR REDUC-**
2 **TION OF MILITARY MEDICAL MANNING END**
3 **STRENGTH.**

4 (a) *LIMITATION.*—*Except as provided by subsection*
5 *(d), the Secretary of Defense and the Secretaries concerned*
6 *may not realign or reduce military medical end strength*
7 *authorizations until—*

8 (1) *each review is conducted under paragraph*
9 *(1) of subsection (b);*

10 (2) *each analysis is conducted under paragraph*
11 *(2) of such subsection;*

12 (3) *the measurement is developed under para-*
13 *graph (3) of such subsection;*

14 (4) *each plan and forum is provided under para-*
15 *graph (4) of such subsection; and*

16 (5) *a period of 90 days elapses following the date*
17 *on which the Secretary submits the report under sub-*
18 *section (c).*

19 (b) *REVIEWS, ANALYSES, AND OTHER INFORMA-*
20 *TION.*—

21 (1) *REVIEW.*—*Each Secretary concerned, in co-*
22 *ordination with the Chairman of the Joint Chiefs of*
23 *Staff, shall conduct a review of the medical manpower*
24 *requirements of the military department of the Sec-*
25 *retary that accounts for all national defense strategy*
26 *scenarios.*

1 (2) *ANALYSES.*—*With respect to each military*
2 *medical treatment facility that would be affected by*
3 *a proposed military medical end strength realignment*
4 *or reduction, the Secretary concerned shall conduct an*
5 *analysis that—*

6 (A) *identifies affected billets; and*

7 (B) *includes a plan for mitigating any po-*
8 *tential gap in health care services caused by such*
9 *realignment or reduction.*

10 (3) *MEASUREMENT.*—*The Secretary of Defense*
11 *shall—*

12 (A) *develop a standard measurement for*
13 *network adequacy to determine the capacity of*
14 *the local health care network to provide care for*
15 *covered beneficiaries in the area of a military*
16 *medical treatment facility that would be affected*
17 *by a proposed military medical end strength re-*
18 *alignment or reduction; and*

19 (B) *use such measurement in carrying out*
20 *this section and otherwise evaluating proposed*
21 *military medical end strength realignment or re-*
22 *ductions.*

23 (4) *OUTREACH.*—*The Secretary of Defense shall*
24 *provide to each member of the Armed Forces and cov-*
25 *ered beneficiary located in the area of a military*

1 *medical treatment facility that would be affected by*
2 *a proposed military medical end strength realignment*
3 *or reduction the following:*

4 (A) *A transition plan for continuity of*
5 *health care services.*

6 (B) *A public forum to discuss the concerns*
7 *of the member and covered beneficiary regarding*
8 *such proposed realignment or reduction.*

9 (c) *REPORT.—Not later than 180 days after the date*
10 *of the enactment of this Act, the Secretary of Defense shall*
11 *submit to the Committees on Armed Services of the House*
12 *of Representatives and the Senate a report on the proposed*
13 *military medical end strength realignments or reductions,*
14 *including—*

15 (1) *the reviews, analyses, and other information*
16 *developed under subsection (b); and*

17 (2) *a description of the actions the Secretary*
18 *plans to take with respect to such proposed realign-*
19 *ments or reductions.*

20 (d) *EXCEPTION.—The limitation in subsection (a)*
21 *shall not apply to billets of a medical department of a mili-*
22 *tary department that have remained unfilled since at least*
23 *October 1, 2018. The Secretary concerned may realign or*
24 *reduce such a billet if the Secretary determines that such*
25 *realignment or reduction does not affect the provision of*

1 *health care services to members of the Armed Forces or cov-*
2 *ered beneficiaries.*

3 *(e) DEFINITIONS.—In this section:*

4 *(1) The term “covered beneficiary” has the*
5 *meaning given that term in section 1072 of title 10,*
6 *United States Code.*

7 *(2) The term “proposed military medical end*
8 *strength realignment or reduction” means a realign-*
9 *ment or reduction of military medical end strength*
10 *authorizations as proposed by the budget of the Presi-*
11 *dent for fiscal year 2020 submitted to Congress pursu-*
12 *ant to section 1105 of title 31, United States Code.*

13 *(3) The term “Secretary concerned” means—*

14 *(A) the Secretary of the Army, with respect*
15 *to matters concerning the Army;*

16 *(B) the Secretary of the Navy, with respect*
17 *to matters concerning the Navy, the Marine*
18 *Corps, and the Coast Guard when it is operating*
19 *as a service in the Department of the Navy; and*

20 *(C) the Secretary of the Air Force, with re-*
21 *spect to matters concerning the Air Force.*

1 **SEC. 719. STRATEGY TO RECRUIT AND RETAIN MENTAL**
 2 **HEALTH PROVIDERS.**

3 *Not later than 180 days after the date of the enactment*
 4 *of this Act, the Secretary of Defense shall submit to the con-*
 5 *gressional defense committees a report that—*

6 *(1) describes the shortage of mental health pro-*
 7 *viders of the Department of Defense;*

8 *(2) explains the reasons for such shortage;*

9 *(3) explains the effect of such shortage on mem-*
 10 *bers of the Armed Forces; and*

11 *(4) contains a strategy to better recruit and re-*
 12 *tain mental health providers, including with respect*
 13 *to psychiatrists, psychologists, mental health nurse*
 14 *practitioners, licensed social workers, and other li-*
 15 *censed providers of the military health system, in a*
 16 *manner that addresses the need for cultural com-*
 17 *petence and diversity among such mental health pro-*
 18 *viders.*

19 **SEC. 720. MONITORING MEDICATION PRESCRIBING PRAC-**
 20 **TICES FOR THE TREATMENT OF POST-TRAU-**
 21 **MATIC STRESS DISORDER.**

22 *(a) REPORT.—*

23 *(1) IN GENERAL.—Not later than 180 days after*
 24 *the date of enactment of this Act, the Secretary of De-*
 25 *fense shall submit to the Committees on Armed Serv-*
 26 *ices of the House of Representatives and the Senate a*

1 *report on the practices for prescribing medication*
2 *during the period beginning January 1, 2012, and*
3 *ending December 31, 2017, that were inconsistent*
4 *with the post-traumatic stress disorder medication*
5 *guidelines developed by the Department of Defense*
6 *and the Veterans Health Administration.*

7 (2) *CONTENTS.—The report under this subsection*
8 *shall include the following:*

9 (A) *A summary of the practices of the*
10 *Army, Navy, and the Air Force, for prescribing*
11 *medication during the period referred to in*
12 *paragraph (1) that were inconsistent with the*
13 *post-traumatic stress disorder medication guide-*
14 *lines developed by the Department of Defense*
15 *and the Veterans Health Administration.*

16 (B) *Identification of medical centers serving*
17 *members of the Armed Forces found to having*
18 *higher than average incidences of prescribing*
19 *medication during the period referred to in*
20 *paragraph (1) that were inconsistent with the*
21 *post-traumatic stress disorder guidelines.*

22 (C) *A plan for such medical centers to re-*
23 *duce the prescribing of medications that are in-*
24 *consistent with the post-traumatic stress disorder*
25 *guidelines.*

1 (D) *A plan for ongoing monitoring of med-*
2 *ical centers found to have higher than average*
3 *incidences of prescribing medication that were*
4 *inconsistent with the post-traumatic stress dis-*
5 *order guidelines by the Department of Defense*
6 *and the Veterans Health Administration.*

7 (b) *MONITORING PROGRAM.—Based on the findings of*
8 *the report under subsection (a), the Secretaries of the Army,*
9 *the Navy, and the Air Force shall each establish a moni-*
10 *toring program carried out with respect to such branch of*
11 *the Armed Forces that shall provide as follows:*

12 (1) *The monitoring program shall provide for the*
13 *conduct of periodic reviews, beginning October 1,*
14 *2019, of medication prescribing practices of its own*
15 *providers.*

16 (2) *The monitoring program shall provide for*
17 *regular reports, beginning October 1, 2020, to the De-*
18 *partment of Defense and the Veterans Health Admin-*
19 *istration, of the results of the periodic reviews pursu-*
20 *ant to paragraph (1) of this subsection.*

21 (3) *The monitoring program shall establish in-*
22 *ternal procedures, not later than October 1, 2020, to*
23 *address practices for prescribing medication that are*
24 *inconsistent with the post-traumatic stress disorder*

1 *medication guidelines developed by the Department of*
 2 *Defense and the Veterans Health Administration.*

3 (c) *REPORT ON IMPLEMENTATION OF GUIDANCE ON*
 4 *OPIOID PRESCRIPTIONS FOR PAIN FROM MINOR OUT-*
 5 *PATIENT PROCEDURES.*—Not later than 6 months after the
 6 date of enactment of this Act, the Secretary of Defense, act-
 7 ing in conjunction with the Director of the Defense Health
 8 Agency, shall submit to the Committees on Armed Services
 9 of the House of Representatives and the Senate a report on
 10 the implementation and results of the Defense Health Agen-
 11 cy’s guidance on opioid prescriptions for pain from minor
 12 outpatient procedures in Guidance Report entitled “Pain
 13 Management and Opioid Safety in the Military Health
 14 System (MHS)” (DHA–PI 6025.04, issued on June 8,
 15 2018).

16 **SEC. 720A. MAINTENANCE OF CERTAIN MEDICAL SERVICES**
 17 **AT MILITARY MEDICAL TREATMENT FACILI-**
 18 **TIES AT SERVICE ACADEMIES.**

19 Section 1073d of title 10, United States Code, is
 20 amended by adding at the end the following new subsection:

21 “(f) *MAINTENANCE OF CERTAIN MEDICAL SERVICES*
 22 *AT SERVICE ACADEMIES.*—(1) In carrying out subsection
 23 (a), the Secretary of Defense shall ensure that each military
 24 medical treatment facility located at a Service Academy (as
 25 defined in section 347 of this title) provides each covered

1 *medical service unless the Secretary determines that a civil-*
 2 *ian health care facility located not fewer than five miles*
 3 *from the Service Academy provides the covered medical*
 4 *service.*

5 “(2) *In this subsection, the term ‘covered medical serv-*
 6 *ice’ means the following:*

7 “(A) *Emergency room services.*

8 “(B) *Orthopedic services.*

9 “(C) *General surgery services.*

10 “(D) *Ear, nose, and throat services.*

11 “(E) *Gynecological services.*

12 “(F) *Ophthalmology services.*

13 “(G) *In-patient services.*

14 “(H) *Any other medical services that the relevant*
 15 *Superintendent of the Service Academy determines*
 16 *necessary to maintain the readiness and health of the*
 17 *cadets or midshipmen and members of the armed*
 18 *forces at the Service Academy.”.*

19 **SEC. 720B. DEVELOPMENT OF PARTNERSHIPS TO IMPROVE**
 20 **COMBAT CASUALTY CARE FOR PERSONNEL**
 21 **OF THE ARMED FORCES.**

22 (a) *PARTNERSHIPS.—*

23 (1) *IN GENERAL.—The Secretary of Defense*
 24 *shall, through the Joint Trauma Education and*
 25 *Training Directorate established under section 708 of*

1 *the National Defense Authorization Act for Fiscal*
 2 *Year 2017 (Public Law 114–328; 10 U.S.C. 1071*
 3 *note), develop partnerships with civilian academic*
 4 *medical centers and large metropolitan teaching hos-*
 5 *pitals to improve combat casualty care for personnel*
 6 *of the Armed Forces.*

7 (2) *PARTNERSHIPS WITH LEVEL I TRAUMA CEN-*
 8 *TERS.—In carrying out partnerships under para-*
 9 *graph (1), trauma surgeons and physicians of the De-*
 10 *partment of Defense shall partner with level I civilian*
 11 *trauma centers to provide adequate training and*
 12 *readiness for the next generation of medical providers*
 13 *to treat critically injured burn patients.*

14 (b) *SUPPORT OF PARTNERSHIPS.—The Secretary of*
 15 *Defense shall make every effort to support partnerships*
 16 *under the Joint Trauma Education and Training Direc-*
 17 *torate with academic institutions that have level I civilian*
 18 *trauma centers, specifically those centers with a burn cen-*
 19 *ter, that offer burn rotations and clinical experience to pro-*
 20 *vide adequate training and readiness for the next genera-*
 21 *tion of medical providers to treat critically injured burn*
 22 *patients.*

23 (c) *LEVEL I CIVILIAN TRAUMA CENTER DEFINED.—*
 24 *In this section, the term “level I civilian trauma center”*
 25 *has the meaning given that term in section 708 of the Na-*

1 *tional Defense Authorization Act for Fiscal Year 2017 (Pub-*
 2 *lic Law 114–328; 10 U.S.C. 1071 note).*

3 *(d) EFFECTIVE DATE.—This section shall take effect*
 4 *on October 1, 2020.*

5 **SEC. 720C. MODIFICATION TO REFERRALS FOR MENTAL**
 6 **HEALTH SERVICES.**

7 *If the Secretary of Defense is unable to provide mental*
 8 *health services in a military medical treatment facility to*
 9 *a member of the Armed Forces within 15 days of the date*
 10 *on which such services are first requested by the member,*
 11 *the Secretary may refer the member to a provider under*
 12 *the TRICARE program (as that term is defined in section*
 13 *1072 of title 10, United States Code) to receive such services.*

14 ***Subtitle C—Reports and Other***
 15 ***Matters***

16 **SEC. 721. ESTABLISHMENT OF MILITARY DENTAL RE-**
 17 **SEARCH PROGRAM.**

18 *(a) IN GENERAL.—Chapter 104 of title 10, United*
 19 *States Code, is amended by inserting after section 2116 the*
 20 *following new section:*

21 ***“§2116a. Military dental research***

22 *“(a) DEFINITIONS.—In this section:*

23 *“(1) The term ‘military dental research’ means*
 24 *research on the furnishing of dental care and services*
 25 *by dentists in the armed forces.*

1 “(2) *The term ‘TriService Dental Research Pro-*
 2 *gram’ means the program of military dental research*
 3 *authorized under this section.*

4 “(b) *PROGRAM AUTHORIZED.—The Secretary of De-*
 5 *fense may establish at the University a program of military*
 6 *dental research.*

7 “(c) *TRISERVICE RESEARCH GROUP.—The TriService*
 8 *Dental Research Program shall be administered by a*
 9 *TriService Dental Research Group composed of Army,*
 10 *Navy, and Air Force dentists who are involved in military*
 11 *dental research and are designated by the Secretary con-*
 12 *cerned to serve as members of the group.*

13 “(d) *DUTIES OF GROUP.—The TriService Dental Re-*
 14 *search Group described in subsection (c) shall—*

15 “(1) *develop for the Department of Defense rec-*
 16 *ommended guidelines for requesting, reviewing, and*
 17 *funding proposed military dental research projects;*
 18 *and*

19 “(2) *make available to Army, Navy, and Air*
 20 *Force dentists and officials of the Department of De-*
 21 *fense who conduct military dental research—*

22 “(A) *information about dental research*
 23 *projects that are being developed or carried out*
 24 *in the Army, Navy, and Air Force; and*

1 “(B) expertise and information beneficial to
2 the encouragement of meaningful dental research.

3 “(e) *RESEARCH TOPICS*.—For purposes of this section,
4 military dental research includes research on the following
5 issues:

6 “(1) Issues regarding how to ensure the readiness
7 of members of the armed forces on active duty and in
8 the reserve components with respect to the provision
9 of dental care and services.

10 “(2) Issues regarding preventive dentistry and
11 disease management, including early detection of
12 needs.

13 “(3) Issues regarding how to improve the results
14 of dental care and services provided in the armed
15 forces in time of peace.

16 “(4) Issues regarding how to improve the results
17 of dental care and services provided in the armed
18 forces in time of war.

19 “(5) Issues regarding minimizing or eliminating
20 emergent dental conditions and dental disease and
21 non-battle injuries in deployed settings.

22 “(6) Issues regarding how to prevent complica-
23 tions associated with dental-related battle injuries.

1 “(7) *Issues regarding how to prevent complica-*
 2 *tions associated with the transportation of dental pa-*
 3 *tients in the military medical evacuation system.*

4 “(8) *Issues regarding the use of technological ad-*
 5 *vances, including teledentistry.*

6 “(9) *Issues regarding psychological distress in*
 7 *receiving dental care and services.*

8 “(10) *Issues regarding how to improve methods*
 9 *of training dental personnel, including dental assist-*
 10 *ants and dental extenders.*

11 “(11) *Wellness issues relating to dental care and*
 12 *services.*

13 “(12) *Case management issues relating to dental*
 14 *care and services.*

15 “(13) *Issues regarding the use of alternate dental*
 16 *care delivery systems, including the employment of*
 17 *interprofessional practice models incorporating mul-*
 18 *tiple health professions.”.*

19 **(b) CLERICAL AMENDMENT.**—*The table of sections at*
 20 *the beginning of chapter 104 of such title is amended by*
 21 *inserting after the item relating to section 2116 the fol-*
 22 *lowing new item:*

“2116a. Military dental research.”.

1 **SEC. 722. PILOT PROGRAM ON CRYOPRESERVATION AND**
2 **STORAGE.**

3 (a) *PILOT PROGRAM.*—*The Secretary of Defense shall*
4 *establish a pilot program to provide not more than 1,000*
5 *members of the Armed Forces serving on active duty with*
6 *the opportunity to cryopreserve and store their gametes*
7 *prior to deployment to a combat zone.*

8 (b) *PERIOD.*—

9 (1) *IN GENERAL.*—*The Secretary shall provide*
10 *for the cryopreservation and storage of gametes of a*
11 *participating member of the Armed Forces under sub-*
12 *section (a), at no cost to the member, in a facility of*
13 *the Department of Defense or at a private entity pur-*
14 *suant to a contract under subsection (d) until the*
15 *date that is one year after the retirement, separation,*
16 *or release of the member from the Armed Forces.*

17 (2) *CONTINUED CRYOPRESERVATION AND STOR-*
18 *AGE.*—*At the end of the one-year period specified in*
19 *paragraph (1), the Secretary shall authorize an indi-*
20 *vidual whose gametes were cryopreserved and stored*
21 *in a facility of the Department as described in that*
22 *paragraph to select, including pursuant to an ad-*
23 *vance medical directive or military testamentary in-*
24 *strument completed under subsection (c), one of the*
25 *following options:*

1 (A) *To continue such cryopreservation and*
 2 *storage in such facility with the cost of such*
 3 *cryopreservation and storage borne by the indi-*
 4 *vidual.*

5 (B) *To transfer the gametes to a private*
 6 *cryopreservation and storage facility selected by*
 7 *the individual.*

8 (C) *To authorize the Secretary to dispose of*
 9 *the gametes of the individual not earlier than the*
 10 *date that is 90 days after the end of the one-year*
 11 *period specified in paragraph (1) with respect to*
 12 *the individual.*

13 (c) *ADVANCE MEDICAL DIRECTIVE AND MILITARY*
 14 *TESTAMENTARY INSTRUMENT.—A member of the Armed*
 15 *Forces who elects to cryopreserve and store their gametes*
 16 *under this section shall complete an advance medical direc-*
 17 *tive described in section 1044c(b) of title 10, United States*
 18 *Code, and a military testamentary instrument described in*
 19 *section 1044d(b) of such title, that explicitly specifies the*
 20 *use of their cryopreserved and stored gametes if such mem-*
 21 *ber dies or otherwise loses the capacity to consent to the*
 22 *use of their cryopreserved and stored gametes.*

23 (d) *AGREEMENTS.—To carry out this section, the Sec-*
 24 *retary may enter into agreements with private entities that*
 25 *provide cryopreservation and storage services for gametes.*

1 **SEC. 723. ENCOURAGEMENT OF PARTICIPATION IN WOM-**
2 **EN'S HEALTH TRANSITION TRAINING PILOT**
3 **PROGRAM.**

4 (a) *ENCOURAGEMENT OF PARTICIPATION.*—*The Secre-*
5 *taries of the military departments shall encourage female*
6 *members of the Armed Forces who are separating or retiring*
7 *from the Armed Forces during fiscal year 2020 to partici-*
8 *pate in the Women's Health Transition Training pilot pro-*
9 *gram (in this section referred to as the "pilot program")*
10 *administered by the Secretary of Veterans Affairs.*

11 (b) *SELECTION.*—*Each Secretary of a military depart-*
12 *ment shall select at least one location at which the pilot*
13 *program is offered and encourage participation in the pilot*
14 *program at such location.*

15 (c) *REPORT.*—*Not later than September 30, 2020, the*
16 *Secretary of Defense, in consultation with the Secretary of*
17 *Veterans Affairs, shall submit to the Committees on Armed*
18 *Services of the Senate and the House of Representatives and*
19 *the Committees on Veterans' Affairs of the Senate and*
20 *House of Representatives a report on the pilot program that*
21 *includes the following:*

22 (1) *For the period since the commencement of the*
23 *pilot program—*

24 (A) *the number of courses held under the*
25 *pilot program;*

1 (B) the locations at which such courses were
2 held; and

3 (C) for each location identified in subpara-
4 graph (B)—

5 (i) the number of female members by
6 military department (with respect to De-
7 partment of the Navy, separately for the
8 Navy and Marine Corps) who participated
9 in the pilot program; and

10 (ii) the number of seats available
11 under the pilot program.

12 (2) Data relating to—

13 (A) satisfaction with courses held under the
14 pilot program;

15 (B) improved awareness of health care serv-
16 ices administered by the Secretary of Veterans
17 Affairs; and

18 (C) any other available statistics regarding
19 the pilot program.

20 (3) A discussion of regulatory, legal, or resource
21 barriers to—

22 (A) making the pilot program permanent to
23 enable access by a greater number of female
24 members at locations throughout the United
25 States;

1 (B) offering the pilot program online for fe-
 2 male members who are unable to attend courses
 3 held under the pilot program in person; and

4 (C) providing for automatic enrollment of
 5 participants in the pilot program in the patient
 6 enrollment system of the Department of Veterans
 7 Affairs established and operated under section
 8 1705 of title 38, United States Code.

9 **SEC. 724. NATIONAL GUARD SUICIDE PREVENTION PILOT**
 10 **PROGRAM.**

11 (a) *PILOT PROGRAM AUTHORIZED.*—The Chief of the
 12 National Guard Bureau may carry out a pilot program
 13 to expand suicide prevention and intervention efforts at the
 14 community level through the use of a mobile application
 15 that provides the capability for a member of the National
 16 Guard to receive prompt support, including access to a be-
 17 havioral health professional, on a smartphone, tablet com-
 18 puter, or other handheld mobile device.

19 (b) *ELEMENTS.*—The pilot program shall include, sub-
 20 ject to such conditions as the Secretary may prescribe—

21 (1) the use by members of the National Guard of
 22 an existing mobile application that provides the capa-
 23 bility described in subsection (a); or

24 (2) the development and use of a new mobile ap-
 25 plication that provides such capability.

1 (c) *ELIGIBILITY AND PARTICIPATION REQUIRE-*
 2 *MENTS.—The Chief of the National Guard Bureau shall es-*
 3 *tablish requirements with respect to eligibility and partici-*
 4 *pation in the pilot program.*

5 (d) *ASSESSMENT PRIOR TO PILOT PROGRAM COM-*
 6 *MENCEMENT.—Prior to commencement of the pilot pro-*
 7 *gram, the Chief of the National Guard Bureau shall—*

8 (1) *conduct an assessment of existing prevention*
 9 *and intervention efforts of the National Guard in*
 10 *each State that include the use of mobile applications*
 11 *that provide the capability described in subsection (a)*
 12 *to determine best practices for providing immediate*
 13 *and localized care through the use of such mobile ap-*
 14 *plications; and*

15 (2) *determine the feasibility of expanding exist-*
 16 *ing programs on a national scale.*

17 (e) *RESPONSIBILITIES OF ENTITIES PARTICIPATING IN*
 18 *PILOT PROGRAM.—Each entity that participates in the*
 19 *pilot program shall—*

20 (1) *share best practices with other entities par-*
 21 *ticipating in the program; and*

22 (2) *annually assess outcomes with respect to*
 23 *members of the National Guard.*

1 (f) *TERM.*—*The pilot program shall terminate on the*
 2 *date that is three years after the date on which the pilot*
 3 *program commenced.*

4 (g) *REPORTS.*—

5 (1) *INITIAL REPORT.*—*If the Chief of the Na-*
 6 *tional Guard Bureau commences the pilot program*
 7 *authorized under subsection (a), not later than 180*
 8 *days after the date of the commencement of such pro-*
 9 *gram, the Chief shall submit to the Committees on*
 10 *Armed Services of the Senate and the House of Rep-*
 11 *resentatives a report containing a description of the*
 12 *pilot program and such other matters as the Chief*
 13 *considers appropriate.*

14 (2) *FINAL REPORT.*—

15 (A) *IN GENERAL.*—*Not later than 180 days*
 16 *after the termination of the pilot program, the*
 17 *Chief of the National Guard Bureau shall submit*
 18 *to the Committees on Armed Services of the Sen-*
 19 *ate and the House of Representatives a report on*
 20 *such pilot program.*

21 (B) *MATTERS INCLUDED.*—*The report*
 22 *under subparagraph (A) shall include the fol-*
 23 *lowing:*

24 (i) *A description of the pilot program,*
 25 *including any partnerships entered into by*

1 *the Chief of the National Guard Bureau*
2 *under the program.*

3 *(ii) An assessment of the effectiveness*
4 *of the pilot program.*

5 *(iii) A description of costs associated*
6 *with the implementation of the pilot pro-*
7 *gram.*

8 *(iv) The estimated costs of making the*
9 *pilot program permanent.*

10 *(v) A recommendation as to whether*
11 *the pilot program should be extended or*
12 *made permanent.*

13 *(vi) Such other recommendations for*
14 *legislative or administrative action as the*
15 *Chief of the National Guard Bureau con-*
16 *siders appropriate.*

17 *(h) FUNDING.—*

18 *(1) INCREASE.—Notwithstanding the amounts*
19 *set forth in the funding tables in division D, the*
20 *amount authorized to be appropriated in section 301*
21 *for operation and maintenance, as specified in the*
22 *corresponding funding table in section 4301, for oper-*
23 *ation and maintenance, Defense-wide, administrative*
24 *and service-wide activities, Office of the Secretary of*
25 *Defense, line 460 is hereby increased by \$5,000,000*

1 *(with the amount of such increase to be made avail-*
 2 *able for the Defense Suicide Prevention Office and*
 3 *National Guard suicide prevention pilot program*
 4 *under this section).*

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

12 (i) *STATE DEFINED.*—*In this section, the term “State”*
 13 *means each of the several States, the District of Columbia,*
 14 *the Commonwealth of Puerto Rico, American Samoa,*
 15 *Guam, the United States Virgin Islands, and the Common-*
 16 *wealth of the Northern Mariana Islands.*

17 **SEC. 725. REPORTS ON SUICIDE AMONG MEMBERS OF THE**
 18 **ARMED FORCES.**

19 (a) *REPORTS.*—*Not later than 90 days after the date*
 20 *of the enactment of this Act, and annually thereafter*
 21 *through January 31, 2021, the Secretary of Defense shall*
 22 *submit to the Committees on Armed Services of the House*
 23 *of Representatives and the Senate a report on suicide*
 24 *among members of the Armed Forces during the year pre-*
 25 *ceding the date of the report.*

1 (b) *MATTERS INCLUDED.*—Each report under sub-
2 section (a) shall include the following with respect to the
3 year covered by the report:

4 (1) *The number of suicides, attempted suicides,*
5 *and occurrences of suicidal ideation involving a mem-*
6 *ber of the Armed Forces, including the reserve compo-*
7 *nents thereof, listed by Armed Force.*

8 (2) *The number of suicides, attempted suicides,*
9 *or suicidal ideation identified under paragraph (1)*
10 *that occurred during each of the following periods:*

11 (A) *The first 180 days of the member serv-*
12 *ing in the Armed Forces.*

13 (B) *The period in which the member is de-*
14 *ployed in support of a contingency operation.*

15 (3) *With respect to the number of suicides, at-*
16 *tempted suicides, or suicidal ideation identified under*
17 *paragraph (2)(A), the initial recruit training location*
18 *of the member.*

19 (4) *The number of suicides involving a depend-*
20 *ent of a member.*

21 (5) *A description of any research collaborations*
22 *and data sharing by the Department of Defense with*
23 *the Department of Veterans Affairs, other departments*
24 *or agencies of the Federal Government, academic in-*
25 *stitutions, or nongovernmental organizations.*

1 (6) *Identification of a research agenda for the*
 2 *Department of Defense to improve the evidence base*
 3 *on effective suicide prevention treatment and risk*
 4 *communication.*

5 (7) *The availability and usage of the assistance*
 6 *of chaplains, houses of worship, and other spiritual*
 7 *resources for members of the Armed Forces who iden-*
 8 *tify as religiously affiliated and have attempted sui-*
 9 *cide, have suicidal ideation, or are at risk of suicide,*
 10 *and metrics on the impact these resources have in as-*
 11 *sisting religiously-affiliated members who have access*
 12 *to and utilize them compared to religiously-affiliated*
 13 *members who do not.*

14 (8) *A description of the effectiveness of the poli-*
 15 *cies developed pursuant to section 567 of the Carl*
 16 *Levin and Howard P. “Buck” McKeon National De-*
 17 *fense Authorization Act for Fiscal Year 2015 (Public*
 18 *Law 113–291; 10 U.S.C. 1071 note) and section 582*
 19 *of the National Defense Authorization Act for Fiscal*
 20 *Year 2013 (Public Law 112–239; 10 U.S.C. 1071*
 21 *note), including with respect to—*

22 (A) *metrics identifying effective treatment*
 23 *modalities for members of the Armed Forces who*
 24 *are at risk for suicide (including any clinical*

1 *interventions involving early identification and*
 2 *treatment of such members);*

3 *(B) metrics for the rate of integration of*
 4 *mental health screenings and suicide risk and*
 5 *prevention for members during the delivery of*
 6 *primary care for such members;*

7 *(C) metrics relating to the effectiveness of*
 8 *suicide prevention and resilience programs and*
 9 *preventative behavioral health programs of the*
 10 *Department of Defense (including those of the*
 11 *military departments and the Armed Forces);*
 12 *and*

13 *(D) metrics evaluating the training stand-*
 14 *ards for behavioral health care providers to en-*
 15 *sure that such providers have received training*
 16 *on clinical best practices and evidence-based*
 17 *treatments.*

18 **SEC. 726. STUDY ON MILITARY-CIVILIAN INTEGRATED**
 19 **HEALTH DELIVERY SYSTEMS.**

20 *(a) STUDY.—The Secretary of Defense shall conduct a*
 21 *study on the use of local integrated military-civilian inte-*
 22 *grated health delivery systems pursuant to section 706 of*
 23 *the National Defense Authorization Act for Fiscal Year*
 24 *2017 (Public Law 114–328; 10 U.S.C. 1096 note). The*
 25 *study shall examine the following:*

1 (1) *Geographic locations where military medical*
2 *treatment facilities have existing contractual relation-*
3 *ships with local civilian health care networks, includ-*
4 *ing Fort Drum, New York, Joint Base McGuire-Dix-*
5 *Lakehurst, New Jersey, Joint Base Lewis-McCord,*
6 *Washington, Fort Leonard Wood, Missouri, Elmen-*
7 *dorf Air Force Base, Alaska, Fort Sill, Oklahoma,*
8 *Tripler Army Medical Center, Hawaii, the National*
9 *Capital Region, and similar locations.*

10 (2) *Health care activities that promote value-*
11 *based care, measurable health outcomes, patient safe-*
12 *ty, timeliness of referrals, and transparent commu-*
13 *nication with covered beneficiaries.*

14 (3) *Locations where health care providers of the*
15 *Department of Defense may be able to attain critical*
16 *wartime readiness skills in a local integrated mili-*
17 *tary-civilian integrated health delivery system.*

18 (4) *The cost of providing care under an inte-*
19 *grated military-civilian integrated health delivery*
20 *system as compared to health care provided by a*
21 *managed care support contractor.*

22 (b) *SUBMISSION.*—*Not later than 180 days after the*
23 *date of the enactment of this Act, the Secretary of Defense*
24 *shall submit to the Committees on Armed Services of the*

1 *House of Representatives and the Senate a report on the*
2 *results of the study under subsection (a).*

3 *(c) DEFINITIONS.—In this section:*

4 *(1) The term “covered beneficiaries” has the*
5 *meaning given that term in section 1072 of title 10,*
6 *United States Code.*

7 *(2) The term “National Capital Region” has the*
8 *meaning given that term in section 2674 of title 10,*
9 *United States Code.*

10 ***SEC. 727. STUDY ON CASE MANAGEMENT AT MILITARY MED-***
11 ***ICAL TREATMENT FACILITIES.***

12 *(a) STUDY.—The Secretary of Defense shall conduct a*
13 *study on the effectiveness of case management practices at*
14 *military medical treatment facilities. The study shall in-*
15 *clude the following:*

16 *(1) A standardized definition of case manage-*
17 *ment.*

18 *(2) An evaluation of case management practices*
19 *provided by the military departments before and dur-*
20 *ing the transition of the administration of military*
21 *medical treatment facilities to the Defense Health*
22 *Agency pursuant to section 1073c of title 10, United*
23 *States Code.*

1 (3) *A discussion of the metrics involved with de-*
 2 *termining the effectiveness of case management and*
 3 *the cost of case management.*

4 (4) *A review of case management best practices*
 5 *in the private sector, including with respect to—*

6 (A) *the intervals at which patients should*
 7 *be contacted;*

8 (B) *the role of the case manager in coordi-*
 9 *nation;*

10 (C) *the approximate number of patients*
 11 *managed by a case manager; and*

12 (D) *any other best practices relating to case*
 13 *management that would improve the experience*
 14 *of care within the military health system.*

15 (5) *The results of a discussion with covered bene-*
 16 *ficiaries (as defined in section 1072 of title 10,*
 17 *United States Code) in a public forum on case man-*
 18 *agement in military medical treatment facilities ad-*
 19 *ministered by the Defense Health Agency.*

20 (b) *REPORT.—Not later than 180 days after the date*
 21 *of the enactment of this Act, the Secretary of Defense shall*
 22 *submit to the Committees on Armed Services of the House*
 23 *of Representatives and the Senate a report on the results*
 24 *of the study under subsection (a).*

1 **SEC. 728. STUDY ON INFERTILITY AMONG MEMBERS OF THE**
2 **ARMED FORCES.**

3 (a) *STUDY.*—Not later than 180 days after the date
4 of the enactment of this Act, the Secretary of Defense shall
5 submit to the Committees on Armed Services of the House
6 of Representatives and the Senate a study on the incidence
7 of infertility among members of the Armed Forces, includ-
8 ing the reserve components thereof.

9 (b) *MATTERS INCLUDED.*—The study shall include the
10 following:

11 (1) *The number of members of the Armed Forces*
12 *serving as of the date of the study who are diagnosed*
13 *with common causes of infertility, such as polycystic*
14 *ovary syndrome, pelvic inflammatory disease, uterine*
15 *fibroids, endometriosis, sexually transmitted disease,*
16 *testicular disorders, and male endocrine disorders.*

17 (2) *The number of members serving as of the*
18 *date of the study whose infertility has no known*
19 *cause.*

20 (3) *The incidence of miscarriage among women*
21 *members, listed by Armed Force and military occupa-*
22 *tion.*

23 (4) *A comparison of the rates of infertility and*
24 *miscarriage in the Armed Forces to such rates in the*
25 *civilian population, as reported by the Centers for*
26 *Disease Control and Prevention.*

1 (5) *Demographic information of the members de-*
2 *scribed in paragraphs (1), (2), and (3), include with*
3 *respect to race, ethnicity, sex, age, military occupa-*
4 *tion, and possible exposures during military service to*
5 *hazardous elements such as chemical and biologic*
6 *agents.*

7 (6) *An assessment of the ease or delay for mem-*
8 *bers in obtaining treatment for infertility, including*
9 *in vitro fertilization, including—*

10 (A) *the wait times at each military medical*
11 *treatment facility that has community partner-*
12 *ships to provide in vitro fertilization;*

13 (B) *the number of members described in*
14 *paragraph (1) who are candidates for in vitro*
15 *fertilization or other infertility treatments but*
16 *cannot obtain such treatments because of the lo-*
17 *cation at which the member is stationed or the*
18 *duties of the member; and*

19 (C) *a discussion of the reasons members*
20 *cease seeking such treatments through the mili-*
21 *tary health system.*

22 (7) *Criteria used by the Secretary to determine*
23 *service connection for infertility, including whether*
24 *screenings for levels of toxins are undertaken when the*
25 *cause of infertility cannot be determined.*

1 (8) *The policy of the Department of Defense, as*
 2 *of the date of the study, for ensuring geographic sta-*
 3 *bility during treatment of women members under-*
 4 *going in vitro fertilization for either service-connected*
 5 *or non-service-connected infertility.*

6 **SEC. 729. ALLOWING CLAIMS AGAINST THE UNITED STATES**
 7 **FOR INJURY AND DEATH OF MEMBERS OF**
 8 **THE ARMED FORCES CAUSED BY IMPROPER**
 9 **MEDICAL CARE.**

10 (a) *IN GENERAL.*—Chapter 171 of title 28, United
 11 *States Code, is amended by adding at the end the following:*

12 **“§2681. Claims against the United States for injury**
 13 **and death of members of the Armed**
 14 **Forces of the United States**

15 “(a) *A claim may be brought against the United States*
 16 *under this chapter for damages relating to the personal in-*
 17 *jury or death of a member of the Armed Forces of the United*
 18 *States arising out of a negligent or wrongful act or omission*
 19 *in the performance of medical, dental, or related health care*
 20 *functions (including clinical studies and investigations)*
 21 *that is provided at a covered military medical treatment*
 22 *facility by a person acting within the scope of the office*
 23 *or employment of that person by or at the direction of the*
 24 *Government of the United States.*

1 “(b) *A claim under this section shall not be reduced*
2 *by the amount of any benefit received under subchapter III*
3 *(relating to Servicemembers’ Group Life Insurance) of*
4 *chapter 19 of title 38.*

5 “(c) *Notwithstanding section 2401(b), a claim brought*
6 *under this section shall have a three-year statute of limita-*
7 *tions beginning on the date the claimant discovered or by*
8 *reasonable diligence should have discovered the injury and*
9 *the cause of the injury.*

10 “(d) *For purposes of claims brought under this sec-*
11 *tion—*

12 “(1) *subsections (j) and (k) of section 2680 do*
13 *not apply; and*

14 “(2) *in the case of an act or omission occurring*
15 *outside the United States, the law of the place where*
16 *the act or omission occurred shall be deemed to be the*
17 *law of the State of domicile of the claimant.*

18 “(e) *In this section, the term ‘covered military medical*
19 *treatment facility’ means the facilities described in sub-*
20 *sections (b), (c), and (d) of section 1073d of title 10, regard-*
21 *less of whether the facility is located in or outside the*
22 *United States. The term does not include battalion aid sta-*
23 *tions or other medical treatment locations deployed in an*
24 *area of armed conflict.*

1 “(f) *Not later than two years after the date of the en-*
 2 *actment of this section, and every two years thereafter, the*
 3 *Secretary of Defense shall submit to Congress a report on*
 4 *the number of claims filed under this section.*”.

5 (b) *CLERICAL AMENDMENT.*—*The table of sections for*
 6 *chapter 171 of title 28, United States Code, is amended by*
 7 *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.”.*

8 (c) *EFFECTIVE DATE.*—*This Act and the amendments*
 9 *made by this Act shall apply to—*

10 (1) *a claim filed on or after the date of the en-*
 11 *actment of this Act; and*

12 (2) *a claim that—*

13 (A) *is pending as of the date of the enact-*
 14 *ment of this Act; and*

15 (B) *arises from an incident occurring not*
 16 *more than two years before the claim was filed.*

17 (d) *RULE OF CONSTRUCTION.*—*Nothing in this Act or*
 18 *the amendments made by this Act shall be construed to limit*
 19 *the application of the administrative process and proce-*
 20 *dures of chapter 171 of title 28, United States Code, to*
 21 *claims permitted under section 2681 of such chapter, as*
 22 *amended by this section.*

1 **SEC. 730. STUDY ON EXTENDING PARENT'S LEVEL OF**
2 **TRICARE HEALTH COVERAGE TO NEWBORN**
3 **CHILD.**

4 (a) *STUDY.*—*The Secretary of Defense shall conduct a*
5 *study on extending a parent's level of TRICARE health cov-*
6 *erage to the newborn child of the parent.*

7 (b) *COORDINATION.*—*In conducting the study under*
8 *subsection (a), the Secretary shall, with respect to members*
9 *of the Coast Guard, coordinate with the Secretary of the*
10 *Department in which the Coast Guard is operating when*
11 *it is not operating as a service in the Department of the*
12 *Navy.*

13 (c) *ELEMENTS.*—*In conducting the study under sub-*
14 *section (a), the Secretary shall study—*

15 (1) *the feasibility and the cost of automatically*
16 *extending the parent's level of TRICARE coverage to*
17 *the newborn child for the remainder of the first year*
18 *of the child's life after the first 90 days; and*

19 (2) *the current notification system for parents to*
20 *change their children's health care plan during the*
21 *first 90 days of the newborn's life.*

22 (d) *SUBMISSION.*—*Not later than 120 days after the*
23 *date of the enactment of this Act, the Secretary shall submit*
24 *to the congressional defense committees a report on the*
25 *study conducted under subsection (a).*

1 **SEC. 731. REPORT ON GLOBAL HEALTH SECURITY STRAT-**
2 **EGY AND THE NATIONAL BIODEFENSE SECU-**
3 **RITY.**

4 (a) *REPORT*.—Not later than 180 days after the date
5 on which the Comptroller General of the United States pub-
6 lishes a review of the National Biodefense Strategy, the Sec-
7 retary of Defense shall submit to the appropriate congres-
8 sional committees a report on the implementation of the
9 Global Health Security Strategy and the National Bio-
10 defense Strategy.

11 (b) *ELEMENTS*.—The report under subsection (a) shall,
12 at a minimum—

13 (1) *designate the individual and offices respon-*
14 *sible for overseeing the implementation of each strat-*
15 *egy referred to in subsection (a) within the Depart-*
16 *ment of Defense;*

17 (2) *detail actions that the Department is taking*
18 *to support implementation of the Global Health Secu-*
19 *rity Agenda;*

20 (3) *detail actions taken to coordinate the efforts*
21 *of the Department with the other agencies responsible*
22 *for the Global Health Security Strategy and National*
23 *Biodefense Strategy; and*

24 (4) *with respect to the review of the National*
25 *Biodefense Strategy conducted by the Comptroller*
26 *General—*

1 (A) detail the recommendations in the re-
 2 view that the Secretary plans on or is currently
 3 implementing;

4 (B) specify the official implementing such
 5 recommendations and the actions the official is
 6 taking to implement the recommendations;

7 (C) specify the recommendations in the re-
 8 view that the Secretary has determined not to
 9 implement; and

10 (D) explain the rationale of the Secretary
 11 with respect to not implementing such rec-
 12 ommendations.

13 (c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
 14 *FINED.*—In this section, the term “appropriate congres-
 15 sional committees” means—

16 (1) the congressional defense committees;

17 (2) the Committee on Foreign Affairs and the
 18 Committee on Energy and Commerce of the House of
 19 Representatives; and

20 (3) the Committee on Foreign Relations and the
 21 Committee on Health, Education, Labor, and Pen-
 22 sions of the Senate.

23 **SEC. 732. REPORT ON MENTAL HEALTH ASSESSMENTS.**

24 (a) *REPORT.*—Not later than one year after the date
 25 of the enactment of this Act, the Comptroller General of the

1 *United States shall submit to the Committee on Armed*
2 *Services and the Committee on Veterans' Affairs of the Sen-*
3 *ate and the Committee on Armed Services and the Com-*
4 *mittee on Veterans' Affairs of the House of Representatives*
5 *a publicly available report on the Department of Defense's*
6 *implementation section 1074n of title 10, United States*
7 *Code. The report shall include the following:*

8 (1) *An evaluation of the implementation of such*
9 *section across the Armed Forces.*

10 (2) *An evaluation of the efficacy of the mental*
11 *health assessments under such section in helping to*
12 *identify mental health conditions among members of*
13 *the Armed Forces in order to prevent suicide.*

14 (3) *An evaluation of the tools and processes used*
15 *to provide the annual mental health assessments of*
16 *members of the Armed Forces conducted pursuant to*
17 *such section.*

18 (4) *An analysis of how lessons learned from the*
19 *annual mental health assessments can be used within*
20 *the Department of Veterans Affairs to prevent veteran*
21 *suicide.*

22 (5) *An analysis of potential policy options to*
23 *improve the monitoring and reporting required and*
24 *to achieve a more robust implementation of such sec-*
25 *tion.*

1 (6) *Such other information as the Comptroller*
 2 *General determines appropriate.*

3 (b) *INTERIM BRIEFING.*—*Not later than March 1,*
 4 *2020, the Comptroller General shall provide to the Com-*
 5 *mittee on Armed Services of the Senate and the Committee*
 6 *on Armed Services of the House of Representatives a brief-*
 7 *ing on the topics to be covered by the report under sub-*
 8 *section (a), including and preliminary data and any issues*
 9 *or concerns of the Comptroller General relating to the re-*
 10 *port.*

11 (c) *ACCESS TO RELEVANT DATA.*—*For purposes of this*
 12 *section, the Secretary of Defense shall ensure that the Comp-*
 13 *troller General has access to all relevant data.*

14 **SEC. 733. STUDY AND REPORT ON MENTAL HEALTH ASSESS-**
 15 **MENTS FOR MEMBERS OF THE ARMED**
 16 **FORCES DEPLOYED IN SUPPORT OF A CON-**
 17 **TINGENCY OPERATION.**

18 (a) *STUDY.*—*Each Secretary concerned, with respect*
 19 *to the military department concerned, shall conduct a study*
 20 *on the mental health assessments provided to members of*
 21 *the Armed Forces deployed in connection with a contin-*
 22 *gency operation.*

23 (b) *ELEMENTS.*—*The study under subsection (a) shall*
 24 *include a discussion and evaluation of the following:*

1 (1) *The mental health assessments provided*
2 *under section 1074m of title 10, United States Code,*
3 *including any written guidance prescribed by the Sec-*
4 *retary of Defense or the Secretaries concerned with re-*
5 *spect to such mental health assessments.*

6 (2) *The extent to which waivers for mental*
7 *health assessments are granted by the Secretary of De-*
8 *fense under subsection (a)(2) and (a)(3) of such sec-*
9 *tion (as amended by this Act), and the most common*
10 *reasons why such waivers are granted.*

11 (3) *For each mental health assessment specified*
12 *in subsection (a)(1) of such section, the effectiveness of*
13 *such assessment with respect to the detection and ini-*
14 *tiation of treatment, when appropriate, of members*
15 *for behavioral health conditions.*

16 (4) *With respect to a mental health assessment*
17 *provided to members that is determined by the Sec-*
18 *retary concerned under paragraph (3) to have low ef-*
19 *fectiveness, the medical evidence supporting such de-*
20 *termination.*

21 (5) *The health impacts on members provided*
22 *mental health assessments under such section, includ-*
23 *ing the extent to which such members—*

24 (A) *are prescribed medication as a result of*
25 *an assessment;*

1 (B) seek post-deployment treatment, other
 2 than treatment required under such section, for
 3 a behavioral health condition; and

4 (C) commit suicide or engage in other
 5 harmful activities.

6 (c) *REPORT*.—Not later than 180 days after the date
 7 of the enactment of this Act, each Secretary concerned shall
 8 submit to the congressional defense committees a report con-
 9 taining the results of the study conducted under subsection
 10 (a).

11 (d) *SECRETARY CONCERNED*.—In this section, the
 12 term “Secretary concerned” has the meaning given that
 13 term in section 101(a)(9) of title 10, United States Code.

14 **SEC. 734. EDUCATION ON FAMILY PLANNING FOR MEMBERS**
 15 **OF THE ARMED FORCES.**

16 (a) *EDUCATION PROGRAMS*.—

17 (1) *IN GENERAL*.—Not later than one year after
 18 the date of the enactment of this Act, the Secretary of
 19 Defense, in consultation with the Secretary of the De-
 20 partment in which the Coast Guard is operating,
 21 shall establish a uniform standard curriculum to be
 22 used in education programs on family planning for
 23 all members of the Armed Forces, including both men
 24 and women members. Such education programs shall
 25 be provided to members as follows:

1 (A) *During the first year of service of the*
2 *member.*

3 (B) *At such other times as each Secretary*
4 *of a military department determines appro-*
5 *priate.*

6 (2) *SENSE OF CONGRESS.—It is the sense of*
7 *Congress that the education programs under para-*
8 *graph (1) should be evidence-informed and use the*
9 *latest technology available to efficiently and effectively*
10 *deliver information to members of the Armed Forces.*

11 (b) *ELEMENTS.—The uniform standard curriculum*
12 *under subsection (a) shall include the following:*

13 (1) *Information for members of the Armed Forces*
14 *on active duty to make informed decisions regarding*
15 *family planning.*

16 (2) *Information about the prevention of unin-*
17 *tended pregnancy and sexually transmitted infections,*
18 *including human immunodeficiency virus (commonly*
19 *known as “HIV”).*

20 (3) *Information on—*

21 (A) *the importance of providing comprehen-*
22 *sive family planning for members, including*
23 *commanding officers; and*

1 (B) the positive impact family planning
2 can have on the health and readiness of the
3 Armed Forces.

4 (4) Current, medically accurate information.

5 (5) Clear, user-friendly information on—

6 (A) the full range of methods of contracep-
7 tion approved by the Food and Drug Adminis-
8 tration; and

9 (B) where members can access their chosen
10 method of contraception.

11 (6) Information on all applicable laws and poli-
12 cies so that members are informed of their rights and
13 obligations.

14 (7) Information on patients' rights to confiden-
15 tiality.

16 (8) Information on the unique circumstances en-
17 countered by members and the effects of such cir-
18 cumstances on the use of contraception.

19 **SEC. 735. FUNDING FOR CDC ATSDR PFAS HEALTH STUDY**
20 **INCREMENT.**

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 1405 for the Defense
24 Health Program, as specified in the corresponding funding

1 *table in section 4501, for the CDC ATSDR PFAS health*
 2 *study increment 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, Admin and Service-wide Activities, line 460, Office*
 7 *of the Secretary of Defense, as specified in the corresponding*
 8 *funding table in section 4301, is hereby reduced by*
 9 *\$5,000,000.*

10 **SEC. 736. SENSE OF THE HOUSE OF REPRESENTATIVES ON**
 11 **INCREASING RESEARCH AND DEVELOPMENT**
 12 **IN BIOPRINTING AND FABRICATION IN AUS-**
 13 **TERE MILITARY ENVIRONMENTS.**

14 *It is the sense of the House of Representatives that the*
 15 *Defense Health Agency should take appropriate actions to*
 16 *increase efforts focused on research and development in the*
 17 *areas of bioprinting and fabrication in austere military en-*
 18 *vironments.*

19 **SEC. 737. INCREASED COLLABORATION WITH NIH TO COM-**
 20 **BAT TRIPLE NEGATIVE BREAST CANCER.**

21 *(a) IN GENERAL.—The Office of Health of the Depart-*
 22 *ment of Defense shall work in collaboration with the Na-*
 23 *tional Institutes of Health to—*

1 (1) *identify specific genetic and molecular tar-*
2 *gets and biomarkers for triple negative breast cancer;*
3 *and*

4 (2) *provide information useful in biomarker se-*
5 *lection, drug discovery, and clinical trials design that*
6 *will enable both—*

7 (A) *triple negative breast cancer patients to*
8 *be identified earlier in the progression of their*
9 *disease; and*

10 (B) *the development of multiple targeted*
11 *therapies for the disease.*

12 (b) *FUNDING.—Notwithstanding the amounts set forth*
13 *in the funding tables in division D, the amount authorized*
14 *to be appropriated by section 1405 for the Defense Health*
15 *Program, as specified in the corresponding funding tables*
16 *in division D, is hereby increased by \$10,000,000 to carry*
17 *out subsection (a).*

18 (c) *OFFSET.—Notwithstanding the amounts set forth*
19 *in the funding tables in division D, the amount authorized*
20 *to be appropriated for operation and maintenance, Defense-*
21 *wide, as specified in the corresponding funding table in sec-*
22 *tion 4301, for Operation and Maintenance, Defense-wide is*
23 *hereby reduced by \$10,000,000.*

1 **SEC. 738. FUNDING FOR POST-TRAUMATIC STRESS DIS-**
2 **ORDER.**

3 (a) *FUNDING.*—Notwithstanding the amounts set forth
4 in the funding tables in division D, the amount authorized
5 to be appropriated by section 1405 for the Defense Health
6 Program, as specified in the corresponding funding table
7 in such division, is hereby increased by \$2,500,000 for post-
8 traumatic stress disorder.

9 (b) *OFFSET.*—Notwithstanding the amounts set forth
10 in the funding tables in division D, the amount authorized
11 to be appropriated for operation and maintenance, Defense-
12 wide, as specified in the corresponding funding table in sec-
13 tion 4301, for Operation and Maintenance, Defense-wide is
14 hereby reduced by \$2,500,000.

15 **SEC. 739. STUDY ON READINESS CONTRACTS AND THE PRE-**
16 **VENTION OF DRUG SHORTAGES.**

17 (a) *STUDY.*—The Secretary of Defense shall conduct a
18 study on the effectiveness of readiness contracts managed
19 by the Customer Pharmacy Operations Center of the De-
20 fense Logistics Agency in meeting the military's drug sup-
21 ply needs. The study shall include an analysis of how the
22 contractual approach to manage drug shortages for mili-
23 tary health care can be a model for responding to drug
24 shortages in the civilian health care market in the United
25 States.

1 (b) *CONSULTATION.*—In conducting the study under
2 subsection (a), the Secretary of Defense shall consult with—

3 (1) *the Secretary of Veterans Affairs;*

4 (2) *the Commissioner of Food and Drugs and the*
5 *Administrator of the Drug Enforcement Administra-*
6 *tion; and*

7 (3) *physician organizations, drug manufactur-*
8 *ers, pharmacy benefit management organizations, and*
9 *such other entities as the Secretary determines appro-*
10 *priate.*

11 (c) *REPORT.*—Not later than 1 year after the date of
12 the enactment of this Act, the Secretary of Defense shall sub-
13 mit to Congress a report on the results of the study under
14 subsection (a) and any conclusions and recommendations
15 of the Secretary relating to such study.

16 **SEC. 740. UPDATE OF DEPARTMENT OF DEFENSE REGULA-**
17 **TIONS, INSTRUCTIONS, AND OTHER GUID-**
18 **ANCE TO INCLUDE GAMBLING DISORDER.**

19 (a) *IN GENERAL.*—Not later than 180 days after the
20 date of the enactment of this Act, the Secretary of Defense,
21 in consultation with the Secretaries of the military depart-
22 ments, shall update all regulations, instructions, and other
23 guidance of the Department of Defense and the military de-
24 partments with respect to behavioral health to explicitly in-
25 clude gambling disorder. In carrying out this subsection,

1 *the Secretary shall implement the recommendations of the*
 2 *Comptroller General of the United States numbered 2*
 3 *through 6 in the report by the Comptroller General titled*
 4 *“Military Personnel: DOD and the Coast Guard Need to*
 5 *Screen for Gambling Disorder Addiction and Update Guid-*
 6 *ance” (numbered GAO–17–114).*

7 (b) *MILITARY DEPARTMENTS DEFINED.*—*In this sec-*
 8 *tion, the term “military departments” has the meaning*
 9 *given that term in section 101(8) of title 10, United States*
 10 *Code.*

11 ***SEC. 741. FINDINGS ON MUSCULOSKELETAL INJURIES.***

12 *Congress finds the following:*

13 (1) *Musculoskeletal injuries among active duty*
 14 *soldiers result in over 10 million limited duty days*
 15 *each year and account for over 70% of the medically*
 16 *non-deployable population, extremity injury accounts*
 17 *for 79% of reported trauma cases in theater, and*
 18 *service members experience anterior cruciate ligament*
 19 *(ACL) injuries at 10 times the rate of the general*
 20 *population.*

21 (2) *Congress recognizes the important work of the*
 22 *Naval Advanced Medical Research Unit in Wound*
 23 *Care Research and encourages continued development*
 24 *of innovations for the Warfighter, especially regarding*

1 *these tendon and ligament injuries that prevent re-*
 2 *turn to duty for extended periods of time.*

3 **SEC. 742. WOUNDED WARRIOR SERVICE DOG PROGRAM.**

4 (a) *GRANTS AUTHORIZED.*—*Subject to the availability*
 5 *of appropriations provided for such purpose, the Secretary*
 6 *of Defense shall establish a program, to be known as the*
 7 *“Wounded Warrior Service Dog Program”, to award com-*
 8 *petitive grants to nonprofit organizations to assist such or-*
 9 *ganizations in the planning, designing, establishing, or op-*
 10 *erating (or any combination thereof) of programs to provide*
 11 *assistance dogs to covered members.*

12 (b) *USE OF FUNDS.*—

13 (1) *IN GENERAL.*—*The recipient of a grant*
 14 *under this section shall use the grant to carry out*
 15 *programs that provide assistance dogs to covered*
 16 *members who have a disability described in para-*
 17 *graph (2).*

18 (2) *DISABILITY.*—*A disability described in this*
 19 *paragraph is any of the following:*

20 (A) *Blindness or visual impairment.*

21 (B) *Loss of use of a limb, paralysis, or*
 22 *other significant mobility issues.*

23 (C) *Loss of hearing.*

24 (D) *Traumatic brain injury.*

25 (E) *Post-traumatic stress disorder.*

1 (F) Any other disability that the Secretary
2 of Defense considers appropriate.

3 (3) *TIMING OF AWARD.*—The Secretary of De-
4 fense may not award a grant under this section to re-
5 imburse a recipient for costs previously incurred by
6 the recipient in carrying out a program to provide
7 assistance dogs to covered members unless the recipi-
8 ent elects for the award to be such a reimbursement.

9 (c) *ELIGIBILITY.*—To be eligible to receive a grant
10 under this section, a nonprofit organization shall submit
11 an application to the Secretary of Defense at such time,
12 in such manner, and containing such information as the
13 Secretary may require. Such application shall include—

14 (1) a proposal for the evaluation required by
15 subsection (d); and

16 (2) a description of—

17 (A) the training that will be provided by
18 the organization to covered members;

19 (B) the training of dogs that will serve as
20 assistance dogs;

21 (C) the aftercare services that the organiza-
22 tion will provide for such dogs and covered mem-
23 bers;

1 (D) the plan for publicizing the availability
 2 of such dogs through a targeted marketing cam-
 3 paign to covered members;

4 (E) the recognized expertise of the organiza-
 5 tion in breeding and training such dogs;

6 (F) the commitment of the organization to
 7 humane standards for animals; and

8 (G) the experience of the organization with
 9 working with military medical treatment facili-
 10 ties; and

11 (3) a statement certifying that the organiza-
 12 tion—

13 (A) is accredited by Assistance Dogs Inter-
 14 national, the International Guide Dog Federa-
 15 tion, or another similar widely recognized ac-
 16 creditation organization that the Secretaries de-
 17 termine has accreditation standards that meet or
 18 exceed the standards of Assistance Dogs Inter-
 19 national and the International Guide Dog Fed-
 20 eration; or

21 (B) is a candidate for such accreditation or
 22 otherwise meets or exceeds such standards, as de-
 23 termined by the Secretary of Defense.

24 (d) *EVALUATION.*—The Secretary of Defense shall re-
 25 quire each recipient of a grant to use a portion of the funds

1 *made available through the grant to conduct an evaluation*
 2 *of the effectiveness of the activities carried out through the*
 3 *grant by such recipient.*

4 (e) *DEFINITIONS.—In this section:*

5 (1) *ASSISTANCE DOG.—The term “assistance*
 6 *dog” means a dog specifically trained to perform*
 7 *physical tasks to mitigate the effects of a disability*
 8 *described in subsection (b)(2), except that the term*
 9 *does not include a dog specifically trained for comfort*
 10 *or personal defense.*

11 (2) *COVERED MEMBER.—The term “covered*
 12 *member” means a member of the Armed Forces who*
 13 *is—*

14 (A) *receiving medical treatment, recuper-*
 15 *ation, or therapy under chapter 55 of title 10,*
 16 *United States Code;*

17 (B) *in medical hold or medical holdover*
 18 *status; or*

19 (C) *covered under section 1202 or 1205 of*
 20 *title 10, United States Code.*

21 (f) *INCREASE.—Notwithstanding the amounts set forth*
 22 *in the funding tables in division D, the amount authorized*
 23 *to be appropriated in section 1405 for Other Authoriza-*
 24 *tions, Defense Health Program, as specified in the cor-*

1 *responding funding table in section 4501, for Consolidated*
 2 *Health Support is hereby increased by \$11,000,000.*

3 *(g) 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 Operations and Main-*
 6 *tenance, as specified in the corresponding funding table in*
 7 *section 4301, for Operations and Maintenance, Defense-*
 8 *Wide, Line 460, Office of the Secretary of Defense is hereby*
 9 *reduced by \$11,000,000.*

10 **SEC. 743. NATIONAL CAPITAL CONSORTIUM PSYCHIATRY**
 11 **RESIDENCY PROGRAM.**

12 *(a) SENSE OF CONGRESS.—It is the sense of Congress*
 13 *that—*

14 *(1) racial, gender, or other forms of discrimina-*
 15 *tion or harassment should not be tolerated within the*
 16 *PRP; and*

17 *(2) that PRP leadership should—*

18 *(A) set the tone that such conduct is not ac-*
 19 *ceptable;*

20 *(B) ensure that all such complains are thor-*
 21 *oughly investigated;*

22 *(C) ensure that violators are held account-*
 23 *able;*

24 *(D) ensure that victims are protected, and*
 25 *not retaliated against;*

1 (E) maintain a workplace free from unlaw-
2 ful harassment and discrimination;

3 (F) conduct regular workplace climate as-
4 sessments to assess the extent of discrimination
5 or harassment in the PRP; and

6 (G) provide refresher training, at least an-
7 nually, on acceptable standards of behavior for
8 all involved in the PRP programs, including
9 residents and ways to report or address discrimi-
10 nation, harassment, or other inappropriate be-
11 havior.

12 (b) *PRP DEFINED.*—In this section, the term “PRP”
13 means the National Capital Consortium Psychiatry Resi-
14 dency Program.

15 **SEC. 744. REPORT ON MEDICAL PROVIDERS AND MEDICAL**
16 **MALPRACTICE INSURANCE.**

17 The Secretary of Defense shall submit to the congres-
18 sional defense committees a report identifying the number
19 of medical providers employed by the Department of De-
20 fense who, before being employed by the Department, lost
21 medical malpractice insurance coverage by reason of the in-
22 surer dropping the coverage.

1 **SEC. 745. INFORMATION FOR MEMBERS OF THE ARMED**
2 **FORCES REGARDING AVAILABILITY OF SERV-**
3 **ICES AT THE DEPARTMENT OF VETERANS AF-**
4 **FAIRS.**

5 (a) *IN GENERAL.*—The Secretary of Defense shall in-
6 form members of the Armed Forces, using mechanisms
7 available to the Secretary, of the eligibility of such members
8 for services of the Department of Veterans Affairs.

9 (b) *INFORMATION FROM SEXUAL ASSAULT RESPONSE*
10 *COORDINATORS.*—The Secretary shall insure that Sexual
11 Assault Response Coordinators and uniformed victims ad-
12 vocates of the Department of Defense advise members of the
13 Armed Forces who report instances of military sexual trau-
14 ma regarding the eligibility of such members for services
15 at the Department of Veterans Affairs and that this infor-
16 mation be included in mandatory training materials.

17 (c) *MILITARY SEXUAL TRAUMA DEFINED.*—In this
18 section, the term “military sexual trauma” means psycho-
19 logical trauma described in section 1720D(a)(1) of title 38,
20 United States Code.

21 **SEC. 746. PILOT PROGRAM ON PARTNERSHIPS WITH CIVIL-**
22 **IAN ORGANIZATIONS FOR SPECIALIZED SUR-**
23 **GICAL TRAINING.**

24 (a) *IN GENERAL.*—The Secretary of Defense shall
25 carry out a pilot program to establish one or more partner-
26 ships with public, private, and non-profit organizations

1 *and institutions to provide short-term specialized surgical*
 2 *training to advance the medical skills and capabilities of*
 3 *military medical providers.*

4 (b) *DURATION.*—*The Secretary may carry out the*
 5 *pilot program under subsection (a) for a period of not more*
 6 *than three years.*

7 (c) *EVALUATION METRICS.*—*Before commencing the*
 8 *pilot program under subsection (a), the Secretary shall es-*
 9 *tablish metrics to be used to evaluate the effectiveness of the*
 10 *pilot program.*

11 (d) *REPORTS.*—

12 (1) *INITIAL REPORT.*—

13 (A) *IN GENERAL.*—*Not later than 180 days*
 14 *before the commencement of the pilot program*
 15 *under subsection (a), the Secretary shall submit*
 16 *to the Committees on Armed Services of the Sen-*
 17 *ate and the House of Representatives a report on*
 18 *the pilot program.*

19 (B) *ELEMENTS.*—*The report required by*
 20 *subparagraph (A) shall include a description of*
 21 *the pilot program, the evaluation metrics estab-*
 22 *lished under subsection (c), and such other mat-*
 23 *ters relating to the pilot program as the Sec-*
 24 *retary considers appropriate.*

25 (2) *FINAL REPORT.*—

1 (A) *IN GENERAL.*—Not later than 180 days
 2 after the completion of the pilot program under
 3 subsection (a), the Secretary shall submit to the
 4 Committees on Armed Services of the Senate and
 5 the House of Representatives a report on the
 6 pilot program.

7 (B) *ELEMENTS.*—The report required by
 8 subparagraph (A) shall include the following:

9 (i) *A description of the pilot program,*
 10 including the partnerships established under
 11 the pilot program as described in subsection
 12 (a).

13 (ii) *An assessment of the effectiveness*
 14 of the pilot program.

15 (iii) *Such recommendations for legisla-*
 16 tive or administrative action as the Sec-
 17 retary considers appropriate in light of the
 18 pilot program, including recommendations
 19 for extending or making permanent the au-
 20 thority for the pilot program.

21 (e) *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 1405
 25 for the Defense Health Program, as specified in the

1 corresponding funding table in section 4501, for edu-
2 cation and training is hereby increased by
3 \$2,500,000.

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 1405 for De-
7 fense Health Program, Operation and Maintenance,
8 Private Sector Care, Office of the Secretary of De-
9 fense, as specified in the corresponding funding table
10 in section 4501, is hereby reduced by \$2,500,000.

11 **SEC. 747. REPORT ON RESEARCH AND STUDIES REGARDING**
12 **HEALTH EFFECTS OF BURN PITS.**

13 *The Secretary of Defense shall submit to the congres-*
14 *sional defense committees and the Committees on Veterans'*
15 *Affairs of the House of Representatives and the Senate a*
16 *detailed report on the status, methodology, and culmination*
17 *timeline of all the research and studies being conducted to*
18 *assess the health effects of burn pits.*

19 **SEC. 748. TRAINING ON HEALTH EFFECTS OF BURN PITS**
20 **AND OTHER AIRBORNE HAZARDS.**

21 *The Secretary of Defense shall provide mandatory*
22 *training to all medical providers of the Department of De-*
23 *fense on the potential health effects of burn pits and other*
24 *airborne hazards (such as PFAS, mold, or depleted ura-*
25 *nium) and the early detection of such health effects.*

1 **SEC. 749. REPORT ON OPERATIONAL MEDICAL AND DENTAL**
2 **PERSONNEL REQUIREMENTS.**

3 *Not later than January 1, 2021, the Secretary of De-*
4 *fense shall submit to the congressional defense committees*
5 *a report containing a discussion of the following:*

6 (1) *Methods—*

7 (A) *to establish joint planning assumptions*
8 *for the development of operational medical and*
9 *dental personnel, including establishing a defini-*
10 *tion of which personnel may be identified as*
11 *“operational”;*

12 (B) *to assess options to achieve joint effi-*
13 *ciencies in medical and dental personnel require-*
14 *ments, including any associated risks;*

15 (C) *to apply joint planning assumptions*
16 *and assess efficiencies and risks, for the purpose*
17 *of determining operational medical and dental*
18 *requirements;*

19 (D) *to identify and mitigate limitations in*
20 *the clinical readiness metric, such as data reli-*
21 *ability, information on reserve component pro-*
22 *viders and patient care workload performed out-*
23 *side of military medical treatment facilities es-*
24 *tablished under section 1073d of title 10, United*
25 *States Code, and the linkage between such metric*
26 *and patient care and retention outcomes; and*

1 (E) to determine which critical wartime
 2 specialties perform high-risk, high-acuity proce-
 3 dures and rely on perishable skill sets, for the
 4 purpose of prioritizing such specialties to which
 5 the clinical readiness metric may be expanded.

6 (2) Estimates of the costs and benefits relating
 7 to—

8 (A) providing additional training for med-
 9 ical personnel to achieve clinical readiness
 10 thresholds; and

11 (B) hiring additional civilian personnel in
 12 military medical treatment facilities to backfill
 13 medical providers of the Department of Defense
 14 who attend such training.

15 **SEC. 750. ANNUAL REPORTS ON MILLENNIUM COHORT**
 16 **STUDY RELATING TO WOMEN MEMBERS OF**
 17 **THE ARMED FORCES.**

18 (a) *ANNUAL REPORTS.*—On an annual basis, the Sec-
 19 retary of Defense shall submit to the appropriate congres-
 20 sional committees, and make publicly available, a report
 21 on findings of the Millennium Cohort Study relating to the
 22 gynecological and perinatal health of women members of
 23 the Armed Forces participating in the study.

24 (b) *MATTERS INCLUDED.*—Each report under sub-
 25 section (a) shall include, at a minimum, the following:

1 (1) *A summary of general findings pertaining to*
 2 *gynecological and perinatal health, such as the dis-*
 3 *eases, disorders, and conditions that affect the func-*
 4 *tioning of reproductive systems, including regarding*
 5 *maternal mortality and severe maternal morbidity,*
 6 *birth defects, developmental disorders, low birth*
 7 *weight, preterm birth, reduced fertility, menstrual*
 8 *disorders, and other health concerns.*

9 (2) *All research projects that have concluded dur-*
 10 *ing the year covered by the report and the outcomes*
 11 *of such projects.*

12 (3) *Abstracts of all ongoing projects.*

13 (4) *Abstracts of all projects that have been con-*
 14 *sidered for investigation.*

15 (c) *IDENTIFICATION OF AREAS.—The Secretary shall*
 16 *identify—*

17 (1) *areas in which the Millennium Cohort Study*
 18 *can increase efforts to capture data and produce stud-*
 19 *ies in the field of gynecological and perinatal health*
 20 *of women members of the Armed Forces; and*

21 (2) *activities that are currently underway to*
 22 *achieve such efforts.*

23 (d) *DEFINITIONS.—In this section:*

24 (1) *The term “appropriate congressional com-*
 25 *mittees” means—*

1 (A) the congressional defense committees;
2 and

3 (B) the Committees on Veterans' Affairs of
4 the House of Representatives and the Senate.

5 (2) The term "Millennium Cohort Study" means
6 the longitudinal study authorized under section 743 of
7 the Strom Thurmond National Defense Authorization
8 Act for Fiscal Year 1999 (Public Law 105–261; 112
9 Stat. 2074) to evaluate data on the health conditions
10 of members of the Armed Forces upon their return
11 from deployment.

12 **SEC. 751. PARTNERSHIPS WITH ACADEMIC HEALTH CEN-**
13 **TERS.**

14 The Assistant Secretary of Defense for Health Affairs
15 shall establish a University Affiliated Research Center and
16 partner with Academic Health Centers to focus on the
17 unique challenges wounded members of the Armed Forces
18 experience. In carrying out this section, the Assistant Sec-
19 retary shall emphasize research that reduces dependency on
20 opioids, develops novel pain management and mental health
21 strategies, and leverages partnerships with industry and
22 medical device manufacturers to advance promising tech-
23 nologies 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 con-
7 duct a study on the feasibility and effectiveness of the use
8 of routine neuroimaging modalities in the diagnosis, treat-
9 ment, and prevention of brain injury among members of
10 the Armed Forces due to one or more blast pressure expo-
11 sures 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 Serv-
16 ices of the Senate and the House of Representatives
17 an interim report on the methods and action plan for
18 the study under subsection (a).

19 (2) *FINAL REPORT.*—Not later than two years
20 after the date on which the Secretary begins the study
21 under subsection (a), the Secretary shall submit to the
22 Committees on Armed Services of the Senate and the
23 House of Representatives a report on the results of
24 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 au-*
 12 *thorizing the use of acquisition pathways described in sub-*
 13 *section (b) for the rapid acquisition of software applications*
 14 *and software upgrades that are intended to be fielded within*
 15 *one year. A contract awarded under this section—*

16 *(1) shall be in an amount equal to or less than*
 17 *\$50,000,000; and*

18 *(2) may be entered into for a period of not more*
 19 *than one year.*

20 *(b) SOFTWARE ACQUISITION PATHWAYS.—The guid-*
 21 *ance required by subsection (a) shall provide for the use*
 22 *of the following two acquisition pathways:*

23 *(1) APPLICATIONS.—The applications pathway*
 24 *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 requirements,*
14 *budget, and acquisition process that results in the*
15 *rapid fielding of software applications and software*
16 *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 of*
22 *Defense Directive 5000.01, except to the extent specifi-*
23 *cally provided in such guidance.*

24 (2) *REQUIREMENTS PROCESS.—The guidance re-*
25 *quired by subsection (a) shall provide that the re-*

1 *quirements 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 and*
9 *a rationale for how the software will support in-*
10 *creased efficiency of the Department of Defense;*

11 *(C) are stated in the form of a summary-*
12 *level list of vulnerabilities in existing software*
13 *systems and desired features or capabilities of*
14 *the software to be acquired; and*

15 *(D) consider issues related to lifecycle costs,*
16 *systems interoperability, and logistics support if*
17 *the developer of the software to be acquired stops*
18 *providing support.*

19 *(4) EXECUTION OF RAPID ACQUISITIONS.—The*
20 *Secretary shall ensure that—*

21 *(A) an acquisition conducted under the*
22 *guidance required by subsection (a) is supported*
23 *by an entity capable of regular automated test-*
24 *ing of the source code of the software to be ac-*
25 *quired and that such entity is authorized to buy*

1 *storage, bandwidth, and computing capability as*
2 *necessary;*

3 *(B) the Department of Defense can collect*
4 *and analyze the testing data described in sub-*
5 *paragraph (A) to make decisions regarding soft-*
6 *ware acquisition and oversight;*

7 *(C) the Director of Operational Test and*
8 *Evaluation and the project manager appointed*
9 *under paragraph (5) design test cases to ensure*
10 *that the entity described in subparagraph (A)*
11 *can test the software to be acquired to ensure*
12 *such software meets the requirements of the con-*
13 *tract;*

14 *(D) the project manager appointed under*
15 *paragraph (5) closely monitors the progress of an*
16 *acquisition conducted under the guidance re-*
17 *quired by subsection (a);*

18 *(E) an independent cost estimate is con-*
19 *ducted that considers—*

20 *(i) the iterative process of the develop-*
21 *ment of the software to be acquired; and*

22 *(ii) the long-term value of the software*
23 *to be acquired to the Department of Defense,*
24 *not based on the value of individual lines of*
25 *source code of the software;*

1 (F) the performance of fielded versions of
2 the software to be acquired are demonstrated and
3 evaluated in an operational environment;

4 (G) performance metrics of the software to
5 be acquired, such as metrics relating to when the
6 software can be fielded, delivery capabilities of
7 the software (including speed of recovery from
8 outages and cybersecurity vulnerabilities), and
9 assessments and estimations of the size and com-
10 plexity of such software, are automatically gen-
11 erated on a continuous basis and made available
12 to the Department of Defense and the congres-
13 sional defense committees; and

14 (H) cybersecurity metrics of the software to
15 be acquired, such as metrics relating to the den-
16 sity of vulnerabilities within the code, the time
17 from vulnerability identification to patch avail-
18 ability, the existence of common weaknesses with-
19 in the code, and other cybersecurity metrics
20 based on widely-recognized standards and indus-
21 try best practices, are generated and made avail-
22 able to the Department of Defense and the con-
23 gressional defense committees.

24 (5) ADMINISTRATION OF SOFTWARE ACQUISITION
25 PATHWAYS.—The guidance required by subsection (a)

1 *may provide for the use of any of the following*
2 *streamlined procedures:*

3 *(A) The service acquisition executive of the*
4 *military department concerned shall appoint a*
5 *project manager for each acquisition of software*
6 *applications and software upgrades, as deter-*
7 *mined by the service acquisition executive. Such*
8 *project manager shall be appointed from among*
9 *civilian employees or members of the Armed*
10 *Forces who have significant and relevant experi-*
11 *ence in current software processes.*

12 *(B) Each project manager shall report with*
13 *respect to such acquisition directly, and without*
14 *intervening review or approval, to the service ac-*
15 *quisition executive of the military department*
16 *concerned.*

17 *(C) The service acquisition executive of the*
18 *military department concerned shall evaluate the*
19 *job performance of such manager on an annual*
20 *basis. In conducting an evaluation under this*
21 *paragraph, a service acquisition executive shall*
22 *consider the extent to which the manager has*
23 *achieved the objectives of the acquisition for*
24 *which the manager is responsible, including*
25 *quality, timeliness, and cost objectives.*

1 (D) *The project manager shall be authorized*
2 *staff positions for a technical staff, including ex-*
3 *perts in software engineering to enable the man-*
4 *ager to manage the acquisition without the tech-*
5 *nical assistance of another organizational unit of*
6 *an agency to the maximum extent practicable.*

7 (E) *The project manager shall be author-*
8 *ized, in coordination with the users and testers*
9 *of the software to be acquired, to make tradeoffs*
10 *among lifecycle costs, requirements, and sched-*
11 *ules to meet the goals of the acquisition.*

12 (F) *The service acquisition executive or the*
13 *Under Secretary of Defense for Acquisition and*
14 *Sustainment, as applicable, shall serve as the de-*
15 *cision authority for the acquisition.*

16 (G) *The project manager of a defense*
17 *streamlined acquisition shall be provided a proc-*
18 *ess to expeditiously seek a waiver from Congress*
19 *from any statutory or regulatory requirement*
20 *that the project manager determines adds little*
21 *or no value to the management of the acquisi-*
22 *tion.*

23 (6) *DELEGATION OF AUTHORITY.—The service*
24 *acquisition executive may delegate any of the respon-*

1 *sibilities under this subsection to a program executive*
2 *officer (or equivalent).*

3 *(e) CONTRACT TERMS.—*

4 *(1) IN GENERAL.—A contract entered into pur-*
5 *suant to the guidance required by subsection (a)—*

6 *(A) may be awarded within a 90-day pe-*
7 *riod after solicitation on the basis of—*

8 *(i) statements of qualifications and*
9 *past performance data submitted by*
10 *offerors; and*

11 *(ii) discussions with two or more*
12 *qualified offerors without regard to price;*

13 *(B) may be a time-and-materials contract;*

14 *(C) shall be treated as a contract for the ac-*
15 *quisition of commercial services (as defined in*
16 *section 103a of title 41, United States Code, as*
17 *in effect on January 1, 2020);*

18 *(D) shall identify the individuals to per-*
19 *form the work of the contract, and such individ-*
20 *uals may not be replaced without the advance*
21 *written consent of the contracting officer; and*

22 *(E) may allow for a contractor performing*
23 *the work of the contract to review existing soft-*
24 *ware in consultation with the user community*
25 *and incorporate user feedback to—*

1 (i) define and prioritize software re-
2 quirements; and

3 (ii) design and implement new soft-
4 ware applications and software upgrades.

5 (2) *OPTIONS.*—A contract entered into pursuant
6 to the guidance required by subsection (a) may con-
7 tain an option to extend the contract once, for a pe-
8 riod not to exceed one year, to complete the implemen-
9 tation of one or more specified software applications
10 and software upgrades identified during the period of
11 the initial contract. Such an option may not be in an
12 amount greater than \$100,000,000 and—

13 (A) if the option is a time-and-materials
14 contract, it shall be treated as a contract for the
15 acquisition of commercial services (as defined in
16 section 103a of title 41, United States Code); and

17 (B) if the option is a fixed-price contract,
18 it shall be treated as a contract for the acquisi-
19 tion of commercial products (as defined in sec-
20 tion 103 of title 41, United States Code).

21 (f) *RULE OF CONSTRUCTION.*—Nothing in this section
22 shall be deemed to prevent the use of other methods of acqui-
23 sition to procure software applications and upgrades.

24 (g) *CONFORMING AMENDMENT.*—Section 2430(a)(2) of
25 title 10, United States Code, is amended—

1 (1) in subparagraph (A), by striking “or” at the
2 end;

3 (2) in subparagraph (B), by striking the period
4 at the end and inserting “; or”; and

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

7 “(C) an acquisition program for software
8 applications and software upgrades carried out
9 using the acquisition guidance issued pursuant
10 to section 801 of the National Defense Authoriza-
11 tion Act for Fiscal Year 2020.”.

12 **SEC. 802. SOFTWARE DEVELOPMENT AND SOFTWARE AC-**
13 **QUISITION TRAINING AND MANAGEMENT**
14 **PROGRAMS.**

15 (a) *ESTABLISHMENT OF SOFTWARE DEVELOPMENT*
16 *AND SOFTWARE ACQUISITION TRAINING AND MANAGEMENT*
17 *PROGRAMS.—*

18 (1) *IN GENERAL.—The Secretary of Defense, act-*
19 *ing through the Under Secretary of Defense for Acqui-*
20 *sition and Sustainment and in consultation with the*
21 *Under Secretary of Defense for Research and Engi-*
22 *neering and the Chief Information Officer of the De-*
23 *partment of Defense, shall establish software develop-*
24 *ment and software acquisition training and manage-*
25 *ment programs for all software acquisition profes-*

1 sionals, software developers, and other appropriate in-
2 dividuals, as determined by the Secretary of Defense
3 to earn a certification in software development and
4 software acquisition.

5 (2) *PROGRAM CONTENTS.*—*The programs estab-*
6 *lished under paragraph (1) shall—*

7 (A) *develop and expand the use of special-*
8 *ized training programs for chief information of-*
9 *ficers of the military departments and the De-*
10 *fense Agencies, service acquisition executives,*
11 *program executive officers, and program man-*
12 *agers to include training on and experience in—*

13 (i) *continuous software development;*

14 *and*

15 (ii) *acquisition pathways available to*
16 *acquire software;*

17 (B) *ensure program managers for major de-*
18 *fense acquisition programs, defense business sys-*
19 *tems, and other software programs of the Depart-*
20 *ment of Defense—*

21 (i) *have demonstrated competency in*
22 *current software processes;*

23 (ii) *have the skills to lead a workforce*
24 *that can quickly meet challenges, use soft-*
25 *ware tools that prioritize continuous or fre-*

1 *quent upgrades as such tools become avail-*
 2 *able, take up opportunities provided by new*
 3 *innovations, and plan software activities in*
 4 *short iterations to learn from risks of soft-*
 5 *ware testing; and*

6 *(iii) have the experience and training*
 7 *to delegate technical oversight and execution*
 8 *decisions; and*

9 *(C) include continuing education courses*
 10 *and experiential training to help individuals*
 11 *maintain skills learned through the programs.*

12 *(b) REPORTS.—*

13 *(1) REPORTS REQUIRED.—The Secretary shall*
 14 *submit to the congressional defense committees—*

15 *(A) not later than 90 days after the date of*
 16 *the enactment of this Act, an initial report; and*

17 *(B) not later than one year after the date*
 18 *of the enactment of this Act, a final report.*

19 *(2) CONTENTS.—Each report required under*
 20 *paragraph (1) shall include—*

21 *(A) the status of implementing the software*
 22 *development and software acquisition training*
 23 *and management programs established under*
 24 *subsection (a)(1);*

1 (B) a description of the requirements for
 2 certification, including the requirements for com-
 3 petencies in current software processes;

4 (C) a description of potential career paths
 5 in software development and software acquisition
 6 within the Department of Defense;

7 (D) an independent assessment conducted
 8 by the Defense Innovation Board of the progress
 9 made on implementing the programs established
 10 under subsection (a)(1); and

11 (E) any recommendations for changes to ex-
 12 isting law to facilitate the implementation of the
 13 programs established under subsection (a)(1).

14 (c) *DEFINITIONS.*—*In this section:*

15 (1) *PROGRAM EXECUTIVE OFFICER; PROGRAM*
 16 *MANAGER.*—*The terms “program executive officer”*
 17 *and “program manager” have the meanings given*
 18 *those terms, respectively, in section 1737 of title 10,*
 19 *United States Code.*

20 (2) *SERVICE ACQUISITION EXECUTIVE.*—*The*
 21 *terms “military department”, “Defense Agency”, and*
 22 *“service acquisition executive” have the meanings*
 23 *given those terms, respectively, in section 101 of title*
 24 *10, United States Code.*

1 (3) *MAJOR DEFENSE ACQUISITION PROGRAM.*—

2 *The term “major defense acquisition program” has*
 3 *the meaning given in section 2430 of title 10, United*
 4 *States Code.*

5 (4) *DEFENSE BUSINESS SYSTEM.*—*The term “de-*
 6 *fense business system” has the meaning given in sec-*
 7 *tion 2222(i)(1) of title 10, United States Code.*

8 **SEC. 803. MODIFICATIONS TO COST OR PRICING DATA FOR**
 9 **CERTAIN PROCUREMENTS.**

10 (a) *COST OR PRICING DATA FOR CERTAIN COMMER-*
 11 *CIAL PRODUCTS.*—

12 (1) *IN GENERAL.*—*Section 2306a(b)(4) of title*
 13 *10, United States Code, is amended by adding at the*
 14 *end the following new subparagraph:*

15 “(D) *If the head of contracting activity deter-*
 16 *mines, based on market research, that a commercial*
 17 *item will be solely procured by the Department of De-*
 18 *fense, the offeror of such commercial product shall*
 19 *provide cost or pricing data to the contracting officer*
 20 *pursuant to subsection (a).”.*

21 (2) *CONFORMING AMENDMENT.*—*Effective Janu-*
 22 *ary 1, 2020, subparagraph (D) of section 2306a(b)(4)*
 23 *of title 10, United States Code, as added by para-*
 24 *graph (1), is amended by striking “commercial item”*
 25 *and inserting “commercial product”.*

1 (b) *DATA OTHER THAN CERTIFIED COST OR PRICING*
2 *DATA FOR SOLE SOURCE CONTRACT AWARDS.*—

3 (1) *IN GENERAL.*—Not later than 60 days after
4 the date of the enactment of this Act, the Secretary of
5 Defense shall revise the Defense Supplement to the
6 Federal Acquisition Regulation to require an offeror
7 for a sole source contract, subcontract, or modification
8 of a sole source contract or subcontract, to submit to
9 the contracting officer data other than certified cost or
10 pricing data under section 2306a(d) of title 10,
11 United States Code, for purposes of determining the
12 reasonableness of the price of the contract, sub-
13 contract, or modification of the contract or sub-
14 contract.

15 (2) *PENALTY.*—With respect to an offeror that
16 fails to comply with the requirements established
17 under paragraph (1), the Secretary of Defense may—

18 (A) suspend or debar such offeror; or

19 (B) include a notation on such offeror in
20 the system used by the Federal Government to
21 monitor or record contractor past performance.

22 (c) *SHOULD-COST ANALYSIS FOR COMMERCIAL PROD-*
23 *UCT PROCUREMENTS.*—The Director of the Defense Con-
24 tract Management Agency shall identify which commercial
25 products (as defined in section 103 of title 41, United States

1 *Code, as in effect on January 1, 2020) should be analyzed*
 2 *under the should-cost review process before the Secretary of*
 3 *Defense enters into a contract to procure such a commercial*
 4 *product.*

5 *(d) GUIDELINES AND RESOURCES ON THE ACQUISI-*
 6 *TION OR LICENSING OF INTELLECTUAL PROPERTY.—Sec-*
 7 *tion 2322 of title 10, United States Code, is amended by*
 8 *adding at the end the following new subsection:*

9 *“(c) GUIDELINES AND RESOURCES.—*

10 *“(1) IN GENERAL.—The Secretary of Defense,*
 11 *acting through the Under Secretary of Defense for Ac-*
 12 *quisition and Sustainment, shall develop guidelines*
 13 *and resources on the acquisition or licensing of intel-*
 14 *lectual property, including—*

15 *“(A) model forms for specially negotiated li-*
 16 *censes described under section 2320(f) (as appro-*
 17 *priate); and*

18 *“(B) an identification of definitions, key*
 19 *terms, examples, and case studies that resolve*
 20 *ambiguities in the differences between—*

21 *“(i) detailed manufacturing and proc-*
 22 *ess data;*

23 *“(ii) form, fit, and function data; and*

24 *“(iii) data required for operations,*
 25 *maintenance, installation, and training.*

1 “(2) *CONSULTATION.*—*In developing the guide-*
 2 *lines and resources described in paragraph (1), the*
 3 *Secretary shall regularly consult with appropriate*
 4 *stakeholders, including large and small businesses,*
 5 *traditional and non-traditional contractors (includ-*
 6 *ing subcontractors), and maintenance repair organi-*
 7 *zations.”.*

8 **SEC. 804. MODIFICATIONS TO COST OR PRICING DATA ON**
 9 **BELOW-THRESHOLD CONTRACTS.**

10 (a) *BELOW-THRESHOLD CIVILIAN CONTRACTS.*—*Sec-*
 11 *tion 3504 of title 41, United States Code is amended—*

12 (1) *by striking “head of the procuring activity”*
 13 *each place it appears and inserting “contracting offi-*
 14 *cer”;*

15 (2) *in subsection (b), by striking “or (2)”;* and
 16 (3) *by striking subsection (c).*

17 (b) *BELOW-THRESHOLD DEFENSE CONTRACTS.*—*Sec-*
 18 *tion 2306a(c) of title 10, United States Code, is amended—*

19 (1) *by striking “head of the procuring activity”*
 20 *each place it appears and inserting “contracting offi-*
 21 *cer”;*

22 (2) *in paragraph (2), by striking “or (B)”;* and
 23 (3) *by striking paragraph (3).*

1 **SEC. 805. COMPTROLLER GENERAL REPORT ON PRICE REA-**
2 **SONABLENESS.**

3 *Not later than March 31, 2021, the Comptroller Gen-*
4 *eral of the United States shall submit to the congressional*
5 *defense committees, the Committee on Oversight and Reform*
6 *of the House of Representatives, and the Committee on*
7 *Homeland Security and Governmental Affairs of the Senate*
8 *a report on the efforts of the Secretary of Defense to secure*
9 *data relating to the price reasonableness of offers from*
10 *offerors. The report shall include a review of—*

11 *(1) the number of, and justification for, any*
12 *waiver of requirements for submission of certified cost*
13 *or pricing data for sole source contracts for spare*
14 *parts issued during fiscal years 2015 through 2019*
15 *pursuant to section 2306a(b)(1)(C) of title 10, United*
16 *States Code;*

17 *(2) the number of, and justification for, any ex-*
18 *ception to the requirements for submission of certified*
19 *cost or pricing data for sole source contracts for spare*
20 *parts provided during fiscal years 2015 through 2019*
21 *pursuant to section 2306a(b)(1)(B) of title 10, United*
22 *States Code;*

23 *(3) the number of contracts awarded for which a*
24 *request for cost or pricing data, including data other*
25 *than certified cost or pricing data, to determine price*

1 *reasonableness was denied by an offeror at the time*
 2 *of award;*

3 *(4) actions taken by the Secretary if an offeror*
 4 *refused to provide request data described in para-*
 5 *graph (2), including—*

6 *(A) whether the contracting officer included*
 7 *a notation in the system used by the Federal*
 8 *Government to monitor or record contractor past*
 9 *performance regarding the refusal of an offeror*
 10 *to provide such data;*

11 *(B) any strategies developed by the Sec-*
 12 *retary to acquire the good that was the subject*
 13 *of a contract for which the offeror refused to pro-*
 14 *vide such data in the future without the need for*
 15 *such a waiver.*

16 **SEC. 806. REQUIREMENT THAT CERTAIN SHIP COMPO-**
 17 **NENTS BE MANUFACTURED IN THE NA-**
 18 **TIONAL TECHNOLOGY AND INDUSTRIAL**
 19 **BASE.**

20 *(a) ADDITIONAL PROCUREMENT LIMITATION.—Section*
 21 *2534(a) of title 10, United States Code, is amended by add-*
 22 *ing at the end the following new paragraph:*

23 *“(6) COMPONENTS FOR AUXILIARY SHIPS.—Sub-*
 24 *ject to subsection (k), the following components:*

1 “(A) Auxiliary equipment, including
2 pumps, for all shipboard services.

3 “(B) Propulsion system components, includ-
4 ing engines, reduction gears, and propellers.

5 “(C) Shipboard cranes.

6 “(D) Spreaders for shipboard cranes.”.

7 (b) *IMPLEMENTATION.*—Such section is further amend-
8 ed by adding at the end the following new subsection:

9 “(k) *IMPLEMENTATION OF AUXILIARY SHIP COMPO-*
10 *NENT LIMITATION.*—Subsection (a)(6) applies only with re-
11 spect to contracts awarded by the Secretary of a military
12 department for new construction of an auxiliary ship after
13 the date of the enactment of the National Defense Authoriza-
14 tion Act for Fiscal Year 2020 using funds available for Na-
15 tional Defense Sealift Fund programs or Shipbuilding and
16 Conversion, Navy. For purposes of this subsection, the term
17 ‘auxiliary ship’ does not include an icebreaker.”.

18 **SEC. 807. ACQUISITION AND DISPOSAL OF CERTAIN RARE**
19 **EARTH MATERIALS.**

20 (a) *GUIDANCE ON STREAMLINED ACQUISITION OF*
21 *COVERED RARE EARTH MATERIALS.*—

22 (1) *IN GENERAL.*—Not later than 180 days after
23 the date of the enactment of this Act, the Under Sec-
24 retary of Defense for Acquisition and Sustainment, in
25 consultation with the Under Secretary of Defense

1 (Comptroller), the Vice Chairman of the Joint Chiefs
2 of Staff, the Secretary of Energy, and the appropriate
3 Under Secretary of State designated by the Secretary
4 of State shall establish guidance to—

5 (A) enable the acquisition of items con-
6 taining rare earth materials, with a focus on
7 items that contain high concentrations of rare
8 earth materials;

9 (B) establish a secure supply chain for rare
10 earth materials from sources within the United
11 States and covered foreign sources; and

12 (C) ensure that the United States will
13 eliminate dependency on rare earth materials
14 from China by fiscal year 2035.

15 (2) CONTENTS.—The guidance required by para-
16 graph (1) shall encourage the use of rare earth mate-
17 rials mined, refined, processed, melted, or sintered in
18 the United States and include—

19 (A) a determination of when best value con-
20 tracting methods, including use of a sole source
21 contract with a institution of higher education
22 (as defined in section 101 of the Higher Edu-
23 cation Act of 1965 Act (20 U.S.C. 1001)) or
24 other entity, should be used to ensure the viabil-
25 ity of a rare earth material supplier;

1 (B) a guide to the applicability of relevant
2 statutes, including sections 2533b and 2533c of
3 title 10, United States Code, and other statutory
4 or regulatory restrictions to defense contracts
5 and subcontracts;

6 (C) information on current sources within
7 the United States and covered foreign sources of
8 rare earth materials along with commonly used
9 commercial documentation and review processes;

10 (D) directives on budgeting and expending
11 funds for the qualification and certification of
12 suppliers of rare earth materials within the
13 United States to meet national security needs;
14 and

15 (E) any exceptions to the Joint Capabilities
16 Integration and Development System Manual
17 and Department of Defense Directive 5000.01.

18 (3) *REPORT.*—Not later than 180 days after the
19 date of the enactment of this Act, the Under Secretary
20 of Defense for Acquisition and Sustainment, in con-
21 sultation with the appropriate Under Secretary of
22 State designated by the Secretary of State, shall sub-
23 mit to the congressional defense committees, the Com-
24 mittee on Foreign Affairs of the House of Representa-

tives, and the Committee on Foreign Relations of the Senate a report on—

(A) the guidance required by paragraph (1);

and

(B) the efforts of the Secretary of Defense to create and maintain secure supply chain for rare earth materials from sources within the United States and covered foreign sources.

(4) *DEFINITIONS.*—In this subsection:

(A) *COVERED FOREIGN SOURCE.*—The term “covered foreign source” means a source located in a foreign country that is not an adversary of the United States, as determined by the Secretary of Defense.

(B) *RARE EARTH MATERIAL.*—The term “rare earth material” means a concentrate, oxide, carbonate, fluoride, metal, alloy, magnet, or finished product whose chemical, magnetic, or nuclear properties are largely defined by the presence of—

(i) yttrium;

(ii) scandium; or

(iii) any lanthanide series element.

(b) *AUTHORITY TO DISPOSE OF AND ACQUIRE MATERIALS FOR THE NATIONAL DEFENSE STOCKPILE.*—

1 (1) *DISPOSAL AUTHORITY.*—Pursuant to section
 2 5(b) of the Strategic and Critical Materials Stock Pil-
 3 ing Act (50 U.S.C. 98d(b)), the National Defense
 4 Stockpile Manager shall dispose of 3,000,000 pounds
 5 of tungsten ores and concentrates contained in the
 6 National Defense Stockpile (in addition to any
 7 amount previously authorized for disposal).

8 (2) *ACQUISITION AUTHORITY.*—

9 (A) *AUTHORITY.*—Using funds available in
 10 the National Defense Stockpile Transaction
 11 Fund, the National Defense Stockpile Manager
 12 may acquire the following materials determined
 13 to be strategic and critical materials required to
 14 meet the defense, industrial, and essential civil-
 15 ian needs of the United States:

16 (i) *Aerospace-grade rayon.*

17 (ii) *Electrolytic manganese metal.*

18 (iii) *Pitch-based carbon fiber.*

19 (iv) *Rare earth cerium compounds.*

20 (v) *Rare earth lanthanum compounds.*

21 (B) *AMOUNT OF AUTHORITY.*—The National
 22 Defense Stockpile Manager may use up to
 23 \$14,420,000 in the National Defense Stockpile
 24 Transaction Fund for acquisition of the mate-
 25 rials specified in subsection (b).

1 (C) *FISCAL YEAR LIMITATION.*—*The author-*
 2 *ity under subsection (b) is available for pur-*
 3 *chases during fiscal year 2020 through fiscal*
 4 *year 2024.*

5 (c) *NATIONAL DEFENSE STOCKPILE SALES.*—

6 (1) *SENSE OF CONGRESS.*—*It is the sense of*
 7 *Congress that tantalum should be designated as a*
 8 *strategic and critical material under the Strategic*
 9 *and Critical Materials Stock Piling Act (50 U.S.C.*
 10 *98 et seq.), required to meet the defense, industrial,*
 11 *and essential civilian needs of the United States.*

12 (2) *NATIONAL DEFENSE STOCKPILE SALES OF*
 13 *TANTALUM.*—*Section 2533c(d)(1) of title 10, United*
 14 *States code, is amended—*

15 (A) *in subparagraph (C), by striking “and”*
 16 *at the end;*

17 (B) *in subparagraph (D), by striking the*
 18 *period at the end and inserting “; and”; and*

19 (C) *adding at the end the following new*
 20 *subparagraph:*

21 “(E) *tantalum.*”.

22 (3) *PROHIBITION ON SALES OF MATERIALS.*—
 23 *Section 2533c(a)(2) of title 10, United States Code, is*
 24 *amended by striking “covered” before “material”.*

1 **SEC. 808. PROHIBITION ON ACQUISITION OF TANTALUM**
 2 **FROM NON-ALLIED FOREIGN NATIONS.**

3 *Subsection (d)(1) of section 2533c of title 10, United*
 4 *States Code, is amended—*

5 *(1) in subparagraph (C), by striking “and” at*
 6 *the end;*

7 *(2) in subparagraph (D), by striking the period*
 8 *at the end and inserting “; and”; and*

9 *(3) by adding at the end the following new sub-*
 10 *paragraph:*

11 *“(E) tantalum.”.*

12 **SEC. 809. APPLICATION OF MISCELLANEOUS TECHNOLOGY**
 13 **BASE POLICIES AND PROGRAMS TO THE CO-**
 14 **LUMBIA-CLASS SUBMARINE PROGRAM.**

15 *Notwithstanding subchapter V of chapter 148 of title*
 16 *10, United States Code (except for sections 2534, 2533a,*
 17 *and 2533b of such title), for a period of one year beginning*
 18 *on the date of the enactment of this Act, the milestone deci-*
 19 *sion authority (as defined in section 2366a of title 10,*
 20 *United States Code) for the Columbia-class submarine pro-*
 21 *gram shall ensure that such program maintains the sched-*
 22 *ule approved under the Milestone B approval (as defined*
 23 *in such section).*

1 **SEC. 810. APPLICATION OF LIMITATION ON PROCUREMENT**
 2 **OF GOODS OTHER THAN UNITED STATES**
 3 **GOODS TO THE FFG-FRIGATE PROGRAM.**

4 *Notwithstanding any other provision of law, amounts*
 5 *authorized to carry out the FFG-Frigate Program may be*
 6 *used to award a new contract that provides for the acquisi-*
 7 *tion of the following components regardless of whether those*
 8 *components are manufactured in the United States:*

9 (1) *Auxiliary equipment (including pumps) for*
 10 *shipboard services.*

11 (2) *Propulsion equipment (including engines, re-*
 12 *duction gears, and propellers).*

13 (3) *Shipboard cranes.*

14 (4) *Spreaders for shipboard cranes.*

15 **SEC. 811. CONSIDERATION OF PRICE IN PROCUREMENT OF**
 16 **THE FFG(X) FRIGATE.**

17 *In evaluating proposals for a contract to procure a*
 18 *FFG(X) frigate, the Secretary of the Navy shall ensure price*
 19 *is a critical evaluation factor set forth in the request for*
 20 *proposal (solicitation number N0002419R2300) for the pro-*
 21 *curement of the frigate.*

22 **SEC. 812. REPEAL OF CONTINUATION OF DATA RIGHTS**
 23 **DURING CHALLENGES.**

24 (a) *REPEAL.*—Section 866 of the John S. McCain Na-
 25 *tional Defense Authorization Act for Fiscal Year 2019 (Pub-*

1 *lic Law 115–232; 132 Stat. 1901; 10 U.S.C. 2321) is re-*
 2 *pealed.*

3 (b) *RESTORATION OF AMENDED PROVISION.*—Sub-
 4 *section (i) of section 2321 of title 10, United States Code,*
 5 *is amended to read as follows:*

6 “(i) *RIGHTS AND LIABILITY UPON FINAL DISPOSI-*
 7 *TION.*—(1) *If, upon final disposition, the contracting offi-*
 8 *cer’s challenge to the use or release restriction is sustained—*

9 “(A) *the restriction shall be cancelled; and*

10 “(B) *if the asserted restriction is found not to be*
 11 *substantially justified, the contractor or subcontractor*
 12 *asserting the restriction shall be liable to the United*
 13 *States for payment of the cost to the United States of*
 14 *reviewing the asserted restriction and the fees and*
 15 *other expenses (as defined in section 2412(d)(2)(A) of*
 16 *title 28) incurred by the United States in challenging*
 17 *the asserted restriction, unless special circumstances*
 18 *would make such payment unjust.*

19 “(2) *If, upon final disposition, the contracting officer’s*
 20 *challenge to the use or release restriction is not sustained—*

21 “(A) *the United States shall continue to be*
 22 *bound by the restriction; and*

23 “(B) *the United States shall be liable for pay-*
 24 *ment to the party asserting the restriction for fees and*
 25 *other expenses (as defined in section 2412(d)(2)(A) of*

1 *title 28) incurred by the party asserting the restric-*
 2 *tion in defending the asserted restriction if the chal-*
 3 *lenge by the United States is found not to be made*
 4 *in good faith.”.*

5 **SEC. 813. REPEAL OF AUTHORITY TO WAIVE ACQUISITION**
 6 **LAWS TO ACQUIRE VITAL NATIONAL SECU-**
 7 **RITY CAPABILITIES.**

8 *Section 806 of the National Defense Authorization Act*
 9 *for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 2302*
 10 *note) is repealed.*

11 **SEC. 814. REPEAL OF TRANSFER OF FUNDS RELATED TO**
 12 **COST OVERRUNS AND COST UNDERRUNS.**

13 *(a) IN GENERAL.—Section 828 of the National Defense*
 14 *Authorization Act for Fiscal Year 2016 (Public Law 114–*
 15 *92; 10 U.S.C. 2430 note) is repealed.*

16 *(b) CONFORMING AMENDMENT.—Section 825 of the*
 17 *National Defense Authorization Act for Fiscal Year 2018*
 18 *(Public Law 115–91; 131 Stat. 1466) is amended—*

19 *(1) by repealing subsection (b); and*

20 *(2) by striking “(a) IN GENERAL.—”.*

1 **SEC. 815. ADDITION OF DOMESTICALLY PRODUCED STAIN-**
 2 **LESS STEEL FLATWARE AND DINNERWARE TO**
 3 **THE BERRY AMENDMENT.**

4 (a) *IN GENERAL.*—Section 2533a(b) of title 10, United
 5 States Code, is amended by adding at the end the following
 6 new paragraphs:

7 “(3) Stainless steel flatware.

8 “(4) Dinnerware.”.

9 (b) *EFFECTIVE DATE.*—Paragraphs (3) and (4) of sec-
 10 tion 2533a(b) of title 10, United States Code, as added by
 11 subsection (a), shall apply with respect to contracts entered
 12 into on or after the date occurring 1 year after the date
 13 of the enactment of this Act.

14 **Subtitle B—Amendments to General**
 15 **Contracting Authorities, Proce-**
 16 **dures, and Limitations**

17 **SEC. 821. MODIFICATIONS TO THE MIDDLE TIER OF ACQUI-**
 18 **SITION PROGRAMS.**

19 (a) *ACCESS TO TECHNICAL DATA, RECORDS, AND IN-*
 20 *FORMATION.*—Section 804 of the National Defense Author-
 21 ization Act for Fiscal Year 2016 (Public Law 114–92; 10
 22 U.S.C. 2302 note) is amended by adding at the end the fol-
 23 lowing new subsection:

24 “(e) *ACCESS TO TECHNICAL DATA, RECORDS, AND IN-*
 25 *FORMATION.*—The Secretary of Defense shall develop a
 26 process to provide the Director of Operational Test and

1 *Evaluation, the Director of Cost Assessment and Program*
 2 *Evaluation, and the Under Secretary of Defense for Re-*
 3 *search and Engineering access to all technical data, records,*
 4 *and information necessary to evaluate the technological ma-*
 5 *turity, operational effectiveness, and operational suitability*
 6 *of products and technologies proposed to be acquired under*
 7 *the guidance required by subsection (a).”.*

8 (b) *DOLLAR THRESHOLD FOR ACQUISITION PRO-*
 9 *GRAMS.—Subsection (a) of such section is amended—*

10 (1) *by striking “Not later than” and inserting*
 11 *the following:*

12 “(1) *IN GENERAL.—Not later than”;*

13 (2) *in paragraph (1), as so designated, by strik-*
 14 *ing “acquisition programs that are intended to be*
 15 *completed in a period of two to five years.” and in-*
 16 *serting the following: “acquisition programs—*

17 “(A) *with an eventual total expenditure for*
 18 *research, development, test, and evaluation or an*
 19 *eventual total expenditure for procurement that*
 20 *is less than those expenditures described in sec-*
 21 *tion 2430(a)(1)(B) of this title; and*

22 “(B) *that are intended to be completed in a*
 23 *period of two to five years.”; and*

24 (3) *by adding at the end the following new para-*
 25 *graph:*

1 “(2) *WAIVER.*—*The Secretary of Defense may*
 2 *waive the requirements of subparagraph (A) of para-*
 3 *graph (1), and may not delegate the authority to*
 4 *make such a waiver.”.*

5 **SEC. 822. BRIEFING RELATING TO THE “MIDDLE TIER” OF**
 6 **ACQUISITION PROGRAMS.**

7 *(a) IN GENERAL.*—*Not later than December 1, 2019,*
 8 *the Secretary of Defense shall provide a briefing to the con-*
 9 *gressional defense committees on lessons learned and best*
 10 *practices identified through the use of the “middle tier” of*
 11 *acquisition programs described under section 804 of the Na-*
 12 *tional Defense Authorization Act for Fiscal Year 2016 (Pub-*
 13 *lic Law 114–92; 10 U.S.C. 2302 note). The briefing shall*
 14 *be accompanied by a written analysis—*

15 *(1) identifying which lessons learned can be ap-*
 16 *plied to—*

17 *(A) “middle tier” acquisition programs;*
 18 *and*

19 *(B) any major defense acquisition program*
 20 *(as defined under section 2430 of title 10, United*
 21 *States Code);*

22 *(2) describing the extent to which covered risk*
 23 *should be a factor in determining which acquisition*
 24 *authority to use, including—*

1 (A) an acquisition pathway as described
2 under subsection (b) of section 804 of the Na-
3 tional Defense Authorization Act for Fiscal Year
4 2016 (Public Law 114–92; 10 U.S.C. 2302 note);

5 (B) the authority described under section
6 2371b of title 10, United States Code;

7 (C) acquisition authority relating to urgent
8 operational needs;

9 (D) a traditional acquisition process; or

10 (E) any other acquisition authority, as de-
11 termined by the Secretary;

12 (3) describing whether any requirements applica-
13 ble to major defense acquisition programs should be
14 applicable to “middle tier” acquisition programs
15 under such section; and

16 (4) recommending amendments or revisions (as
17 applicable) to law or regulation, and including avail-
18 able data to support such recommendations.

19 (b) *COVERED RISK DEFINED.*—In this section, the
20 term “covered risk” shall have the meaning given by the
21 Secretary of Defense, and shall include a consideration of
22 cost, schedule, performance, risk to operational success.

1 **SEC. 823. RATES FOR PROGRESS PAYMENTS OR PERFORM-**
 2 **ANCE-BASED PAYMENTS.**

3 (a) *CONSISTENCY IN ESTABLISHMENT OF RATES FOR*
 4 *PROGRESS PAYMENTS OR PERFORMANCE-BASED PAY-*
 5 *MENTS.*—Section 2307(a) of title 10, United States Code,
 6 is amended by inserting the following new paragraph:

7 “(3) *Except as provided in subsection (g), the*
 8 *Secretary of Defense shall not establish a rate for*
 9 *progress payments or a rate for performance-based*
 10 *payments that is lower than the rate for progress pay-*
 11 *ments or a rate for performance-based payments, as*
 12 *applicable, established by another head of an agen-*
 13 *cy.*”.

14 (b) *PAYMENT AUTHORITY.*—Section 2307(a)(1) of title
 15 10, United States Code, is amended in the matter preceding
 16 subparagraph (A) by striking “The head of any agency
 17 may” and inserting “The head of an agency
 18 may—”.

19 (c) *NOTICE OF REVISION TO RATES FOR PROGRESS*
 20 *PAYMENTS OR PERFORMANCE-BASED PAYMENTS.*—

21 (1) *TO CONGRESS.*—The Secretary of Defense
 22 may not issue rules to revise the rate for progress
 23 payments or the rate for performance-based payments
 24 unless the Secretary provides the congressional defense
 25 committees with a notice of determination of need for
 26 such revision. This notice shall include—

1 (A) a justification, including the data and
 2 analysis supporting the justification, for the re-
 3 vision; and

4 (B) an assessment of how the revision will
 5 create a more effective acquisition process and
 6 benefit the defense industrial base.

7 (2) *PUBLICATION.*—The Secretary shall publish
 8 the notice required by paragraph (1) in the Federal
 9 Register not later than five business days after pro-
 10 viding such notice to the congressional defense com-
 11 mittees.

12 **SEC. 824. ADDITIONAL REQUIREMENTS FOR NEGOTIATIONS**
 13 **FOR NONCOMMERCIAL COMPUTER SOFT-**
 14 **WARE.**

15 Section 2322a of title 10, United States Code, is
 16 amended by adding at the end the following new sub-
 17 sections:

18 “(c) *RIGHTS TO NONCOMMERCIAL COMPUTER SOFT-*
 19 *WARE.*—As part of any negotiation for the acquisition of
 20 noncommercial computer software, the Secretary of Defense
 21 may not require a contractor to sell or otherwise relinquish
 22 to the Federal Government any rights to noncommercial
 23 computer software developed exclusively at private expense,
 24 except for rights related to—

1 “(1) corrections or changes to such software or
2 related materials for such software furnished to the
3 contractor by the Department of Defense;

4 “(2) such software or related materials for such
5 software that is otherwise publicly available or that
6 has been released or disclosed by the contractor or
7 subcontractor without restrictions on further use, re-
8 lease, or disclosure, other than a release or disclosure
9 resulting from the sale, transfer, or other assignment
10 of interest in such software or related materials to an-
11 other party;

12 “(3) such software or related materials for such
13 software obtained with unlimited rights under an-
14 other contract with the Federal Government or as a
15 result of such a negotiation; or

16 “(4) such software or related materials for such
17 software furnished to the Department of Defense
18 under a contract or subcontract that includes—

19 “(A) restricted rights in such software, lim-
20 ited rights in technical data, or government pur-
21 pose rights, where such restricted rights, limited
22 rights, or government purpose rights have ex-
23 pired; or

24 “(B) government purpose rights, where the
25 contractor’s exclusive right to use such software

1 *or related materials for commercial purposes has*
 2 *expired.*

3 “(d) *CONSIDERATION OF SPECIALLY NEGOTIATED LI-*
 4 *CENSES.—The Secretary of Defense shall, to the maximum*
 5 *extent practicable, negotiate and enter into a contract with*
 6 *a contractor for a specially negotiated license for non-*
 7 *commercial computer software or related materials for such*
 8 *software necessary to support the product support strategy*
 9 *of a major weapon system or subsystem of a major weapon*
 10 *system.”.*

11 **SEC. 825. RESPONSIBILITY FOR DATA ANALYSIS AND RE-**
 12 **QUIREMENTS VALIDATION FOR SERVICES**
 13 **CONTRACTS.**

14 *Section 2329 of title 10, United States Code, is amend-*
 15 *ed—*

16 (1) *in subsection (a), by inserting “, acting*
 17 *through the Under Secretary of Defense (Comptroller)*
 18 *and Director of Cost Assessment and Program Eval-*
 19 *uation,” after “Secretary of Defense”;*

20 (2) *in subsection (b), in the matter preceding*
 21 *paragraph (1), by inserting “, acting through the*
 22 *Under Secretary of Defense (Comptroller) and Direc-*
 23 *tor of Cost Assessment and Program Evaluation,”*
 24 *after “Secretary of Defense”; and*

1 (3) in subsection (c)(2)(A), by inserting “, acting
 2 through the Under Secretary of Defense (Comptroller)
 3 and Director of Cost Assessment and Program Eval-
 4 uation,” after “Secretary of Defense”.

5 **SEC. 826. ANNUAL REPORTS ON AUTHORITY TO CARRY OUT**
 6 **CERTAIN PROTOTYPE PROJECTS.**

7 (a) *IN GENERAL.*—Section 2371b of title 10, United
 8 States Code, is amended by adding at the end the following
 9 new subsections:

10 “(i) *DATA COLLECTION AND USE.*—(1) The service ac-
 11 quisition executive of each military department shall collect
 12 data on the use of the authority under this section by the
 13 applicable military department, and the Under Secretary
 14 of Defense for Research and Engineering and the Under
 15 Secretary of Defense for Acquisition and Sustainment shall
 16 collect data on all other use of such authority by the Depart-
 17 ment of Defense, including use by the Defense Agencies.

18 “(2) The Under Secretary of Defense for Acquisition
 19 and Sustainment shall—

20 “(A) maintain a database of information col-
 21 lected under this section, which shall be made acces-
 22 sible to any official designated by the Secretary of De-
 23 fense; and

1 “(B) analyze such information to update policy
2 and guidance related to the use of the authority under
3 this section.

4 “(j) *REPORT.*—(1) Not later than December 31, 2019,
5 and each December 31 thereafter the Secretary of Defense
6 shall annually submit to the congressional defense commit-
7 tees a report covering the preceding fiscal year on the use
8 of the authority under this section. Each report shall sum-
9 marize the data collected under subsection (i) on the nature
10 and extent of each such use of the authority, including a
11 description—

12 “(A) of the participants to an agreement entered
13 into pursuant to the authority of subsection (a) or a
14 follow-on contract or transaction entered into pursu-
15 ant to the authority of subsection (f);

16 “(B) of the quantity of prototype projects to be
17 produced pursuant to such an agreement, follow-on
18 contract, or transaction;

19 “(C) of the amount of payments made pursuant
20 to each such agreement, follow-on contract, or trans-
21 action;

22 “(D) of the purpose, description, and status of
23 prototype projects carried out pursuant to each such
24 agreement, follow-on contract, or transaction; and

1 “(E) including case examples, of the successes
2 and challenges with using the authority of subsection
3 (a) or (f).

4 “(2) A report required under this subsection shall be
5 submitted in unclassified form without any designation re-
6 lating to dissemination control, but may contain a classi-
7 fied annex.”.

8 (b) *CONFORMING AMENDMENT.*—Section 873 of the
9 John S. McCain National Defense Authorization Act for
10 Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1905;
11 10 U.S.C. 2371 note) is repealed.

12 **SEC. 827. COMPETITION REQUIREMENTS FOR PURCHASES**
13 **FROM FEDERAL PRISON INDUSTRIES.**

14 (a) *COMPETITION REQUIREMENTS FOR PURCHASES*
15 *FROM FEDERAL PRISON INDUSTRIES.*—Subsections (a)
16 and (b) of section 2410n of title 10, United States Code,
17 are amended to read as follows:

18 “(a) *MARKET RESEARCH.*—Before purchasing a prod-
19 uct listed in the latest edition of the Federal Prison Indus-
20 tries catalog published under section 4124(d) of title 18, the
21 Secretary of Defense shall conduct market research to deter-
22 mine whether such product—

23 “(1) is comparable to products available from the
24 private sector; and

1 “(2) *best meets the needs of the Department of*
 2 *Defense in terms of price, quality, and time of deliv-*
 3 *ery.*

4 “(b) *COMPETITION REQUIREMENT.—If the Secretary*
 5 *determines that a Federal Prison Industries product is not*
 6 *comparable to products available from the private sector*
 7 *and does not best meet the needs of the Department of De-*
 8 *fense in terms of price, quality, or time of delivery, the Sec-*
 9 *retary shall use competitive procedures or make an indi-*
 10 *vidual purchase under a multiple award contract for the*
 11 *procurement of the product. In conducting such a competi-*
 12 *tion or making such a purchase, the Secretary shall con-*
 13 *sider a timely offer from Federal Prison Industries.”.*

14 (b) *EFFECTIVE DATE.—The amendment made by sub-*
 15 *section (a) shall take effect 60 days after the date of the*
 16 *enactment of this Act.*

17 **SEC. 828. ENHANCED POST-AWARD DEBRIEFING RIGHTS.**

18 *Section 818(a)(1) of the National Defense Authoriza-*
 19 *tion Act for Fiscal Year 2018 (Public Law 115–91; 131*
 20 *Stat. 1463; 10 U.S.C. 2305 note) is amended by striking*
 21 *“\$100,000,000” each place it appears and inserting*
 22 *“\$50,000,000”.*

1 **SEC. 829. STANDARDIZING DATA COLLECTION AND RE-**
 2 **PORTING ON USE OF SOURCE SELECTION**
 3 **PROCEDURES BY FEDERAL AGENCIES.**

4 (a) *REPEAL OF GOVERNMENT ACCOUNTABILITY OF-*
 5 *FICE REPORTING REQUIREMENTS ON USE OF LOWEST*
 6 *PRICE TECHNICALLY ACCEPTABLE SOURCE SELECTION*
 7 *CRITERIA.—*

8 (1) *DEPARTMENT OF DEFENSE.—Section 813 of*
 9 *the National Defense Authorization Act for Fiscal*
 10 *Year 2017 (10 U.S.C. 2305 note) is amended by strik-*
 11 *ing subsection (d).*

12 (2) *OTHER AGENCIES.—Section 880 of the John*
 13 *S. McCain National Defense Authorization Act for*
 14 *Fiscal Year 2019 (Public Law 115–232; 132 Stat.*
 15 *1910; 41 U.S.C. 3701 note) is amended by striking*
 16 *subsection (d) and redesignating subsection (e) as sub-*
 17 *section (d).*

18 (b) *REVISION TO THE FEDERAL PROCUREMENT DATA*
 19 *SYSTEM.—Not later than 180 days after the date of the en-*
 20 *actment of this Act, the Administrator of General Services,*
 21 *in coordination with the Administrator for Federal Pro-*
 22 *curement Policy, shall direct appropriate revisions to the*
 23 *Federal procurement data system established pursuant to*
 24 *section 1122(a)(4) of title 41, United States Code (or any*
 25 *successor system), to facilitate the collection of complete,*
 26 *timely, and reliable data on the source selection processes*

1 *used by Federal agencies for the contract actions being re-*
 2 *ported in the system. The Administrator of General Services*
 3 *shall ensure that data is collected—*

4 *(1) at a minimum, on the usage of the lowest*
 5 *price technically acceptable contracting methods and*
 6 *best value contracting methods process; and*

7 *(2) on all applicable contracting actions, includ-*
 8 *ing task orders or delivery orders issued under indefi-*
 9 *nite delivery-indefinite quantity contracts.*

10 **SEC. 830. MODIFICATION OF JUSTIFICATION AND AP-**
 11 **PROVAL REQUIREMENT FOR CERTAIN DE-**
 12 **PARTMENT OF DEFENSE CONTRACTS.**

13 *(a) MODIFICATION OF JUSTIFICATION AND APPROVAL*
 14 *REQUIREMENT.—Notwithstanding section 811 of the Na-*
 15 *tional Defense Authorization Act for Fiscal Year 2010 (Pub-*
 16 *lic Law 111–84; 123 Stat. 2405)—*

17 *(1) no justification and approval is required*
 18 *under such section for a sole-source contract awarded*
 19 *by the Department of Defense in a covered procure-*
 20 *ment for an amount not exceeding \$100,000,000; and*

21 *(2) for purposes of subsections (a)(2) and*
 22 *(c)(3)(A) of such section, the appropriate official des-*
 23 *ignated to approve the justification for a sole-source*
 24 *contract awarded by the Department of Defense in a*
 25 *covered procurement exceeding \$100,000,000 is the of-*

1 *ficial designated in section 2304(f)(1)(B)(ii) of title*
2 *10, United States Code.*

3 (b) *GUIDANCE.*—*Not later than 90 days after the date*
4 *of the enactment of this Act, the Secretary of Defense shall*
5 *issue guidance to implement the authority under subsection*
6 *(a).*

7 (c) *COMPTROLLER GENERAL REVIEW.*—

8 (1) *DATA TRACKING AND COLLECTION.*—*The De-*
9 *partment of Defense shall track the use of the author-*
10 *ity provided pursuant to subsection (a) and make the*
11 *data available to the Comptroller General for pur-*
12 *poses of the report required under paragraph (2).*

13 (2) *REPORT.*—*Not later than February 1, 2022,*
14 *the Comptroller General of the United States shall*
15 *submit a report to the congressional defense commit-*
16 *tees which shall include the number of contracts*
17 *awarded on the basis of competition restricted to Pro-*
18 *gram Participants in the program established under*
19 *section 8(a) of the Small Business Act (15 U.S.C.*
20 *637(a)) to small business concerns that are Native*
21 *Hawaiian Organizations (as defined in paragraph*
22 *(15) of such section (15 U.S.C. 637(a)(15))) or eco-*
23 *nomically disadvantaged Indian tribes (or a wholly*
24 *owned business entity of such a tribe) (as defined in*
25 *paragraph (13) of such section (15 U.S.C.*

1 637(a)(13))) or that exceed the dollar amount under
 2 paragraph (1)(D) of such section.

3 **SEC. 831. PREFERENCE FOR OFFERORS EMPLOYING VET-**
 4 **ERANS.**

5 (a) *IN GENERAL.*—Chapter 137 of title 10, United
 6 States Code, is amended by adding at the end the following
 7 new section:

8 **“§ 2339b. Preference for offerors employing veterans**

9 “(a) *PREFERENCE.*—In awarding a contract for the
 10 procurement of goods or services for the Department of De-
 11 fense, the head of an agency may establish a preference for
 12 offerors that employ veterans on a full-time basis. The Sec-
 13 retary of Defense shall determine the criteria for use of such
 14 preference.

15 “(b) *RULE OF CONSTRUCTION.*—Nothing in this sec-
 16 tion shall be construed to supercede any other provision of
 17 law establishing a preference for small business concerns
 18 owned and controlled by veterans or small business concerns
 19 owned and controlled by service-disabled veterans (as de-
 20 fined in section 3(q) of the Small Business Act (15 U.S.C.
 21 632(q))).

22 “(c) *CONGRESSIONAL NOTIFICATION.*—Prior to estab-
 23 lishing the preference described in subsection (a), the Sec-
 24 retary of Defense shall provide a briefing to the Committee
 25 on Armed Services of the House of Representatives on—

1 “(1) a plan for implementing such preference,
2 including—

3 “(A) penalties for an offeror that willfully
4 and intentionally misrepresents the veteran sta-
5 tus of the employees of the offeror in a bid sub-
6 mitted under subsection (a); and

7 “(B) reporting on use of such preference;
8 and

9 “(2) the process for assessing and verifying offer-
10 or compliance with regulations relating to equal op-
11 portunity for veterans requirements.”.

12 (b) *CLERICAL AMENDMENT.*—The table of sections at
13 the beginning of such chapter is amended by inserting after
14 the item relating to section 2339a the following new item:
 “2339b. Preference for offerors employing veterans.”.

15 **SEC. 832. REPORTING ON EXPENSES INCURRED FOR INDE-**
16 **PENDENT RESEARCH AND DEVELOPMENT**
17 **COSTS.**

18 (a) *REPORTING ON INDEPENDENT RESEARCH AND DE-*
19 *VELOPMENT COSTS.*—Section 2372 of title 10, United
20 States Code, is amended—

21 (1) in the second sentence of subsection (a), by
22 striking “shall be reported” and all that follows
23 through “indirect costs.” and inserting the following:
24 “shall be reported—

1 “(1) independently from other allowable indirect
2 costs; and

3 “(2) annually by the contractor to the Defense
4 Technical Information Center, who shall give access to
5 the information to the Under Secretary of Defense for
6 Research and Engineering, the Director of the Defense
7 Contract Audit Agency, and the Director of the De-
8 fense Management Audit Agency.”.

9 (b) *REPORT TO CONGRESS*.—Such section is further
10 amended by adding at the end the following new subsection:

11 “(f) *REPORT TO CONGRESS*.—Not later than March
12 31, 2020, and biennially thereafter, the Under Secretary of
13 Defense for Research and Engineering, in coordination with
14 the Director of the Defense Contract Management Agency,
15 the Director of the Defense Contract Audit Agency, and the
16 Defense Technical Information Center, shall submit to the
17 congressional defense committees aggregate cost data on the
18 independent research and development programs of the con-
19 tractor. The report shall include—

20 “(1) an analysis of such programs completed
21 during the two-year period preceding the date of the
22 report, including the extent to which such programs
23 align with the modernization priorities of the most
24 recent national defense strategy (as described by sec-
25 tion 113 of this title);

1 “(2) *an estimate of the extent to which such pro-*
2 *grams produced, or sought to produce, disruptive tech-*
3 *nologies or incremental technologies;*

4 “(3) *with respect to each contractor subject to the*
5 *reporting requirement under subsection (a)—*

6 “(A) *a comparison of the total amount of*
7 *independent research and development costs sub-*
8 *mitted for reimbursement under the annual in-*
9 *curring cost proposal of such contractor and the*
10 *amount reported to the Defense Technical Infor-*
11 *mation Center; and*

12 “(B) *a summary of any issues relating to*
13 *the ownership or distribution of intellectual*
14 *property rights raised by such contractor relat-*
15 *ing to an independent research and development*
16 *program of such contractor.”.*

17 (c) *REPORT TO GAO.—The Secretary of Defense shall*
18 *submit to the Comptroller General of the United States the*
19 *first such report required under subsection (f) of section*
20 *2372 of title 10, United States Code (as added by subsection*
21 *(a)), so that the Comptroller General may perform a review*
22 *of the information provided in the report.*

1 **SEC. 833. REPORTING ON EXPENSES INCURRED FOR BID**
 2 **AND PROPOSAL COSTS.**

3 *Section 2372a(a) of title 10, United States Code, is*
 4 *amended—*

5 *(1) in the second sentence, by striking “shall be*
 6 *reported” and all that follows through “indirect*
 7 *costs.” and inserting the following: “shall be re-*
 8 *ported—*

9 *“(1) independently from other allowable indirect*
 10 *costs; and*

11 *“(2) annually by the contractor to the Director*
 12 *of the Defense Contract Audit Agency, who shall give*
 13 *access to the information to the Principal Director for*
 14 *Defense Pricing and Contracting.”.*

15 **SEC. 834. REPEAL OF THE DEFENSE COST ACCOUNTING**
 16 **STANDARDS BOARD.**

17 *(a) REPEAL.—Section 190 of title 10, United States*
 18 *Code, is repealed.*

19 *(b) CLERICAL AMENDMENT.—The table of sections at*
 20 *the beginning of chapter 7 of such title is amended by strik-*
 21 *ing the item relating to section 190.*

22 **SEC. 835. REPORT ON REQUIREMENTS RELATING TO CON-**
 23 **SUMPTION-BASED SOLUTIONS.**

24 *(a) REPORT.—The Undersecretary of Defense for Ac-*
 25 *quisition and Sustainment shall submit to the congressional*
 26 *defense committees a report on the feasibility of revising*

1 *the Defense Federal Acquisition Regulation Supplement to*
 2 *include requirements relating to consumption-based solu-*
 3 *tions.*

4 (b) *CONSUMPTION-BASED SOLUTIONS DEFINED.—The*
 5 *term “consumption-based solutions” means any combina-*
 6 *tion of hardware or equipment, software, and labor or serv-*
 7 *ices that together provide a capability that is metered and*
 8 *billed based on actual usage and predetermined pricing per*
 9 *resource unit, and includes the ability to rapidly scale ca-*
 10 *capacity up or down.*

11 ***Subtitle C—Provisions Relating to*** 12 ***Acquisition Workforce***

13 ***SEC. 841. DEFENSE ACQUISITION WORKFORCE CERTIFI-*** 14 ***CATION AND EDUCATION REQUIREMENTS.***

15 (a) *PROFESSIONAL CERTIFICATION REQUIREMENT.—*

16 (1) *PROFESSIONAL CERTIFICATION REQUIRED*
 17 *FOR ALL ACQUISITION WORKFORCE PERSONNEL.—Sec-*
 18 *tion 1701a of title 10, United States Code, is amend-*
 19 *ed—*

20 (A) *by redesignating subsections (c) and (d)*
 21 *as subsections (d) and (e), respectively; and*

22 (B) *by inserting after subsection (b) the fol-*
 23 *lowing new subsection:*

24 “(c) *PROFESSIONAL CERTIFICATION.—(1) IN GEN-*
 25 *ERAL.—The Secretary of Defense shall implement a certifi-*

1 cation program to provide for a professional certification
 2 requirement for all members of the acquisition workforce.
 3 Except as provided in paragraph (2), the certification re-
 4 quirement for any career field of the acquisition workforce
 5 shall be based on nationally or internationally recognized
 6 standards developed by a third-party entity.

7 “(2) *REQUIREMENTS FOR SECRETARY.*—If the Sec-
 8 retary determines that, for a particular acquisition work-
 9 force career field, the third-party entity described in para-
 10 graph (1) does not meet the needs of the Department, the
 11 Secretary shall establish the professional certification re-
 12 quirement for that career field that conforms with nation-
 13 ally or internationally recognized standards. The Secretary
 14 shall determine the best approach to implement such re-
 15 quirement for that career field, including implementation
 16 through entities outside the Department of Defense and may
 17 be designed and implemented without regard to section
 18 1746 of this title.”.

19 (2) *CERTIFICATION RENEWAL.*—Paragraph (3) of
 20 section 1723(a) of such title is amended by striking
 21 the second sentence.

22 (3) *PARTICIPATION IN PROFESSIONAL ASSOCIA-*
 23 *TIONS.*—Section 1701a(b) of such title is amended—

1 (A) by redesignating paragraphs (6), (7),
 2 (8), and (9) as paragraphs (7), (8), (9), and
 3 (10), respectively; and

4 (B) by inserting after paragraph (5) the fol-
 5 lowing new paragraph:

6 “(6) authorize a member of the acquisition work-
 7 force to participate in professional associations, con-
 8 sistent with the performance plan of such member, if
 9 such participation provides the member with the op-
 10 portunity to gain leadership and management
 11 skills;”.

12 (4) *EFFECTIVE DATE.*—The Secretary of Defense
 13 shall carry out the certification program required by
 14 subsection (c) of section 1701a of title 10, United
 15 States Code, as added by paragraph (1), not later
 16 than 180 days after the date of the enactment of this
 17 Act.

18 (b) *ELIMINATION OF STATUTORY REQUIREMENT FOR*
 19 *COMPLETION OF 24 SEMESTER CREDIT HOURS.*—

20 (1) *QUALIFICATION REQUIREMENTS FOR CON-*
 21 *TRACTING OFFICERS.*—Section 1724 of title 10,
 22 United States Code, is amended—

23 (A) in subsection (a)(3)—

24 (i) by striking “(A)” after “(3)”; and

1 (ii) by striking “, and (B)” and all
2 that follows through “and management”;

3 (B) in subsection (b), by striking “require-
4 ments” in the first sentences of paragraphs (1)
5 and (2) and inserting “requirement”;

6 (C) in subsection (e)—

7 (i) in paragraph (1)—

8 (I) by striking “requirements in
9 subparagraphs (A) and (B) of sub-
10 section (a)(3)” and inserting “require-
11 ment of subsection (a)(3)”; and

12 (II) in subparagraph (C), by
13 striking “requirements” and inserting
14 “requirement”; and

15 (ii) in paragraph (2)—

16 (I) by striking “shall have—” and
17 all that follows through “been award-
18 ed” and inserting “shall have been
19 awarded”;

20 (II) by striking “; or” and insert-
21 ing a period; and

22 (III) by striking subparagraph
23 (B); and

1 (D) in subsection (f), by striking “, includ-
 2 ing—” and all that follows and inserting a pe-
 3 riod.

4 (2) *SELECTION CRITERIA AND PROCEDURES.*—
 5 Section 1732 of such title is amended—

6 (A) in subsection (b)(1)—

7 (i) by striking “Such requirements,”
 8 and all the follows through “the
 9 person—” and inserting “Such require-
 10 ments shall include a requirement that the
 11 person—”;

12 (ii) by striking subparagraph (B); and

13 (iii) by redesignating clauses (i) and
 14 (ii) as subparagraphs (A) and (B), respec-
 15 tively, and conforming the margins accord-
 16 ingly;

17 (B) in subsection (c), by striking “require-
 18 ments of subsections (b)(1)(A) and (b)(1)(B)” in
 19 paragraphs (1) and (2) and inserting “require-
 20 ment of subsection (b)(1)”;

21 (C) in subsection (d)—

22 (i) by striking “(1) Except as provided
 23 in paragraph (2),”; and

24 (ii) by striking paragraph (2).

1 (c) *DEFENSE ACQUISITION UNIVERSITY CURRICULUM*
 2 *DEVELOPMENT.*—Section 1746(c) of title 10, United States
 3 Code, is amended by inserting “, and with commercial pro-
 4 viders of training,” after “military departments”.

5 (d) *CAREER PATHS.*—

6 (1) *CAREER PATH REQUIRED FOR EACH ACQUI-*
 7 *SITION WORKFORCE CAREER FIELD.*—Paragraph (4)
 8 of section 1701a(b) of title 10, United States Code, is
 9 amended to read as follows:

10 “(4) develop and implement a career path, as de-
 11 scribed in section 1722(a) of this title, for each career
 12 field designated by the Secretary under section
 13 1721(a) of this title as an acquisition workforce ca-
 14 reer field;”.

15 (2) *CONFORMING AMENDMENTS.*—Section
 16 1722(a) of such title is amended—

17 (A) by striking “appropriate career paths”
 18 and inserting “an appropriate career path”; and

19 (B) by striking “are identified” and insert-
 20 ing “is identified for each acquisition workforce
 21 career field”.

22 (3) *DEADLINE FOR IMPLEMENTATION OF CAREER*
 23 *PATHS.*—The Secretary of Defense shall carry out the
 24 requirements of paragraph (4) of section 1701a(b) of
 25 title 10, United States Code (as amended by para-

1 graph (1)), not later than the end of the two-year pe-
 2 riod beginning on the date of the enactment of this
 3 Act.

4 (e) CAREER FIELDS.—

5 (1) DESIGNATION OF ACQUISITION WORKFORCE
 6 CAREER FIELDS.—Section 1721(a) of such title is
 7 amended by adding at the end the following new sen-
 8 tence: “The Secretary shall also designate in regula-
 9 tions those career fields in the Department of Defense
 10 that are acquisition workforce career fields for pur-
 11 poses of this chapter.”.

12 (2) CLERICAL AMENDMENTS.—(A) The heading
 13 of such section is amended to read as follows:

14 **“§ 1721. Designation of acquisition positions and ac-**
 15 **quisition workforce career fields”.**

16 (B) The item relating to such section in the
 17 table of sections at the beginning of subchapter
 18 II of chapter 87 of such title is amended to read
 19 as follows:

 “1721. Designation of acquisition positions and acquisition workforce career
 fields.”.

20 (3)(A) The heading of subchapter II of chapter
 21 87 of such title is amended to read as follows:

“SUBCHAPTER II—ACQUISITION POSITIONS AND ACQUISITION WORKFORCE
CAREER FIELDS”.

1 (B) *The item relating to such subchapter in the*
2 *table of subchapters at the beginning of such chapter*
3 *is amended to read as follows:*

“II. Acquisition Positions And Acquisition Workforce Career Fields 1721”.

4 (4) *DEADLINE FOR DESIGNATION OF CAREER*
5 *FIELDS.—The Secretary of Defense shall carry out the*
6 *requirements of second sentence of section 1721(a) of*
7 *title 10, United States Code (as added by paragraph*
8 *(1)), not later than the end of the six-month period*
9 *beginning on the date of the enactment of this Act.*

10 (f) *KEY WORK EXPERIENCES.—*

11 (1) *DEVELOPMENT OF KEY WORK EXPERIENCES*
12 *FOR EACH ACQUISITION WORKFORCE CAREER*
13 *FIELD.—Section 1722b of such title is amended by*
14 *adding at the end the following new subsection:*

15 “(c) *KEY WORK EXPERIENCES.—In carrying out sub-*
16 *section (b)(2), the Secretary shall ensure that key work expe-*
17 *riences, in the form of multidiscipline training, are devel-*
18 *oped for each acquisition workforce career field.”.*

19 (2) *PLAN FOR IMPLEMENTATION OF KEY WORK*
20 *EXPERIENCES.—Not later than one year after the date*
21 *of the enactment of this Act, the Secretary of Defense*
22 *shall submit to the congressional defense committees a*
23 *plan identifying the specific actions the Department*

1 of Defense has taken, and is planning to take, to de-
 2 velop and establish key work experiences for each ac-
 3 quisition workforce career field as required by sub-
 4 section (c) of section 1722b of title 10, United States
 5 Code, as added by paragraph (1). The plan shall in-
 6 clude specification of the percentage of the acquisition
 7 workforce, or funds available for administration of
 8 the acquisition workforce on an annual basis, that the
 9 Secretary will dedicate towards developing such key
 10 work experiences.

11 (g) *APPLICABILITY OF CAREER PATH REQUIREMENTS*
 12 *TO ALL MEMBERS OF ACQUISITION WORKFORCE.*—Section
 13 1723(b) of such title is amended by striking “the critical
 14 acquisition-related”.

15 (h) *COMPETENCY DEVELOPMENT.*—

16 (1) *IN GENERAL.*—(A) Subchapter V of chapter
 17 87 of such title is amended by adding at the end the
 18 following new section:

19 **“§ 1765. Competency development**

20 *“For each acquisition workforce career field, the Sec-*
 21 *retary of Defense shall establish, for the civilian personnel*
 22 *in that career field, defined proficiency standards and tech-*
 23 *nical and nontechnical competencies which shall be used in*
 24 *personnel qualification assessments.”.*

1 (B) *The table of sections at the beginning of such*
 2 *subchapter II is amended by adding at the end the*
 3 *following new item:*

 “1765. Competency development.”.

4 (2) *DEADLINE FOR IMPLEMENTATION.—The Sec-*
 5 *retary of Defense shall carry out the requirements of*
 6 *section 1765 of title 10, United States Code (as added*
 7 *by paragraph (1)), not later than the end of the two-*
 8 *year period beginning on the date of the enactment of*
 9 *this Act.*

10 (i) *TERMINATION OF DEFENSE ACQUISITION CORPS.—*

11 (1) *The Acquisition Corps for the Department of*
 12 *Defense referred to in section 1731(a) of title 10,*
 13 *United States Code, is terminated.*

14 (2) *Section 1733 of title 10, United States Code,*
 15 *is amended—*

16 (A) *by striking subsection (a); and*

17 (B) *by redesignating subsection (b) as sub-*
 18 *section (a).*

19 (3) *Subsection (b) of section 1731 of such title is*
 20 *transferred to the end of section 1733 of such title, as*
 21 *amended by paragraph (2), and amended—*

22 (A) *by striking “ACQUISITION CORPS” in*
 23 *the heading and inserting “THE ACQUISITION*
 24 *WORKFORCE”; and*

1 (B) by striking “selected for the Acquisition
2 Corps” and inserting “in the acquisition work-
3 force”.

4 (4) Subsection (e) of section 1732 of such title is
5 transferred to the end of section 1733 of such title, as
6 amended by paragraphs (2) and (3), redesignated as
7 subsection (c), and amended—

8 (A) by striking “in the Acquisition Corps”
9 in paragraphs (1) and (2) and inserting “in
10 critical acquisition positions”; and

11 (B) by striking “serving in the Corps” in
12 paragraph (2) and inserting “employment”.

13 (5) Sections 1731 and 1732 of such title are re-
14 pealed.

15 (6)(A) Section 1733 of such title, as amended by
16 paragraphs (2), (3), and (4), is redesignated as sec-
17 tion 1731.

18 (B) The table of sections at the beginning of sub-
19 chapter III of chapter 87 of such title is amended by
20 striking the items relating to sections 1731, 1732, and
21 1733 and inserting the following new item:

“1731. Critical acquisition positions.”.

22 (7)(A) The heading of subchapter III of chapter
23 87 of such title is amended to read as follows:

“SUBCHAPTER III—CRITICAL ACQUISITION POSITIONS”.

1 (B) *The item relating to such subchapter in the*
 2 *table of subchapters at the beginning of such chapter*
 3 *is amended to read as follows:*

“III. *Critical Acquisition Positions* 1731”.

4 (8) *Section 1723(a)(2) of such title is amended*
 5 *by striking “section 1733 of this title” and inserting*
 6 *“section 1731 of this title”.*

7 (9) *Section 1725 of such title is amended—*

8 (A) *in subsection (a)(1), by striking “De-*
 9 *fense Acquisition Corps” and inserting “acquisi-*
 10 *tion workforce”; and*

11 (B) *in subsection (d)(2), by striking “of the*
 12 *Defense Acquisition Corps” and inserting “in the*
 13 *acquisition workforce serving in critical acquisi-*
 14 *tion positions”.*

15 (10) *Section 1734 of such title is amended—*

16 (A) *by striking “of the Acquisition Corps”*
 17 *in subsections (e)(1) and (h) and inserting “of*
 18 *the acquisition workforce”; and*

19 (B) *in subsection (g)—*

20 (i) *by striking “of the Acquisition*
 21 *Corps” in the first sentence and inserting*
 22 *“of the acquisition workforce”;*

23 (ii) *by striking “of the Corps” and in-*
 24 *serting “of the acquisition workforce”; and*

1 (iii) by striking “of the Acquisition
2 Corps” in the second sentence and inserting
3 “of the acquisition workforce in critical ac-
4 quisition positions”.

5 (11) Section 1737 of such title is amended—

6 (A) in subsection (a)(1), by striking “of the
7 Acquisition Corps” and inserting “of the acquisi-
8 tion workforce”; and

9 (B) in subsection (b), by striking “of the
10 Corps” and inserting “of the acquisition work-
11 force”.

12 (12) Section 1742(a)(1) of such title is amended
13 by striking “the Acquisition Corps” and inserting
14 “acquisition positions in the Department of Defense”.

15 (13) Section 2228(a)(4) of such title is amended
16 by striking “under section 1733(b)(1)(C) of this title”
17 and inserting “under section 1731 of this title”.

18 (14) Section 7016(b)(5)(B) of such title is
19 amended by striking “under section 1733 of this title”
20 and inserting “under section 1731 of this title”.

21 (15) Section 8016(b)(4)(B) of such title is
22 amended by striking “under section 1733 of this title”
23 and inserting “under section 1731 of this title”.

6 “(1) is a member of the acquisition workforce se-
7 lected to serve in, or serving in, a critical acquisition
8 position designated under section 1731 of title 10.”.

13 “(13) *Foreign military sales.*”

16 (a) *PUBLIC-PRIVATE EXCHANGE PROGRAM FOR THE*
17 *ACQUISITION WORKFORCE.*—

21 *“§ 1749. Public-private exchange program for the ac-*
22 *quisition workforce*

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1 *force' to temporarily assign a member of the acquisition*
 2 *workforce to a private-sector organization or an employee*
 3 *of a private-sector organization to the Department of De-*
 4 *fense if—*

5 “(A) *pursuant to an agreement between the Sec-*
 6 *retary, the private-sector organization, and the indi-*
 7 *vidual to be temporarily assigned described in sub-*
 8 *section (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 any*
 18 *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 of*
 21 *Defense solely because of participation in the program es-*
 22 *tablished 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 temporary*
7 *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 addi-*
11 *tion to any other period of obligated service); or*

12 “(ii) *if a civilian, serve in the Department*
13 *of Defense, or elsewhere in the civil service if ap-*
14 *proved by the Secretary, for a period equal to*
15 *twice the length of the temporary assignment.*

16 “(C) *A provision that if the individual to be*
17 *temporarily assigned fails to carry out the agreement,*
18 *such individual shall be liable to the United States for*
19 *payment of all expenses of the assignment, unless that*
20 *failure was for good and sufficient reason, as deter-*
21 *mined by the Secretary of Defense.*

22 “(D) *In the case of an agreement for the tem-*
23 *porary assignment of a member of the acquisition*
24 *workforce, language ensuring that such member of the*
25 *acquisition workforce does not improperly use pre-*

1 *decisional or draft deliberative information that such*
2 *member may be privy to or aware of related to De-*
3 *partment programing, budgeting, resourcing, acquisi-*
4 *tion, or procurement for the benefit or advantage of*
5 *the private-sector organization.*

6 *“(2) An amount for which an individual is liable*
7 *under paragraph (1)(C) shall be treated as a debt due the*
8 *United States.*

9 *“(3) The Secretary may waive, in whole or in part,*
10 *collection of a debt described in paragraph (2) based on a*
11 *determination that the collection would be against equity*
12 *and good conscience and not in the best interests of the*
13 *United States, after taking into account any indication of*
14 *fraud, misrepresentation, fault, or lack of good faith on the*
15 *part of the individual who is liable for the debt.*

16 *“(c) TERMINATION.—An assignment under this section*
17 *may, at any time and for any reason, be terminated by*
18 *the Department of Defense or the private-sector organiza-*
19 *tion concerned.*

20 *“(d) DURATION.—(1) Except as provided in para-*
21 *graph (2), an assignment under this section shall be for a*
22 *period of not more than two years, renewable up to a total*
23 *of four years.*

24 *“(2) An assignment under this section may be for a*
25 *period in excess of two years, but not more than four years,*

1 *if the Secretary determines that such assignment is nec-*
 2 *essary to meet critical mission or program requirements.*

3 “(3) *A member of the acquisition workforce may not*
 4 *be assigned under this section for more than a total of four*
 5 *years inclusive of all such assignments.*

6 “(e) *STATUS OF INDIVIDUALS ASSIGNED TO PRIVATE-*
 7 *SECTOR ORGANIZATIONS.—(1) A member of the acquisition*
 8 *workforce who is assigned to a private-sector organization*
 9 *under this section shall be considered, during the period of*
 10 *assignment, to be on detail to a regular duty or work as-*
 11 *signment, as applicable, in the Department for all purposes.*

12 “(2) *In the case of a civilian member of the acquisition*
 13 *workforce, the written agreement established under sub-*
 14 *section (b)(1)—*

15 “(A) *shall address the specific terms and condi-*
 16 *tions related to the civilian member’s continued status*
 17 *as a Federal employee; and*

18 “(B) *in the case of an assignment of nine months*
 19 *or longer, shall provide that, if the civilian member*
 20 *successfully completes the assignment (as determined*
 21 *by the Secretary), the civilian member shall be eligi-*
 22 *ble for consideration for placement in a new position*
 23 *under programs of the Department of Defense pro-*
 24 *viding priority placement to certain employees.*

1 “(3) *With respect to an assignment of a member of*
2 *the acquisition workforce under this section, the Sec-*
3 *retary—*

4 “(A) *may, in the case of a civilian member of the*
5 *acquisition workforce, provide for the performance,*
6 *during the member’s absence, of the normal duties*
7 *and functions of that member by making a temporary*
8 *or term appointment under general civil service au-*
9 *thorities for such appointments;*

10 “(B) *shall ensure that the normal duties and*
11 *functions of the civilian member of the acquisition*
12 *workforce described in subparagraph (A) can be rea-*
13 *sonably performed by other personnel of the Depart-*
14 *ment of Defense without the permanent transfer or*
15 *permanent reassignment of other personnel of the De-*
16 *partment of Defense, including members of the armed*
17 *forces;*

18 “(C) *shall ensure that the normal duties and*
19 *functions of the acquisition workforce member are not,*
20 *as a result of and during the course of such tem-*
21 *porary assignment, performed or augmented by con-*
22 *tractor personnel in violation of the provisions of sec-*
23 *tion 2461 of this title; and*

24 “(D) *shall certify that the temporary assignment*
25 *of the acquisition workforce member will not have an*

1 *adverse or negative impact on mission attainment,*
 2 *warfighter support, or organizational capabilities as-*
 3 *sociated with the assignment.*

4 “(f) *TERMS AND CONDITIONS FOR PRIVATE-SECTOR*
 5 *EMPLOYEES.—An employee of a private-sector organization*
 6 *who is assigned to a Department of Defense organization*
 7 *under this section—*

8 “(1) *shall continue to receive pay and benefits*
 9 *from the private-sector organization from which such*
 10 *employee is assigned and shall not receive pay or ben-*
 11 *efits from the Department of Defense, except as pro-*
 12 *vided in paragraph (2);*

13 “(2) *is deemed to be an employee of the Depart-*
 14 *ment of Defense for the purposes of—*

15 “(A) *chapters 73 and 81 of title 5;*

16 “(B) *sections 201, 203, 205, 207, 208, 209,*
 17 *603, 606, 607, 643, 654, 1905, and 1913 of title*
 18 *18;*

19 “(C) *sections 1343, 1344, and 1349(b) of*
 20 *title 31;*

21 “(D) *the Federal Tort Claims Act and any*
 22 *other Federal tort liability statute;*

23 “(E) *the Ethics in Government Act of 1978;*
 24 *and*

25 “(F) *chapter 21 of title 41;*

1 “(3) shall not have access to any trade secrets or
2 to any other nonpublic information which is of com-
3 mercial value to the private-sector organization from
4 which such employee is assigned;

5 “(4) may perform work that is considered inher-
6 ently governmental in nature only when requested in
7 writing by the Secretary of Defense; and

8 “(5) may not be used to circumvent the provision
9 of section 2461 of this title nor to circumvent any
10 limitation or restriction on the size of the Depart-
11 ment’s workforce.

12 “(g) *PROHIBITION AGAINST CHARGING CERTAIN*
13 *COSTS TO THE FEDERAL GOVERNMENT.*—A private-sector
14 organization may not charge the Department or any other
15 agency of the Federal Government, as direct or indirect
16 costs under a Federal contract, the costs of pay or benefits
17 paid by the organization to an employee assigned to a De-
18 partment organization under this section for the period of
19 the assignment.

20 “(h) *CONSIDERATION OF TRAINING NEEDS FOR MEM-*
21 *BERS OF THE ACQUISITION WORKFORCE.*—In carrying out
22 this section, the Secretary of Defense shall take into consid-
23 eration how assignments under this section might best be
24 used to help meet the needs of the Department of Defense

1 *with respect to the training of members of the acquisition*
 2 *workforce.*

3 “(i) *FUNDING; USE OF DEFENSE ACQUISITION WORK-*
 4 *FORCE DEVELOPMENT FUND.*—*Funds for the expenses for*
 5 *the program established under this section shall be provided*
 6 *from amounts in the Department of Defense Acquisition*
 7 *Workforce Development Fund. Expenses for the program in-*
 8 *clude—*

9 “(1) *notwithstanding section 1705(e)(5) of this*
 10 *title, the base salary of a civilian member of the ac-*
 11 *quisition workforce assigned to a private-sector orga-*
 12 *nization under this section, during the period of that*
 13 *assignment;*

14 “(2) *expenses relating to assignment under this*
 15 *section of a member of the acquisition workforce away*
 16 *from the member’s regular duty station, including ex-*
 17 *penses for travel, per diem, and lodging; and*

18 “(3) *expenses for the administration of the pro-*
 19 *gram.”.*

20 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
 21 *tions at the beginning of such subchapter is amended*
 22 *by adding at the end the following new item:*

“1749. Public-private exchange program for the acquisition workforce.”.

23 (b) *USE OF DEFENSE ACQUISITION WORKFORCE DE-*
 24 *VELOPMENT FUND.*—*Section 1705(e)(1) of such title is*

1 *amended by adding at the end the following new subpara-*
 2 *graph:*

3 “(C) *Amounts in the Fund shall be used to*
 4 *pay the expenses of the Public-Private Exchange*
 5 *Program for the Acquisition Workforce under*
 6 *section 1749 of this title.*”.

7 (c) *ACQUISITION WORKFORCE EMPLOYEES EXCLUDED*
 8 *FROM PUBLIC-PRIVATE TALENT EXCHANGE.*—

9 (1) *IN GENERAL.*—*Section 1599g of such title is*
 10 *amended by adding at the end the following new sub-*
 11 *section:*

12 “(i) *ACQUISITION WORKFORCE EM-*
 13 *PLOYEES.*—*An employee of the Department*
 14 *of Defense who is eligible for the Public-Pri-*
 15 *ivate Exchange Program for the Acquisition*
 16 *Workforce under section 1749 of this title is*
 17 *not eligible for an assignment under this*
 18 *section.*”.

19 (2) *APPLICABILITY.*—*Subsection (i) of section*
 20 *1599g of title 10, United States Code, as added by*
 21 *paragraph (1), shall not apply to an employee of the*
 22 *Department of Defense who entered into an agreement*
 23 *under that section before the date of the enactment of*
 24 *this Act.*

1 **SEC. 843. INCENTIVES AND CONSIDERATION FOR QUALI-**
 2 **FIED TRAINING PROGRAMS.**

3 (a) *IN GENERAL.*—

4 (1) *Chapter 141 of title 10, United States Code,*
 5 *is amended by inserting after section 2409 the fol-*
 6 *lowing new section:*

7 **“§ 2409a. Incentives and consideration for qualified**
 8 **training programs**

9 “(a) *INCENTIVES.*—*The Secretary of Defense shall de-*
 10 *velop workforce development investment incentives for a*
 11 *contractor that implements a qualified training program*
 12 *to develop the workforce of the contractor in a manner con-*
 13 *sistent with the needs of the Department of Defense.*

14 “(b) *CONSIDERATION OF QUALIFIED TRAINING PRO-*
 15 *GRAMS.*—*The Secretary of Defense shall revise the Depart-*
 16 *ment of Defense Supplement to the Federal Acquisition Reg-*
 17 *ulation to require that the system used by the Federal Gov-*
 18 *ernment to monitor or record contractor past performance*
 19 *includes an analysis of the availability, quality, and effec-*
 20 *tiveness of a qualified training program of an offeror as*
 21 *part of the past performance rating of such offeror.*

22 “(c) *QUALIFIED TRAINING PROGRAM DEFINED.*—*The*
 23 *term ‘qualified training program’ means any of the fol-*
 24 *lowing:*

1 “(1) *A program eligible to receive funds under*
 2 *the Workforce Innovation and Opportunity Act (29*
 3 *U.S.C. 3101 et seq.).*

4 “(2) *A program eligible to receive funds under*
 5 *the Carl D. Perkins Career and Technical Education*
 6 *Act of 2006 (20 U.S.C. 2301 et seq.).*

7 “(3) *A program registered under the Act of Au-*
 8 *gust 16, 1937 (commonly known as the ‘National Ap-*
 9 *prenticeship Act’; Stat. 664, chapter 663; 29 U.S.C.*
 10 *50 et seq.).*

11 “(4) *Any other program determined to be a*
 12 *qualified training program for purposes of this sec-*
 13 *tion, and that meets the workforce needs of the De-*
 14 *partment of Defense, as determined by the Secretary*
 15 *of Defense.”.*

16 (2) *CLERICAL AMENDMENT.—The table of sec-*
 17 *tions at the beginning of such chapter is amended by*
 18 *inserting after the item relating to section 2409 the*
 19 *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 of*
 11 *Defense shall require each prospective contractor on a mili-*
 12 *tary construction project to certify to the Secretary that,*
 13 *if awarded a contract for the project, the prospective con-*
 14 *tractor will make a good faith effort to meet or exceed the*
 15 *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 ‘ap-*
 21 *prenticeship employment goal’ means the utilization*
 22 *of qualified apprentices as not less than 20 percent of*
 23 *the total workforce employed in an apprenticeable oc-*
 24 *cupation (as determined by the Secretary of Labor).*

25 “(2) *QUALIFIED APPRENTICE.*—*In paragraph*
 26 *(1), the term ‘qualified apprentice’ means an em-*

1 *ployee participating in an apprenticeship program*
 2 *that is registered with—*

3 *“(A) the Office of Apprenticeship of the Em-*
 4 *ployment Training Administration of the De-*
 5 *partment of Labor pursuant to the Act of August*
 6 *16, 1937 (popularly known as the ‘National Ap-*
 7 *prenticeship Act’; 29 U.S.C. 50 et seq.); or*

8 *“(B) a State apprenticeship agency recog-*
 9 *nized by such Office of Apprenticeship pursuant*
 10 *to such Act.*

11 *“(c) CONSIDERATION OF APPRENTICESHIP EMPLOY-*
 12 *MENT GOAL.—The Secretary of Defense shall revise the De-*
 13 *fense Supplement to the Federal Acquisition Regulation to*
 14 *require that the system used by the Federal Government to*
 15 *monitor or record contractor past performance includes an*
 16 *analysis of whether the contractor has made a good faith*
 17 *effort to meet or exceed the apprenticeship employment goal,*
 18 *including consideration of actual utilization by the con-*
 19 *tractor of qualified apprentices, as part of the past perform-*
 20 *ance rating of such contractor.*

21 *“(d) INCENTIVES.—The Secretary of Defense shall de-*
 22 *velop incentives for prospective contractors on military con-*
 23 *struction projects to meet or exceed the apprenticeship em-*
 24 *ployment goal.”.*

1 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
 2 *the beginning of subchapter III of chapter 169 of title 10,*
 3 *United States Code, is amended by adding at the end the*
 4 *following new item:*

“2870. *Utilization of qualified apprentices by military construction contractors.*”.

5 (c) *APPLICABILITY.*—*The amendments made by this*
 6 *section shall apply with respect to contracts awarded on*
 7 *or after the date that is 180 days after the date of the enact-*
 8 *ment of this Act.*

9 ***Subtitle D—Provisions Relating to***
 10 ***Acquisition Security***

11 ***SEC. 851. SUPPLY CHAIN SECURITY OF CERTAIN TELE-***
 12 ***COMMUNICATIONS AND VIDEO SURVEIL-***
 13 ***LANCE SERVICES OR EQUIPMENT.***

14 (a) *ASSESSMENT.*—*The Secretary of Defense, in con-*
 15 *sultation with the Federal Acquisition Security Council (es-*
 16 *tablished under section 1322 of title 41, United States Code)*
 17 *and the Director of the Office of Management and Budget,*
 18 *shall conduct a comprehensive assessment of—*

19 (1) *Department of Defense policies relating to*
 20 *covered equipment and services;*

21 (2) *covered equipment and services acquired or*
 22 *to be acquired for the Department; and*

23 (3) *systems of covered contractors to ensure the*
 24 *security of the supply chains of such covered con-*
 25 *tractor.*

1 (b) *PURPOSE.*—*The assessment described in subsection*
2 *(a) shall include—*

3 (1) *an identification of instances in which the*
4 *Federal Acquisition Security Council has identified*
5 *supply chain risks (as defined in section 4713(k) of*
6 *title 41, United States Code) that are specific to the*
7 *defense industrial base and other threat assessments*
8 *related to the procurement of covered articles (as de-*
9 *fin ed in such section);*

10 (2) *an identification of and suggestions for guid-*
11 *ance on the process of debarment and suspension (in-*
12 *cluding debarment and suspension for nonprocure-*
13 *ment programs and activities) of covered contractors*
14 *to address supply chain risks relating to acquisitions*
15 *for the Department of Defense, including acquisitions*
16 *involving other executive agencies; and*

17 (3) *an identification of steps that could be taken*
18 *to address situations identified under paragraphs (1)*
19 *and (2) through the Interagency Suspension and De-*
20 *barment Committee established under Executive*
21 *Order No. 12549 (51 Fed. Reg. 6370).*

22 (c) *ACTIONS FOLLOWING ASSESSMENT.*—*Not later*
23 *than 180 days after the date of the enactment of this Act,*
24 *the Secretary shall, based on the results of the assessment*
25 *required by subsection (a)—*

1 (1) *issue or revise guidance to ensure any entity*
2 *within the Department of Defense that procures cov-*
3 *ered equipment and services implements a risk-based*
4 *approach with respect to such a procurement that ad-*
5 *dresses—*

6 *(A) requirements for training personnel;*

7 *(B) the process for making sourcing deci-*
8 *sions;*

9 *(C) with respect to a procurement of tele-*
10 *communications equipment or video surveillance*
11 *equipment, assurances relating to the*
12 *traceability of parts of such equipment;*

13 *(D) the process for reporting suspect covered*
14 *equipment and services; and*

15 *(E) corrective actions for the acquisition of*
16 *suspect covered equipment and services (includ-*
17 *ing actions to recover costs as described in sub-*
18 *section (d)(2));*

19 (2) *issue or revise guidance to ensure that reme-*
20 *dial actions, including debarment or suspension, are*
21 *taken with respect to a covered contractor who has*
22 *failed to detect and avoid suspect covered equipment*
23 *and services or otherwise failed to exercise due dili-*
24 *gence in the detection and avoidance of such suspect*
25 *covered equipment and services;*

1 (3) *establish a process for ensuring that a De-*
2 *partment of Defense employee provide a written re-*
3 *port to the appropriate Government authorities and*
4 *the Government-Industry Data Exchange Program*
5 *(or a similar program designated by the Secretary)*
6 *not later than 60 days after such an employee be-*
7 *comes aware, or has reason to suspect that—*

8 (A) *any end item, component, part, or ma-*
9 *terial contained in supplies purchased by or for*
10 *the Department contains suspect covered equip-*
11 *ment and services; or*

12 (B) *a covered contractor has provided sus-*
13 *pect covered equipment and services; and*

14 (4) *establish a process for analyzing, assessing,*
15 *and acting on reports of suspect covered equipment*
16 *and services that are submitted in accordance with*
17 *paragraph (3).*

18 (d) *REGULATIONS.—*

19 (1) *IN GENERAL.—Not later than 270 days after*
20 *the date of the enactment of this Act, the Secretary*
21 *shall revise the Department of Defense Supplement to*
22 *the Federal Acquisition Regulation to address the de-*
23 *tection and avoidance of suspect covered equipment*
24 *and services.*

1 (2) *CONTRACTOR RESPONSIBILITIES.*—*The re-*
2 *vised regulations issued pursuant to paragraph (1)*
3 *shall provide that—*

4 (A) *covered contractors who supply covered*
5 *equipment or services are responsible for detect-*
6 *ing and avoiding the use or inclusion of suspect*
7 *covered equipment or services and for any con-*
8 *tract modification or corrective action that may*
9 *be required to remedy the use or inclusion of*
10 *such suspect covered equipment or services; and*

11 (B) *the cost of suspect covered equipment or*
12 *services and the cost of contract modification or*
13 *corrective action that may be required to remedy*
14 *the use or inclusion of such suspect covered*
15 *equipment or services are not allowable costs*
16 *under defense contracts, unless—*

17 (i) *the covered contractor has an oper-*
18 *ational system to detect and avoid suspect*
19 *covered equipment or services that has been*
20 *reviewed and approved by the Secretary*
21 *pursuant to subsection (e)(2)(B);*

22 (ii) *suspect covered equipment or serv-*
23 *ices were provided to the covered contractor*
24 *as Government property in accordance with*
25 *part 45 of the Federal Acquisition Regula-*

tion or were obtained by the covered contractor in accordance with regulations described in paragraph (3); and

(iii) the covered contractor discovers the suspect covered equipment or services and provides timely notice to the Government pursuant to paragraph (4).

(3) *REQUIREMENTS FOR SUPPLIERS.*—The revised regulations issued pursuant to paragraph (1) shall—

(A) require that covered contractors obtain covered equipment or services—

(i) from the original manufacturers of the equipment or their authorized dealers, or from suppliers that meet requirements of subparagraph (C) or (D) and, with respect to suppliers of telecommunications equipment or video surveillance equipment, that obtain such equipment exclusively from the original manufacturers of the parts of such equipment or their authorized dealers; and

(ii) that are not in production or currently available in stock from suppliers that meet requirements of subparagraph (C) or (D);

1 (B) establish requirements for notification
2 of the Department, and for inspection, testing,
3 and authentication of covered equipment and
4 services that covered contractor obtains from an
5 alternate supplier;

6 (C) establish qualification requirements,
7 consistent with the requirements of section 2319
8 of title 10, United States Code, pursuant to
9 which the Secretary may identify suppliers that
10 have appropriate policies and procedures in
11 place to detect and avoid suspect covered equip-
12 ment and services; and

13 (D) authorize covered contractors to identify
14 and use suppliers that meet qualification re-
15 quirements, provided that—

16 (i) the standards and processes for
17 identifying such suppliers comply with es-
18 tablished industry standards; and

19 (ii) the selection of such suppliers is
20 subject to review, audit, and approval by
21 appropriate Department of Defense officials.

22 (4) *REPORTING REQUIREMENT.*—The revised reg-
23 ulations issued pursuant to paragraph (1) shall re-
24 quire that any covered contractor provide a written
25 report to the appropriate Government authorities and

1 *the Government-Industry Data Exchange Program*
 2 *(or a similar program designated by the Secretary)*
 3 *not later than 60 days after such covered contractor*
 4 *becomes aware, or has reason to suspect that—*

5 *(A) any end item, component, part, or ma-*
 6 *terial contained in supplies purchased by or for*
 7 *the Department contains suspect covered equip-*
 8 *ment and services; or*

9 *(B) a supplier of a covered contractor has*
 10 *provided suspect covered equipment and services.*

11 *(e) IMPROVEMENT OF CONTRACTOR SYSTEMS FOR DE-*
 12 *TECTION AND AVOIDANCE OF SUSPECT COVERED EQUIP-*
 13 *MENT AND SERVICES.—*

14 *(1) IN GENERAL.—Not later than 270 days after*
 15 *the date of the enactment of this Act, the Secretary*
 16 *shall implement a program to enhance the detection*
 17 *and avoidance of the acquisition of suspect covered*
 18 *equipment and services by covered contractors.*

19 *(2) ELEMENTS.—The program implemented pur-*
 20 *suant to paragraph (1) shall—*

21 *(A) require covered contractors to establish*
 22 *policies and procedures to eliminate suspect cov-*
 23 *ered equipment and services from the defense*
 24 *supply chain, which policies and procedures*
 25 *shall address—*

1 (i) *the training of personnel; and*

2 (ii) *with respect to a procurement of*
3 *telecommunications equipment or video sur-*
4 *veillance equipment, the inspection and test-*
5 *ing of related materials and mechanisms to*
6 *enable traceability of parts of such equip-*
7 *ment; and*

8 (B) *establish processes for the review and*
9 *approval of contractor systems for the detection*
10 *and avoidance of the acquisition of suspect cov-*
11 *ered equipment and services by covered contrac-*
12 *tors, which processes shall be comparable to the*
13 *processes established for contractor business sys-*
14 *tems under section 893 of the Ike Skelton Na-*
15 *tional Defense Authorization Act for Fiscal Year*
16 *2011 (Public Law 111–383; 124 Stat. 4311; 10*
17 *U.S.C. 2302 note).*

18 (f) *RULE OF CONSTRUCTION.—Nothing in this section*
19 *shall be construed to prohibit the Secretary from entering*
20 *into a contract with a covered contractor to provide a serv-*
21 *ice that connects to the facilities of a third party, such as*
22 *backhaul, roaming, or interconnection arrangements.*

23 (g) *REPORT TO CONGRESS.—Not later than 180 days*
24 *after completing the assessment required under subsection*
25 (i), *the Secretary shall submit to the congressional defense*

1 committees a report on the results of the assessment and
2 the actions taken following the assessment pursuant to sub-
3 section (c).

4 (h) *DEFINITIONS.*—*In this section:*

5 (1) *COVERED EQUIPMENT AND SERVICES.*—*The*
6 *term “covered equipment and services” means tele-*
7 *communications equipment, telecommunications serv-*
8 *ices, video surveillance equipment, and video surveil-*
9 *lance services manufactured or controlled by an entity*
10 *for which the principal place of business of such enti-*
11 *ty is located in foreign country that is an adversary*
12 *of the United States, but does not include tele-*
13 *communications equipment or video surveillance*
14 *equipment (other than optical transmission compo-*
15 *nents) that cannot route or redirect user data traffic*
16 *or permit visibility into any user data or packets*
17 *that such equipment transmits or otherwise handles.*

18 (2) *COVERED CONTRACTOR.*—*The term “covered*
19 *contractor” means a contractor or subcontractor (at*
20 *any tier) that supplies covered equipment and serv-*
21 *ices to the Department of Defense.*

22 (3) *EXECUTIVE AGENCY.*—*The term “executive*
23 *agency” has the meaning given in section 133 of title*
24 *41, United States Code.*

1 (4) *SECRETARY.*—*The term “Secretary” means*
 2 *the Secretary of Defense.*

3 (5) *SUSPECT COVERED EQUIPMENT AND SERV-*
 4 *ICES.*—*The term “suspect covered equipment and*
 5 *services” means covered equipment and services that*
 6 *is from any source, or that is a covered article, subject*
 7 *to an exclusion order or removal order under section*
 8 *1323(c) of title 41, United States Code.*

9 **SEC. 852. ASSURED SECURITY AGAINST INTRUSION ON**
 10 **UNITED STATES MILITARY NETWORKS.**

11 (a) *PROHIBITION.*—*Except as provided in this section,*
 12 *the Secretary of Defense shall only award contracts for the*
 13 *procurement of telecommunications equipment and services*
 14 *for national security installations in territories of the*
 15 *United States located in the Pacific Ocean to allowed con-*
 16 *tractors.*

17 (b) *EXCEPTION.*—*Subsection (a) shall not apply to*
 18 *contracts for the procurement of telecommunications equip-*
 19 *ment and services that—*

20 (1) *do not process or carry any information*
 21 *about the operations of the Armed Forces of the*
 22 *United States or otherwise concern the national secu-*
 23 *rity of the United States; or*

24 (2) *cannot route or redirect user data traffic or*
 25 *permit visibility into any user data or packets that*

1 *such services or facilities transmit or otherwise han-*
 2 *dle.*

3 (c) *WAIVER.—The Secretary of Defense may waive the*
 4 *restriction of subsection (a) upon a written determination*
 5 *that such a waiver is in the national security interests of*
 6 *the United States and either—*

7 (1) *a contractor that is not an allowed con-*
 8 *tractor would not have the ability to track, record, lis-*
 9 *ten, or otherwise access data or voice communications*
 10 *of the Department of Defense through the provision of*
 11 *the telecommunications equipment or services; or*

12 (2) *a qualified allowed contractor is not avail-*
 13 *able to perform the contract at a fair and reasonable*
 14 *price.*

15 (d) *DEFINITIONS.—In this section:*

16 (1) *ALLOWED CONTRACTOR.—The term “allowed*
 17 *contractor” means an entity (including any affiliates*
 18 *or subsidiaries) that is a contractor or subcontractor*
 19 *(at any tier)—*

20 (A) *for which the principal place of business*
 21 *of such entity is located in the United States or*
 22 *in a foreign country that is not an adversary of*
 23 *the United States; and*

24 (B) *that does not have significant connec-*
 25 *tions, including ownership interests in, or joint*

1 ventures with, any entity identified in para-
 2 graph (f)(3) of section 889 of the John S.
 3 McCain National Defense Authorization Act for
 4 Fiscal Year 2019 (Public Law 115–232; 132
 5 Stat. 1918; 41 U.S.C. 3901 note).

6 (2) NATIONAL SECURITY INSTALLATION.—The
 7 term “national security installation” means any fa-
 8 cility operated by the Department of Defense.

9 **SEC. 853. REVISED AUTHORITIES TO DEFEAT ADVERSARY**
 10 **EFFORTS TO COMPROMISE UNITED STATES**
 11 **DEFENSE CAPABILITIES.**

12 (a) SENSE OF CONGRESS.—Congress finds that to
 13 comprehensively address the supply chain vulnerabilities of
 14 the Department of Defense, defense contractors must be
 15 incentivized to prioritize security in a manner which ex-
 16 ceeds basic compliance with mitigation practices relating
 17 to cybersecurity risk and supply chain security standards.
 18 Defense contractors can no longer pass unknown risks on
 19 to the Department of Defense but should be provided with
 20 the tools to meet the needs of the Department with respect
 21 to cybersecurity risk and supply chain security. Incentives
 22 for defense contractors will help stimulate efforts within the
 23 defense industrial base to minimize vulnerabilities in hard-
 24 ware, software, and supply chain services. The Department
 25 of Defense must develop policies and regulations that move

1 security from a cost that defense contractors seek to mini-
 2 mize to a key consideration in the award of contracts, equal
 3 in importance to cost, schedule, and performance. The De-
 4 partment of Defense must also develop policies to assist
 5 small- and medium-sized manufacturers that provide goods
 6 or services in the supply chain for the Department to adopt
 7 robust cybersecurity standards.

8 (b) *INCLUSION OF SECURITY AS PRIMARY PURPOSE*
 9 *FOR THE DEPARTMENT OF DEFENSE ACQUISITION.*—

10 (1) *IN GENERAL.*—Not later than 180 days after
 11 the date of the enactment of this Act, the Secretary of
 12 Defense shall the revise the statement of purpose in
 13 the Defense Federal Acquisition Regulation Supple-
 14 ment added by section 801(3) of the National Defense
 15 Authorization Act for Fiscal Year 2018 (Public Law
 16 115–91; 131 Stat. 1449; U.S.C. 2302 note) to include
 17 the security of goods acquired by the Department of
 18 Defense as one of the primary objectives of Depart-
 19 ment of Defense acquisition. The Secretary shall re-
 20 vise applicable Department of Defense Instructions,
 21 regulations, and directives to implement the inclusion
 22 of security as a primary purpose of Department of
 23 Defense acquisition.

1 (2) *CONGRESSIONAL NOTIFICATION.*—*The Sec-*
 2 *retary shall submit to the congressional defense com-*
 3 *mittees—*

4 (A) *not later than 60 days before issuing*
 5 *the revisions described in paragraph (1), the pro-*
 6 *posed revisions; and*

7 (B) *not later than 180 days after the date*
 8 *of the enactment of this Act, recommendations*
 9 *for legislative action to implement the revisions*
 10 *described in this subsection.*

11 (3) *CONSULTATION.*—*The Secretary of Defense*
 12 *shall consult with the Director of the Hollings Manu-*
 13 *facturing Extension Partnership (established under*
 14 *section 25 of the National Institute of Standards and*
 15 *Technology Act (15 U.S.C. 278k)) to provide edu-*
 16 *cation, guidance, and technical assistance to strength-*
 17 *en the cybersecurity of small- and medium-sized man-*
 18 *ufacturers that provide goods or services in the supply*
 19 *chain for the Department of Defense.*

20 (c) *CERTIFICATION OF RISK.*—

21 (1) *IN GENERAL.*—*Before making a milestone de-*
 22 *cision with respect to a major defense acquisition pro-*
 23 *gram (as defined under section 2430 of title 10,*
 24 *United States Code), a major automated information*
 25 *system, or major system (as defined under section*

1 2302d of title 10, United States Code), the vice chief
2 of the Armed Force concerned shall issue a written as-
3 sessment to the Vice Chief of the Joint Chiefs of Staff
4 and the head of the Defense Acquisition Board stating
5 the determination made by the vice chief of the armed
6 force concerned of the risk to the supply chain associ-
7 ated with the procurement. Such assessment shall in-
8 clude—

9 (A) a description of actions taken to miti-
10 gate potential vulnerabilities associated with the
11 procurement; and

12 (B) a certification from the Secretary of the
13 military department concerned or the Vice Chief
14 of the Joint Chief of Staff (as appropriate) that
15 the procurement will not interfere with the oper-
16 ations of the military department conducting the
17 procurement.

18 (2) AVAILABILITY TO THE CONGRESSIONAL DE-
19 FENSE COMMITTEES.—Upon request, the vice chief of
20 the Armed Force concerned shall make available to the
21 congressional defense committees a certification re-
22 quired under paragraph (1), along with the data on
23 which such certification is based, not later than 15
24 days after the submission of a request.

1 (d) *DISPUTES RELATING TO ACQUISITIONS DECI-*
 2 *SIONS.—The Under Secretary of Defense for Intelligence,*
 3 *the Vice Chairman of the Joint Chiefs of Staff, the Vice*
 4 *Chief of Staff of the Army, the Vice Chief of Naval Oper-*
 5 *ations, the Vice Chief of Staff of the Air Force, and the As-*
 6 *sistant Commandant of the Marine Corps shall each have*
 7 *the authority to submit to the Secretary of Defense a written*
 8 *statement of dispute relating to a decision made by the De-*
 9 *fense Acquisition Board with respect to an acquisition. A*
 10 *dispute submitted under this subsection shall include any*
 11 *reason why the decision fails to effectively address concerns*
 12 *regarding the item to be acquired.*

13 **SEC. 854. PROHIBITION ON OPERATION OR PROCUREMENT**
 14 **OF FOREIGN-MADE UNMANNED AIRCRAFT**
 15 **SYSTEMS.**

16 (a) *PROHIBITION ON AGENCY OPERATION OR PRO-*
 17 *CUREMENT.—The Secretary of Defense may not operate or*
 18 *enter into or renew a contract for the procurement of—*

19 (1) *a covered unmanned aircraft system that—*

20 (A) *is manufactured in a covered foreign*
 21 *country or by an entity domiciled in a covered*
 22 *foreign country;*

23 (B) *uses flight controllers, radios, data*
 24 *transmission devices, cameras, or gimbals manu-*

1 *factured in a covered foreign country or by an*
 2 *entity domiciled in a covered foreign country;*

3 *(C) uses a ground control system or oper-*
 4 *ating software developed in a covered foreign*
 5 *country or by an entity domiciled in a covered*
 6 *foreign country; or*

7 *(D) uses network connectivity or data stor-*
 8 *age located in or administered by an entity dom-*
 9 *iciled in a covered foreign country; or*

10 *(2) a system manufactured in a covered foreign*
 11 *country or by an entity domiciled in a covered for-*
 12 *eign country for the detection or identification of cov-*
 13 *ered unmanned aircraft systems.*

14 *(b) WAIVER.—The Secretary of Defense may waive the*
 15 *restriction under subsection (a) on a case by case basis by*
 16 *certifying in writing to the congressional defense commit-*
 17 *tees that—*

18 *(1) the operation or procurement is required in*
 19 *the national interest of the United States;*

20 *(2) counter-UAS surrogate testing and training;*
 21 *or*

22 *(3) intelligence, electronic warfare, and informa-*
 23 *tion warfare operations, testing, analysis, and train-*
 24 *ing.*

25 *(c) DEFINITIONS.—In this section:*

1 (1) *COVERED FOREIGN COUNTRY.*—*The term*
 2 *“covered foreign country” means a country labeled as*
 3 *a strategic competitor in the “Summary of the 2018*
 4 *National Defense Strategy of the United States of*
 5 *America: Sharpening the American Military’s Com-*
 6 *petitive Edge” issued by the Department of Defense*
 7 *pursuant to section 113 of title 10, United States*
 8 *Code.*

9 (2) *COVERED UNMANNED AIRCRAFT SYSTEM.*—
 10 *The term “covered unmanned aircraft system” means*
 11 *an unmanned aircraft system and any related serv-*
 12 *ices and equipment.*

13 **SEC. 855. SUPPLY CHAIN RISK MITIGATION POLICIES TO BE**
 14 **IMPLEMENTED THROUGH REQUIREMENTS**
 15 **GENERATION PROCESS.**

16 (a) *PROCESS FOR ENHANCED SUPPLY CHAIN SCRU-*
 17 *TINY.*—*Section 807(b) of the National Defense Authoriza-*
 18 *tion Act for Fiscal Year 2018 (Public Law 115–91; 131*
 19 *Stat. 1456; 10 U.S.C. 2302 note) is amended—*

20 (1) *by redesignating paragraphs (5) through (9)*
 21 *as paragraphs (6) through (10), respectively; and*

22 (2) *by inserting after paragraph (4) the fol-*
 23 *lowing new paragraph:*

1 “(5) *Development of tools for implementing sup-*
 2 *ply chain risk management policies during the gen-*
 3 *eration of requirements for a contract.*”.

4 (b) *TECHNICAL AMENDMENT.*—Subsection (a) of such
 5 section is amended by striking “Not later than” and all
 6 that follows through “the Secretary” and inserting “The
 7 Secretary”.

8 (c) *EFFECTIVE DATE.*—Not later than 90 days after
 9 the date of the enactment of this Act, the Secretary of De-
 10 fense shall revise the process established under section 807
 11 of the National Defense Authorization Act for Fiscal Year
 12 2018 (Public Law 115–91; 10 U.S.C. 2302 note) to carry
 13 out the requirements of this section.

14 ***Subtitle E—Provisions Relating to***
 15 ***the Acquisition System***

16 ***SEC. 861. MODIFICATIONS TO THE DEFENSE ACQUISITION***
 17 ***SYSTEM.***

18 (a) *GUIDANCE, REPORTS, AND LIMITATION ON THE*
 19 *AVAILABILITY OF FUNDS RELATING TO COVERED DEFENSE*
 20 *BUSINESS SYSTEMS.*—

21 (1) *AMENDMENTS TO GUIDANCE FOR COVERED*
 22 *DEFENSE BUSINESS SYSTEMS.*—Section 2222(d) of
 23 title 10, United States Code, is amended—

1 (A) in the matter preceding paragraph (1),
 2 by striking “subsection (c)(1)” and inserting
 3 “subsection (c)”; and

4 (B) by adding at the end the following new
 5 paragraphs:

6 “(7) Policy to ensure a covered defense business
 7 system is in compliance with the Department’s
 8 auditability requirements.

9 “(8) Policy to ensure approvals required for the
 10 development of a covered defense business system.”.

11 (2) *REPORTS.*—

12 (A) *GUIDANCE.*—The Secretary of Defense
 13 shall submit to the congressional defense commit-
 14 tees (as defined in section 101(a)(16) of title 10,
 15 United States Code) a report—

16 (i) not later than December 31, 2019,
 17 that includes the guidance required under
 18 paragraph (1) of section 2222(c) of title 10,
 19 United States Code; and

20 (ii) not later than March 31, 2020,
 21 that includes the guidance required under
 22 paragraph (2) of such section.

23 (B) *INFORMATION TECHNOLOGY ENTER-*
 24 *PRISE ARCHITECTURE.*—Not later than Decem-
 25 ber 31, 2019, the Chief Information Officer of the

1 *Department of Defense shall submit to the con-*
2 *gressional defense committees the information*
3 *technology enterprise architecture developed*
4 *under section 2222(e)(4)(B) of title 10, United*
5 *States Code, which shall include the plan for im-*
6 *proving the information technology and com-*
7 *puting infrastructure described in such section*
8 *and a schedule for implementing the plan.*

9 *(C) DEFENSE BUSINESS ENTERPRISE AR-*
10 *CHITECTURE.—Not later than March 31, 2020,*
11 *the Chief Management Officer of the Department*
12 *of Defense and the Chief Information Officer of*
13 *the Department of Defense shall jointly submit to*
14 *the congressional defense committees a plan and*
15 *schedule for integrating the defense business en-*
16 *terprise architecture developed under subsection*
17 *(e) of section 2222 of title 10, United States*
18 *Code, into the information technology enterprise*
19 *architecture, as required under paragraph (4)(A)*
20 *of such subsection.*

21 *(3) LIMITATION.—*

22 *(A) Of the funds authorized to be appro-*
23 *priated by this Act or otherwise made available*
24 *for fiscal year 2020 for the Department of De-*
25 *fense, not more than 75 percent may be obligated*

1 *or expended for the Office of the Secretary of De-*
2 *fense after December 31, 2019, until the date on*
3 *which the Secretary of Defense submits the report*
4 *required under subsection (b)(1)(A).*

5 *(B) Of the funds authorized to be appro-*
6 *priated by this Act or otherwise made available*
7 *for fiscal year 2020 for the Department of De-*
8 *fense, not more than 75 percent may be obligated*
9 *or expended for the Office of the Deputy Chief*
10 *Management Officer, the Office of the Under Sec-*
11 *retary of Defense for Acquisition and*
12 *Sustainment, the Office of the Chief Information*
13 *Officer, and the Office of the Chief Management*
14 *Officer after March 31, 2020, until the date on*
15 *which the Secretary of Defense submits the report*
16 *required under subsection (b)(1)(B).*

17 *(C) 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 obligated*
21 *or expended for the Office of the Chief Informa-*
22 *tion Officer after December 31, 2019, until the*
23 *date on which the Secretary of Defense submits*
24 *the report required under subsection (b)(2).*

(D) *Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2020 for the Department of Defense, not more than 75 percent may be obligated or expended for the Office of the Chief Management Officer and the Office of the Chief Information Officer after March 31, 2020, until the date on which the Secretary of Defense submits the report required under subsection (b)(3).*

(b) *PILOT PROGRAM ON DATA RIGHTS AS AN EVALUATION FACTOR.—*

(1) *PILOT PROGRAM.—Not later than February 1, 2020, the Secretary of Defense and the Secretaries of the military departments shall jointly carry out a pilot program to assess mechanisms to evaluate intellectual property to include technical data deliverables, associated license rights, and commercially available intellectual property valuation analysis and techniques in major defense acquisition programs (as defined in section 2430 of title 10, United States Code) selected pursuant to subsection (b) to ensure—*

(A) *the development of cost-effective intellectual property strategies; and*

(B) *assessment and management of the value and costs of intellectual property during*

1 *acquisition and sustainment activities through-*
2 *out the life cycle of a weapon system for each se-*
3 *lected major defense acquisition program.*

4 (2) *SELECTION OF MAJOR DEFENSE ACQUISITION*
5 *PROGRAMS.—Each Secretary of a military depart-*
6 *ment shall select one major defense acquisition pro-*
7 *gram for which such Secretary has responsibility to*
8 *include in the pilot program established under sub-*
9 *section (a).*

10 (3) *CADRE OF INTELLECTUAL PROPERTY EX-*
11 *PERTS.—At Milestone A and Milestone B for each*
12 *major defense acquisition program selected pursuant*
13 *to subsection (b), the cadre of intellectual property ex-*
14 *perts established under section 2322(b) of title 10,*
15 *United States Code, shall identify, to the maximum*
16 *extent practicable, intellectual property evaluation*
17 *techniques to obtain quantitative and qualitative*
18 *analysis related to the value of intellectual property*
19 *rights during the procurement, production, deploy-*
20 *ment, operations, and support phases of the acquisi-*
21 *tion of each such major defense acquisition program.*

22 (4) *ACTIVITIES.—The pilot program established*
23 *under this section shall include the following:*

1 (A) *Assessment of commercial valuation*
2 *techniques for intellectual property rights for use*
3 *by the Department of Defense.*

4 (B) *Assessment of feasibility of oversight by*
5 *the Secretary of Defense to standardize practices*
6 *and procedures.*

7 (C) *Assessment of contracting mechanisms*
8 *to increase the speed of delivery of intellectual*
9 *property to the Armed Forces or to reduce*
10 *sustainment costs.*

11 (D) *Assessment of acquisition planning nec-*
12 *essary to ensure procurement of intellectual*
13 *property deliverables and intellectual property*
14 *rights necessary for Government-planned*
15 *sustainment activities.*

16 (E) *Engagement with private-sector entities*
17 *to—*

18 (i) *support the development of strate-*
19 *gies and program requirements to aid in*
20 *acquisition and transition planning for in-*
21 *tellectual property;*

22 (ii) *support the development and im-*
23 *provement of intellectual property strategies*
24 *as part of life-cycle sustainment plans and*
25 *valuation techniques for the costs of intellec-*

1 *tual property rights as part of life-cycle*
2 *costs; and*

3 *(iii) propose and implement alter-*
4 *native and innovative methods of intellec-*
5 *tual property valuation, prioritization, and*
6 *evaluation techniques for intellectual prop-*
7 *erty.*

8 *(F) Recommendations to the program man-*
9 *ager for a major defense acquisition program se-*
10 *lected pursuant to subsection (b) such evaluation*
11 *techniques and contracting mechanisms for im-*
12 *plementation into the acquisition and*
13 *sustainment activities of that major defense ac-*
14 *quisition program.*

15 *(5) ASSESSMENT.—Not later than February 1,*
16 *2021, and annually thereafter until the termination*
17 *date of the pilot program, the Secretary of Defense*
18 *shall submit to the congressional defense committees a*
19 *report on the pilot program established under sub-*
20 *section (a). The report shall include—*

21 *(A) a description of the major defense ac-*
22 *quisition programs selected pursuant to sub-*
23 *section (b);*

24 *(B) a description of the specific activities in*
25 *subsection (d) that were performed with respect*

1 to each major defense acquisition program se-
 2 lected pursuant to subsection (b);

3 (C) an assessment of the effectiveness of such
 4 activities;

5 (D) an assessment of improvements to ac-
 6 quisition or sustainment activities related to the
 7 pilot program; and

8 (E) an assessment of cost savings from the
 9 activities related to the pilot program, including
 10 any improvement to mission success during the
 11 operations and support phase of a major defense
 12 acquisition program selected pursuant to sub-
 13 section (b).

14 (6) *TERMINATION.*—The authority to carry out
 15 the pilot program under this section shall expire on
 16 September 30, 2026.

17 (c) *REPORT AND LIMITATION ON AVAILABILITY OF*
 18 *FUNDS RELATING TO MODULAR OPEN SYSTEM APPROACH*
 19 *FOR MAJOR DEFENSE ACQUISITION PROGRAMS.*—

20 (1) *STUDY GUIDANCE FOR ANALYSES OF ALTER-*
 21 *NATIVES FOR MAJOR DEFENSE ACQUISITION PRO-*
 22 *GRAMS.*—

23 (A) *REPORT.*—Not later than December 31,
 24 2019, the Secretary of Defense, acting through
 25 the Director of Cost Assessment and Performance

1 *Evaluation, shall submit to the congressional de-*
2 *fense committees a report that includes the study*
3 *guidance required under section 2446b(b) of title*
4 *10, United States Code.*

5 *(B) LIMITATION.—Of the funds authorized*
6 *to be appropriated by this Act or otherwise made*
7 *available for fiscal year 2020 for the Department*
8 *of Defense, not more than 75 percent may be ob-*
9 *ligated or expended for the Office of the Director*
10 *of Cost Assessment and Performance Evaluation*
11 *after December 31, 2019, until the date on which*
12 *the Secretary of Defense submits the report re-*
13 *quired under paragraph (1).*

14 *(2) POLICY RELATING TO AVAILABILITY OF*
15 *MAJOR SYSTEM INTERFACES AND SUPPORT FOR MOD-*
16 *ULAR OPEN SYSTEM APPROACH.—*

17 *(A) IN GENERAL.—Section 2446c of title 10,*
18 *United States Code, is amended—*

19 *(i) in the matter preceding paragraph*
20 *(1), by striking “shall—” and inserting*
21 *“develop policy on the support for the ac-*
22 *quisition for modular open system ap-*
23 *proaches. This policy shall—”; and*

1 (ii) in subsection (a)(1), as so des-
2 ignated, by striking “coordinate” and in-
3 serting “ensure coordination”.

4 (B) *REPORT*.—Not later than December 31,
5 2019, the Secretary of each military department
6 shall submit to the congressional defense commit-
7 tees a report that includes the policy required
8 under section 2446c of title 10, United States
9 Code, as amended by paragraph (1).

10 (C) *LIMITATION*.—Beginning on January 1,
11 2020, if any report required under paragraph
12 (2) has not been submitted to the congressional
13 defense committees, not more than 75 percent of
14 the funds specified in paragraph (4) may be ob-
15 ligated or expended until the date on which all
16 of the reports required under paragraph (2) have
17 been submitted.

18 (D) *FUNDS SPECIFIED*.—The funds speci-
19 fied in this paragraph are funds made available
20 for fiscal year 2020 for the Department of De-
21 fense for any of the Offices of the Secretaries of
22 the military departments that remain unobli-
23 gated as of January 1, 2020.

1 (d) *REPORT ON INTELLECTUAL PROPERTY POLICY*
 2 *AND THE CADRE OF INTELLECTUAL PROPERTY EX-*
 3 *PERTS.*—

4 (1) *IN GENERAL.*—Section 802 of the *National*
 5 *Defense Authorization Act for Fiscal Year 2018 (Pub-*
 6 *lic Law 115–91; 131 Stat. 1450)* is amended by add-
 7 *ing at the end the following new subsection:*

8 “(c) *REPORT.*—Not later than October 1, 2019, the
 9 *Secretary of Defense, acting through the Under Secretary*
 10 *of Defense for Acquisition and Sustainment, shall submit*
 11 *to the congressional defense committees a report that in-*
 12 *cludes—*

13 “(1) *the policy required in subsection (a) of sec-*
 14 *tion 2322 of title 10, United States Code;*

15 “(2) *an identification of each member of the*
 16 *cadre of intellectual property experts required in sub-*
 17 *section (b) of such section and the office to which such*
 18 *member; and*

19 “(3) *a description of the leadership structure and*
 20 *the office that will manage the cadre of intellectual*
 21 *property experts.”.*

22 (2) *LIMITATION.*—Of the funds authorized to be
 23 *appropriated by this Act or otherwise made available*
 24 *for fiscal year 2020 for the Department of Defense,*
 25 *not more than 75 percent may be obligated or ex-*

1 *pended for the Defense Acquisition Workforce Develop-*
 2 *ment Fund until the date on which the Secretary of*
 3 *Defense submits the report required under subsection*
 4 *(c) of section 802 of the National Defense Authoriza-*
 5 *tion Act for Fiscal Year 2018 (Public Law 115–91;*
 6 *131 Stat. 1450), as added by this section.*

7 *(e) LIMITATION ON AVAILABILITY OF FUNDS FOR THE*
 8 *OFFICE OF THE CHIEF MANAGEMENT OFFICER OF THE DE-*
 9 *PARTMENT OF DEFENSE.—Of the funds authorized to be ap-*
 10 *propriated or otherwise made available for fiscal year 2020*
 11 *for the Department of Defense, not more than 75 percent*
 12 *may be obligated or expended for the Office of the Chief*
 13 *Management Officer until the date on which the Chief Man-*
 14 *agement Officer submits to the congressional defense com-*
 15 *mittees—*

16 *(1) the certification of cost savings described in*
 17 *subparagraph (A) of section 921(b)(5) of the National*
 18 *Defense Authorization Act for Fiscal Year 2019 (Pub-*
 19 *lic Law 115–232; 10 U.S.C. 2222 note); or*

20 *(2) the notice and justification described in sub-*
 21 *paragraph (B) of such section.*

22 *(f) REPORT AND LIMITATION ON THE AVAILABILITY OF*
 23 *FUNDS RELATING TO THE “MIDDLE TIER” OF ACQUI-*
 24 *SITION PROGRAMS.—*

1 (1) *REPORT.*—Not later than December 15, 2019,
2 the Under Secretary of Defense for Acquisition and
3 Sustainment shall submit to the congressional defense
4 committees a report that includes the guidance re-
5 quired under section 804(a) of the National Defense
6 Authorization Act for Fiscal Year 2016 (Public Law
7 114–92; 10 U.S.C. 2302 note). The Under Secretary
8 of Defense for Acquisition and Sustainment will en-
9 sure such guidance includes the business case elements
10 required by an acquisition program established pur-
11 suant to such guidance and the metrics required to
12 assess the performance of such a program.

13 (2) *LIMITATION.*—Of the funds authorized to be
14 appropriated by this Act or otherwise made available
15 for fiscal year 2020 for the Department of Defense,
16 not more than 75 percent may be obligated or ex-
17 pended for an acquisition program established pursu-
18 ant to the guidance required under section 804(a) of
19 the National Defense Authorization Act for Fiscal
20 Year 2016 (Public Law 114–92; 10 U.S.C. 2302 note)
21 after December 15, 2019, and no such acquisition pro-
22 gram may be conducted under the authority provided
23 by such section after December 15, 2019, until the
24 Under Secretary of Defense for Acquisition and

1 *Sustainment submits the report required under sub-*
 2 *section (a).*

3 (g) *DEFENSE ACQUISITION WORKFORCE CERTIFI-*
 4 *CATION AND EDUCATION REQUIREMENTS.—*

5 (1) *PROFESSIONAL CERTIFICATION REQUIRE-*
 6 *MENT.—*

7 (A) *PROFESSIONAL CERTIFICATION RE-*
 8 *QUIRED FOR ALL ACQUISITION WORKFORCE PER-*
 9 *SONNEL.—Section 1701a of title 10, United*
 10 *States Code, is amended—*

11 (i) *by redesignating subsections (c) and*
 12 (i) *as subsections (d) and (e), respectively;*
 13 *and*

14 (ii) *by inserting after subsection (b)*
 15 *the following new subsection (c):*

16 “(c) *PROFESSIONAL CERTIFICATION.—*

17 “(1) *The Secretary of Defense shall implement a*
 18 *certification program to provide for a professional*
 19 *certification requirement for all members of the acqui-*
 20 *sition workforce. Except as provided in paragraph*
 21 *(2), the certification requirement for any acquisition*
 22 *workforce career field shall be based on standards*
 23 *under a third-party accredited program based on na-*
 24 *tionally or internationally recognized standards.*

1 “(2) *If the Secretary determines that, for a par-*
 2 *ticular acquisition workforce career field, a third-*
 3 *party accredited program based on nationally or*
 4 *internationally recognized standards does not exist,*
 5 *the Secretary shall establish the certification require-*
 6 *ment for that career field that conforms with the*
 7 *practices of national or international accrediting bod-*
 8 *ies. The certification requirement for any such career*
 9 *field shall be implemented using the best approach de-*
 10 *termined by the Secretary for meeting the certifi-*
 11 *cation requirement for that career field, including im-*
 12 *plementation through entities outside the Department*
 13 *of Defense and may be designed and implemented*
 14 *without regard to section 1746 of this title.”.*

15 (B) *PERFORMANCE MANAGEMENT.*—Sub-
 16 *section (b) of such section is amended—*

17 (i) *in paragraph (5), by striking “en-*
 18 *courage” and inserting “direct”; and*

19 (ii) *in paragraph (6), by inserting*
 20 *“and consequences” after “warnings”.*

21 (C) *PARTICIPATION IN PROFESSIONAL ASSO-*
 22 *CIATIONS.*—Subsection (b) of such section is fur-
 23 *ther amended—*

1 (i) by redesignating paragraphs (6),
 2 (7), (8), and (9) as paragraphs (7), (8), (9),
 3 and (10), respectively; and

4 (ii) by inserting after paragraph (5)
 5 the following new paragraph (6):

6 “(6) authorize members of the acquisition work-
 7 force to participate in professional associations, con-
 8 sistent with their individual performance plans,
 9 linked to both professional development and opportu-
 10 nities to gain leadership and management skills;”.

11 (D) GENERAL EDUCATION, TRAINING, AND
 12 EXPERIENCE REQUIREMENTS.—Section 1723 of
 13 such title is amended—

14 (i) in subsection (a)(3), by striking the
 15 second sentence; and

16 (ii) in subsection (b)(1), by striking
 17 “encourage” and inserting “require”.

18 (E) EFFECTIVE DATE.—The Secretary of
 19 Defense shall implement procedures to institute
 20 the program required by subsection (c) of section
 21 1701a of title 10, United States Code, as added
 22 by paragraph (1), not later than 180 days after
 23 the date of the enactment of this Act.

24 (2) ELIMINATION OF STATUTORY REQUIREMENT
 25 FOR COMPLETION OF 24 SEMESTER CREDIT HOURS.—

1 (A) *QUALIFICATION REQUIREMENTS FOR*
2 *CONTRACTING POSITIONS.—Section 1724 of title*
3 *10, United States Code, is amended—*

4 (i) *in subsection (a)(3)—*

5 (I) *by striking “(A)” after “(3)”;*

6 *and*

7 (II) *by striking “, and (B)” and*

8 *all that follows through “and manage-*
9 *ment”;* *and*

10 (ii) *in subsection (b), by striking “re-*
11 *quirements” in the first sentences of para-*
12 *graphs (1) and (2) and inserting “require-*
13 *ment”;*

14 (iii) *in subsection (e)(2)—*

15 (I) *by striking “shall have—” and*

16 *all that follows through “been award-*
17 *ed” and inserting “shall have been*
18 *awarded”;*

19 (II) *by striking “; or” and insert-*

20 *ing a period; and*

21 (III) *by striking subparagraph*

22 *(B); and*

23 (iv) *in subsection (f), by striking “, in-*
24 *cluding—” and all that follows and insert-*
25 *ing a period.*

(B) *SELECTION CRITERIA AND PROCEDURES.*—Section 1732 of such title is amended—

(i) in subsection (b)(1)—

(I) by striking “Such requirements,” and all the follows through “the person—” and inserting “Such requirements shall include a requirement that the person—”;

(II) by striking subparagraph (B); and

(III) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively, and realigning those subparagraphs so as to be 4 ems from the margin; and

(ii) in subsection (c), by striking “requirements of subsections (b)(1)(A) and (b)(1)(B)” in paragraphs (1) and (2) and inserting “requirement of subsection (b)(1)”.

(3) *DEFENSE ACQUISITION UNIVERSITY.*—Section 1746 of title 10, United States Code, is amended—

(A) in subsection (b)(1), by adding at the end the following new sentence: “At least 25 per-

1 *cent of such civilian instructors shall be visiting*
 2 *professors from civilian colleges or universities.”;*
 3 *and*

4 *(B) in subsection (c), by inserting “, and*
 5 *with commercial training providers,” after*
 6 *“military departments”.*

7 *(h) ENHANCING DEFENSE ACQUISITION WORKFORCE*
 8 *CAREER FIELDS.—*

9 *(1) CAREER PATHS.—*

10 *(A) CAREER PATH REQUIRED FOR EACH AC-*
 11 *QUISITION WORKFORCE CAREER FIELD.—Para-*
 12 *graph (4) of section 1701a(b) of title 10, United*
 13 *States Code, is amended to read as follows:*

14 *“(4) develop and implement a career path, as de-*
 15 *scribed in section 1722(a) of this title, for each career*
 16 *field designated by the Secretary under section*
 17 *1721(a) of this title as an acquisition workforce ca-*
 18 *reer field;”.*

19 *(B) CONFORMING AMENDMENTS.—Section*
 20 *1722(a) of such title is amended—*

21 *(i) by striking “appropriate career*
 22 *paths” and inserting “an appropriate ca-*
 23 *reer path”; and*

(ii) by striking “are identified” and inserting “is identified for each acquisition 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:

1 **“§ 1721. Designation of acquisition positions and ac-**
 2 **quisition workforce career fields”.**

3 (ii) *The item relating to such section*
 4 *in the table of sections at the beginning of*
 5 *subchapter II of chapter 87 of such title is*
 6 *amended to read as follows:*

“1721. Designation of acquisition positions and acquisition workforce career fields.”.

7 (C)(i) *The heading of subchapter II of chap-*
 8 *ter 87 of such title is amended to read as follows:*

“SUBCHAPTER II—ACQUISITION POSITIONS AND ACQUISITION WORKFORCE CAREER FIELDS”.

9 (ii) *The item relating to such subchapter in*
 10 *the table of subchapters at the beginning of such*
 11 *chapter is amended to read as follows:*

“II. Acquisition Positions And Acquisition Workforce Career Fields 1721”.

12 (D) *DEADLINE FOR DESIGNATION OF CA-*
 13 *REER FIELDS.—The designation of acquisition*
 14 *workforce career fields required by the second*
 15 *sentence of section 1721(a) of title 10, United*
 16 *States Code (as added by paragraph (1)), shall*
 17 *be made by the Secretary of Defense not later*
 18 *than the end of the six-month period beginning*
 19 *on the date of the enactment of this Act.*

20 (3) *KEY WORK EXPERIENCES.—*

21 (A) *DEVELOPMENT OF KEY WORK EXPERI-*
 22 *ENCES FOR EACH ACQUISITION WORKFORCE CA-*

1 *REER FIELD.*—Section 1722b of such title is
2 amended by adding at the end the following new
3 subsection:

4 “(c) *KEY WORK EXPERIENCES.*—In carrying out sub-
5 section (b)(2), the Secretary shall ensure that key work expe-
6 riences, in the form of multidiscipline training, are devel-
7 oped for each acquisition workforce career field.”.

8 (B) *PLAN FOR IMPLEMENTATION OF KEY*
9 *WORK EXPERIENCES.*—Not later than one year
10 after the date of the enactment of this Act, the
11 Secretary of Defense shall submit to the congres-
12 sional defense committees a plan identifying the
13 specific actions the Department of Defense has
14 taken, and is planning to take, to develop and
15 establish key work experiences for each acqui-
16 sition workforce career field as required by sub-
17 section (c) of section 1722b of title 10, United
18 States Code, as added by paragraph (1). The
19 plan shall include specification of the percentage
20 of the acquisition workforce, or funds available
21 for administration of the acquisition workforce
22 on an annual basis, that the Secretary will dedi-
23 cate towards developing such key work experi-
24 ences.

1 (4) *APPLICABILITY OF CAREER PATH REQUIRE-*
 2 *MENTS TO ALL MEMBERS OF ACQUISITION WORK-*
 3 *FORCE.—Section 1723(b) of such title is amended by*
 4 *striking “the critical acquisition-related”.*

5 (5) *COMPETENCY DEVELOPMENT.—*

6 (A) *IN GENERAL.—(i) Subchapter V of*
 7 *chapter 87 of such title is amended by adding at*
 8 *the end the following new section:*

9 **“§ 1765. Competency development**

10 *“For each acquisition workforce career field, the Sec-*
 11 *retary of Defense shall establish, for the civilian personnel*
 12 *in that career field, defined proficiency standards and tech-*
 13 *nical and nontechnical competencies which shall be used in*
 14 *personnel qualification assessments.”.*

15 (ii) *The table of sections at the beginning of*
 16 *such subchapter II is amended by adding at the*
 17 *end the following new item:*

“1765. Competency development.”.

18 (B) *DEADLINE FOR IMPLEMENTATION.—The*
 19 *establishment of defined proficiency standards*
 20 *and technical and nontechnical competencies re-*
 21 *quired by section 1765 of title 10, United States*
 22 *Code (as added by paragraph (1)), shall be made*
 23 *by the Secretary of Defense not later than the*
 24 *end of the two-year period beginning on the date*
 25 *of the enactment of this Act.*

1 (6) *TERMINATION OF DEFENSE ACQUISITION*
 2 *CORPS.—*

3 (A) *The Acquisition Corps for the Depart-*
 4 *ment of Defense referred to in section 1731(a) of*
 5 *title 10, United States Code, is terminated.*

6 (B) *Section 1733 of title 10, United States*
 7 *Code, is amended—*

8 (i) *by striking subsection (a); and*

9 (ii) *by redesignating subsection (b) as*
 10 *subsection (a).*

11 (C) *Subsection (b) of section 1731 of such*
 12 *title is transferred to the end of section 1733 of*
 13 *such title, as amended by paragraph (2), and*
 14 *amended—*

15 (i) *by striking “ACQUISITION CORPS”*
 16 *in the heading and inserting “THE ACQUI-*
 17 *SITION WORKFORCE”;* *and*

18 (ii) *by striking “selected for the Acqui-*
 19 *sition Corps” and inserting “in the acquisi-*
 20 *tion workforce”.*

21 (D) *Subsection (e) of section 1732 of such*
 22 *title is transferred to the end of section 1733 of*
 23 *such title, as amended by paragraphs (2) and*
 24 *(3), redesignated as subsection (c), and amend-*
 25 *ed—*

1 (i) by striking “in the Acquisition
2 Corps” in paragraphs (1) and (2) and in-
3 serting “in critical acquisition positions”;
4 and

5 (ii) by striking “serving in the Corps”
6 in paragraph (2) and inserting “employ-
7 ment”.

8 (E) Sections 1731 and 1732 of such title are
9 repealed.

10 (F)(i) Section 1733 of such title, as amend-
11 ed by paragraphs (2), (3), and (4), is redesign-
12 ated as section 1731.

13 (ii) The table of sections at the beginning of
14 subchapter III of chapter 87 of such title is
15 amended by striking the items relating to sec-
16 tions 1731, 1732, and 1733 and inserting the fol-
17 lowing new item:

“1731. Critical acquisition positions.”.

18 (G)(i) The heading of subchapter III of
19 chapter 87 of such title is amended to read as
20 follows:

“SUBCHAPTER III—CRITICAL ACQUISITION POSITIONS”.

21 (ii) The item relating to such subchapter in
22 the table of subchapters at the beginning of such
23 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 amended—

5 (i) in subsection (a)(1), by striking
6 “Defense Acquisition Corps” and inserting
7 “acquisition workforce”; and

8 (ii) in subsection (d)(2), by striking
9 “of the Defense Acquisition Corps” and in-
10 serting “in the acquisition workforce serving
11 in critical acquisition positions”.

12 (J) Section 1734 of such title is amended—

13 (i) by striking “of the Acquisition
14 Corps” in subsections (e)(1) and (h) and in-
15 serting “of the acquisition workforce”; and

16 (ii) in subsection (g)—

17 (I) by striking “of the Acquisition
18 Corps” in the first sentence and insert-
19 ing “of the acquisition workforce”;

20 (II) by striking “of the Corps”
21 and inserting “of the acquisition work-
22 force”; and

23 (III) by striking “of the Acquisi-
24 tion Corps” in the second sentence and

1 *inserting “of the acquisition workforce*
2 *in critical acquisition positions”.*

3 *(K) Section 1737 of such title is amended—*

4 *(i) in subsection (a)(1), by striking “of*
5 *the Acquisition Corps” and inserting “of the*
6 *acquisition workforce”; and*

7 *(ii) in subsection (b), by striking “of*
8 *the Corps” and inserting “of the acquisition*
9 *workforce”.*

10 *(L) Section 1742(a)(1) of such title is*
11 *amended by striking “the Acquisition Corps”*
12 *and inserting “acquisition positions in the De-*
13 *partment of Defense”.*

14 *(M) Section 2228(a)(4) of such title is*
15 *amended by striking “under section*
16 *1733(b)(1)(C) of this title” and inserting “under*
17 *section 1731 of this title”.*

18 *(N) Section 7016(b)(5)(B) of such title is*
19 *amended by striking “under section 1733 of this*
20 *title” and inserting “under section 1731 of this*
21 *title”.*

22 *(O) Section 8016(b)(4)(B) of such title is*
23 *amended by striking “under section 1733 of this*
24 *title” and inserting “under section 1731 of this*
25 *title”.*

1 (P) Section 9016(b)(4)(B) of such title is
 2 amended by striking “under section 1733 of this
 3 title” and inserting “under section 1731 of this
 4 title”.

5 (Q) Paragraph (1) of section 317 of title 37,
 6 United States Code, is amended to read as fol-
 7 lows:

8 “(1) is a member of the acquisition workforce se-
 9 lected to serve in, or serving in, a critical acquisition
 10 position designated under section 1731 of title 10.”.

11 (i) *ESTABLISHMENT OF DEFENSE CIVILIAN ACQUI-*
 12 *TION TRAINING CORPS.*—

13 (1) *IN GENERAL.*—Part III of subtitle A of title
 14 10, United States Code, is amended by inserting after
 15 chapter 112 the following new chapter:

16 **“CHAPTER 113—DEFENSE CIVILIAN**
 17 **ACQUISITION TRAINING CORPS**

“2200n. *Establishment.*

“2200o. *Program elements.*

“2200p. *Model authorities.*

“2200q. *Definitions.*

18 **“§ 2200n. *Establishment***

19 *“For the purposes of preparing selected students for*
 20 *public service in Department of Defense occupations relat-*
 21 *ing to acquisition, science, and engineering, the Secretary*
 22 *of Defense shall establish and maintain a Defense Civilian*
 23 *Acquisition Training Corps program, organized into one*

1 *or more units, at civilian institutions of higher education*
2 *offering a program leading to a baccalaureate degree.*

3 **“§ 2200o. Program elements**

4 *“In establishing the program, the Secretary of Defense*
5 *shall determine the following:*

6 *“(1) Criteria for an institution of higher edu-*
7 *cation to participate in the program.*

8 *“(2) The eligibility of a student to join the pro-*
9 *gram.*

10 *“(3) Criteria required for a member of the pro-*
11 *gram to receive financial assistance.*

12 *“(4) The term of service required for a member*
13 *of the program to receive financial assistance.*

14 *“(5) Criteria required for a member of the pro-*
15 *gram to be released from a term of service.*

16 *“(6) The method by which a successful graduate*
17 *of the program may gain immediate employment in*
18 *the Department of Defense.*

19 *“(7) Resources required for implementation of*
20 *the program.*

21 *“(8) A methodology to identify and target crit-*
22 *ical skills gaps in Department of Defense occupations*
23 *relating to acquisition, science, and engineering.*

24 *“(9) A mechanism to track the success of the pro-*
25 *gram in eliminating the identified critical skills gap.*

1 **“§ 2200p. Model authorities**

2 *“In making determinations under section 2200o of this*
 3 *title, the Secretary of Defense shall use the authorities under*
 4 *chapters 103 and 111 of this title as guides.*

5 **“§ 2200q. Definitions**

6 *“In this chapter:*

7 *“(1) The term ‘program’ means the Defense Ci-*
 8 *vilian Acquisition Training Corps of the Department*
 9 *of Defense.*

10 *“(2) The term ‘member of the program’ means a*
 11 *student at an institution of higher learning who is*
 12 *enrolled in the program.*

13 *“(3) The term ‘institution of higher education’*
 14 *has the meaning given that term in section 101 of the*
 15 *Higher Education Act of 1965 (20 U.S.C. 1001).”.*

16 (2) *IMPLEMENTATION TIMELINE.—*

17 (A) *INITIAL IMPLEMENTATION.—Not later*
 18 *than December 31, 2019, the Secretary of Defense*
 19 *shall submit to the congressional defense commit-*
 20 *tees a plan and schedule that implements the*
 21 *program at one institution of higher learning*
 22 *not later than August 1, 2020. The plan shall in-*
 23 *clude recommendations regarding any legislative*
 24 *changes required for effective implementation of*
 25 *the program.*

1 (B) *EXPANSION.*—Not later than December
 2 31, 2020, the Secretary of Defense shall submit
 3 to the congressional defense committees an ex-
 4 pansion plan and schedule to expand the pro-
 5 gram to five locations not later than by August
 6 1, 2021.

7 (C) *FULL IMPLEMENTATION.*—Not later
 8 than December 31, 2021, the Secretary of Defense
 9 shall submit to the congressional defense commit-
 10 tees a full implementation plan and schedule to
 11 expand the program to at least 20 locations with
 12 not fewer than 400 members in the program not
 13 later than August 1, 2022.

14 (j) *CLARIFYING THE ROLES AND RESPONSIBILITIES*
 15 *OF THE UNDER SECRETARY OF DEFENSE FOR ACQUISITION*
 16 *AND SUSTAINMENT AND THE UNDER SECRETARY OF DE-*
 17 *FENSE FOR RESEARCH AND ENGINEERING.*—The laws of
 18 *the United States are amended as follows:*

19 (1) Section 129a(c)(3) of title 10, United States
 20 Code, is amended by striking “Under Secretary of De-
 21 fense for Acquisition, Technology, and Logistics” and
 22 inserting “Under Secretary of Defense for Acquisition
 23 and Sustainment”.

24 (2) Section 133a(b)(2) of title 10, United States
 25 Code, is amended by striking “, including the alloca-

1 tion of resources for defense research and engineer-
2 ing.”.

3 (3) Section 134(c) of title 10, United States
4 Code, is amended by striking “Under Secretary of De-
5 fense for Acquisition, Technology, and Logistics,” and
6 inserting “Under Secretary of Defense for Acquisition
7 and Sustainment, the Under Secretary of Defense for
8 Research and Engineering,”.

9 (4) Section 139(b) of title 10, United States
10 Code, is amended in the matter preceding paragraph
11 (1) by striking “and the Under Secretary of Defense
12 for Acquisition, Technology, and Logistics” and in-
13 serting “, the Under Secretary of Defense for Acquisi-
14 tion and Sustainment, and the Under Secretary of
15 Defense for Research and Engineering”.

16 (5) Section 139(b)(2) of title 10, United States
17 Code, is amended by striking “and the Under Sec-
18 retary of Defense for Acquisition, Technology, and Lo-
19 gistics” and inserting “, the Under Secretary of De-
20 fense for Acquisition and Sustainment, and the Under
21 Secretary of Defense for Research and Engineering,”.

22 (6) Section 139 of title 10, United States Code,
23 is amended in subsections (c) through (h) by striking
24 “Under Secretary of Defense for Acquisition, Tech-
25 nology, and Logistics” each place it appears and in-

1 serting “Under Secretary of Defense for Acquisition
2 and Sustainment”.

3 (7) Section 139a(d)(6) of title 10, United States
4 Code, is amended by striking “Under Secretary of De-
5 fense for Acquisition, Technology, and Logistics” and
6 inserting “Under Secretary of Defense for Acquisition
7 and Sustainment, the Under Secretary of Defense for
8 Research and Engineering,”.

9 (8) Section 171(a) of title 10, United States
10 Code, is amended—

11 (A) in paragraph (3), by striking “Under
12 Secretary of Defense for Acquisition, Technology,
13 and Logistics” and inserting “Under Secretary
14 of Defense for Acquisition and Sustainment”;

15 (B) by inserting after paragraph (3) the fol-
16 lowing new paragraph:

17 “(4) the Under Secretary of Defense for Research
18 and Engineering;”; and

19 (C) by redesignating paragraphs (4)
20 through (13) as paragraphs (5) through (14), re-
21 spectively.

22 (9) Section 171a of title 10, United States Code,
23 is amended—

24 (A) in subsection (b)(2), by striking “Under
25 Secretary of Defense for Acquisition, Technology,

1 *and Logistics” and inserting “Under Secretary*
2 *of Defense for Acquisition and Sustainment”;*

3 *(B) by inserting after subsection (b)(2) the*
4 *following new paragraph:*

5 *“(3) the Under Secretary of Defense for Research*
6 *and Engineering;”;*

7 *(C) in subsection (b), by redesignating*
8 *paragraphs (3) through (7) as paragraphs (4)*
9 *through (8), respectively; and*

10 *(D) in subsection (c), by striking “Under*
11 *Secretary of Defense for Acquisition, Technology,*
12 *and Logistics” and inserting “Under Secretary*
13 *of Defense for Acquisition and Sustainment”.*

14 *(10) Subsection (d)(1) of section 181 of title 10,*
15 *United States Code, is amended—*

16 *(A) in subparagraph (C), by striking*
17 *“Under Secretary of Defense for Acquisition,*
18 *Technology, and Logistics” and inserting “Under*
19 *Secretary of Defense for Acquisition and*
20 *Sustainment”;*

21 *(B) by inserting after subparagraph (C) the*
22 *following new subparagraph:*

23 *“(D) the Under Secretary of Defense for Research*
24 *and Engineering.”; and*

1 (C) by redesignating paragraphs (D)
 2 through (G) as paragraphs (E) through (H), re-
 3 spectively.

4 (11) Subsection (b)(2) of section 393 of title 10,
 5 United States Code, is amended—

6 (A) in subparagraph (B), by striking
 7 “Under Secretary of Defense for Acquisition,
 8 Technology, and Logistics” and inserting “Under
 9 Secretary of Defense for Acquisition and
 10 Sustainment”;

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

13 “(C) the Under Secretary of Defense for Re-
 14 search and Engineering.”; and

15 (C) by redesignating subparagraphs (C)
 16 through (E) as subparagraphs (D) through (F).

17 (12) Section 1111 of the National Defense Au-
 18 thorization Act for Fiscal Year 2016 (Public law 114-
 19 92; 129 Stat. 1032; 10 U.S.C. 1701 note) is amended
 20 by striking “Under Secretary of Defense for Acquisi-
 21 tion, Technology, and Logistics” each place such term
 22 appears and inserting “Under Secretary of Defense
 23 for Acquisition and Sustainment”.

24 (13) Section 231(a) of the National Defense Au-
 25 thorization Act for Fiscal Year 2008 (Public law 110-

181; 122 Stat. 45; 10 U.S.C. 1701 note) is amended
 by striking “Under Secretary of Defense for Acquisition,
 Technology, and Logistics” and inserting
 “Under Secretary of Defense for Acquisition and
 Sustainment”.

(14) Section 1702 of title 10, United States
 Code, is amended—

(A) in the heading, by striking “**Under
 Secretary of Defense for Acquisition,
 Technology, and Logistics**” and inserting
 “**Under Secretary of Defense for Acquisition
 and Sustainment**”;

(B) in the section text, by striking “Under
 Secretary of Defense for Acquisition, Technology,
 and Logistics” and inserting “Under Secretary
 of Defense for Acquisition and Sustainment”.

(15) Section 807(a) of the Bob Stump National
 Defense Authorization Act for Fiscal Year 2003 (Public
 Law 107–314; 116 Stat. 2608; 10 U.S.C. 1702
 note) is amended by striking “Under Secretary of Defense
 for Acquisition, Technology, and Logistics” and
 inserting “Under Secretary of Defense for Acquisition
 and Sustainment”.

(16) Section 1705 of title 10, United States Code,
 is amended—

1 (A) in subsection (c), by striking “Under
2 Secretary of Defense for Acquisition, Technology,
3 and Logistics” and inserting “Under Secretary
4 of Defense for Acquisition and Sustainment”;

5 (B) in subsection (e)(3), by striking “Under
6 Secretary of Defense for Acquisition, Technology,
7 and Logistics” and inserting “Under Secretary
8 of Defense for Acquisition and Sustainment”;
9 and

10 (C) in subsection (g)(2)(B), by striking
11 “Under Secretary of Defense for Acquisition,
12 Technology, and Logistics” and inserting “Under
13 Secretary of Defense for Acquisition and
14 Sustainment”.

15 (17) Section 803(c) of the National Defense Au-
16 thorization Act for Fiscal Year 2013 (Public Law
17 112–239; 126 Stat. 1825; 10 U.S.C. 1705 note) is
18 amended by striking “Under Secretary of Defense for
19 Acquisition, Technology, and Logistics” and inserting
20 “Under Secretary of Defense for Acquisition and
21 Sustainment”.

22 (18) Section 1722 of title 10, United States
23 Code, is amended—

24 (A) in subsection (a), by striking “Under
25 Secretary of Defense for Acquisition, Technology,

1 *and Logistics” and inserting “Under Secretary*
2 *of Defense for Acquisition and Sustainment”;*
3 *and*

4 *(B) in subsection (b)(2)(B), by striking*
5 *“Under Secretary of Defense for Acquisition,*
6 *Technology, and Logistics” and inserting “Under*
7 *Secretary of Defense for Acquisition and*
8 *Sustainment”.*

9 *(19) Section 1722a of title 10, United States*
10 *Code, is amended—*

11 *(A) in subsection (a), by striking “Under*
12 *Secretary of Defense for Acquisition, Technology,*
13 *and Logistics” and inserting “Under Secretary*
14 *of Defense for Acquisition and Sustainment”;*
15 *and*

16 *(B) in subsection (e), by striking “Under*
17 *Secretary of Defense for Acquisition, Technology,*
18 *and Logistics” and inserting “Under Secretary*
19 *of Defense for Acquisition and Sustainment”.*

20 *(20) Section 1722b(a) of title 10, United States*
21 *Code, is amended by striking “Under Secretary of De-*
22 *fense for Acquisition, Technology, and Logistics” and*
23 *inserting “Under Secretary of Defense for Acquisition*
24 *and Sustainment”.*

1 (21) *Section 1723 of title 10, United States*
2 *Code, is amended—*

3 (A) *in subsection (a)(3), by striking “Under*
4 *Secretary of Defense for Acquisition, Technology,*
5 *and Logistics” and inserting “Under Secretary*
6 *of Defense for Acquisition and Sustainment”;*
7 *and*

8 (B) *in subsection (b), by striking “Under*
9 *Secretary of Defense for Acquisition, Technology,*
10 *and Logistics” and inserting “Under Secretary*
11 *of Defense for Acquisition and Sustainment”.*

12 (22) *Section 1725(e)(2) of title 10, United States*
13 *Code, is amended by striking “Under Secretary of De-*
14 *fense for Acquisition, Technology, and Logistics” and*
15 *inserting “Under Secretary of Defense for Acquisition*
16 *and Sustainment”.*

17 (23) *Section 1735(c)(1) of title 10, United States*
18 *Code, is amended by striking “Under Secretary of De-*
19 *fense for Acquisition, Technology, and Logistics” and*
20 *inserting “Under Secretary of Defense for Acquisition*
21 *and Sustainment”.*

22 (24) *Section 1737(c) of title 10, United States*
23 *Code, is amended by striking “Under Secretary of De-*
24 *fense for Acquisition, Technology, and Logistics” and*

1 *inserting “Under Secretary of Defense for Acquisition*
2 *and Sustainment”.*

3 *(25) Section 1741(b) of title 10, United States*
4 *Code, is amended by striking “Under Secretary of De-*
5 *fense for Acquisition, Technology, and Logistics” and*
6 *inserting “Under Secretary of Defense for Acquisition*
7 *and Sustainment”.*

8 *(26) Section 1746(a) of title 10, United States*
9 *Code, is amended by striking “Under Secretary of De-*
10 *fense for Acquisition, Technology, and Logistics” and*
11 *inserting “Under Secretary of Defense for Acquisition*
12 *and Sustainment”.*

13 *(27) Section 1748 of title 10, United States*
14 *Code, is amended by striking “Under Secretary of De-*
15 *fense for Acquisition, Technology, and Logistics” and*
16 *inserting “Under Secretary of Defense for Acquisition*
17 *and Sustainment”.*

18 *(28) Section 2222 of title 10, United States*
19 *Code, is amended—*

20 *(A) in subsection (c)(2), by striking “Under*
21 *Secretary of Defense for Acquisition, Technology,*
22 *and Logistics” and inserting “Under Secretary*
23 *of Defense for Acquisition and Sustainment”;*
24 *and*

1 (B) in subsection (f)(2)(B)(i), by striking
2 “Under Secretary of Defense for Acquisition,
3 Technology, and Logistics” and inserting “Under
4 Secretary of Defense for Acquisition and
5 Sustainment”.

6 (29) Section 217(a) of the National Defense Au-
7 thorization 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 for
10 Acquisition, Technology, and Logistics” and inserting
11 “Under Secretary of Defense for Acquisition and
12 Sustainment”.

13 (30) Section 882(b) of the Ike Skelton National
14 Defense Authorization Act for Fiscal Year 2011 (Pub-
15 lic Law 111–383; 128 Stat. 4308; 10 U.S.C. 2222
16 note) is amended by striking “Under Secretary of De-
17 fense for Acquisition, Technology, and Logistics” and
18 inserting “Under Secretary of Defense for Acquisition
19 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 inserting
23 “Under Secretary of Defense for Research and Engi-
24 neering”.

1 (32) *Section 2275(a) of title 10, United States*
 2 *Code, is amended by striking “Under Secretary of De-*
 3 *fense for Acquisition, Technology, and Logistics” and*
 4 *inserting “Under Secretary of Defense for Research*
 5 *and Engineering”.*

6 (33) *Section 2279(d) of title 10, United States*
 7 *Code, is amended by striking “Under Secretary of De-*
 8 *fense for Acquisition, Technology, and Logistics” and*
 9 *inserting “Under Secretary of Defense for Acquisition*
 10 *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 insert-*
 17 *ing “Under Secretary of Defense for Acqui-*
 18 *sition 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 Research*
 25 *and Engineering.”; and*

1 (B) in subsection (c), by striking “Under
2 Secretary of Defense for Acquisition, Technology,
3 and Logistics” and inserting “Under Secretary
4 of Defense for Acquisition and Sustainment”.

5 (35) Section 898(a)(2) of the National Defense
6 Authorization Act for Fiscal Year 2017 (Public Law
7 114–328; 130 Stat. 2000; 10 U.S.C. 2302 note) is
8 amended by striking “Under Secretary of Defense for
9 Acquisition, Technology, and Logistics” each place
10 such term appears and inserting “Under Secretary of
11 Defense for Acquisition and Sustainment”.

12 (36) Section 804 of the National Defense Author-
13 ization Act for Fiscal Year 2016 (Public Law 114–
14 92; 129 Stat. 726; 10 U.S.C. 2302 note) is amended
15 by striking “Under Secretary of Defense for Acquisi-
16 tion, Technology, and Logistics” each place such term
17 appears and inserting “Under Secretary of Defense
18 for Acquisition and Sustainment”.

19 (37) Section 852 of the Carl Levin and Howard
20 P. “Buck” McKeon National Defense Authorization
21 Act for Fiscal Year 2015 (Public Law 113–291; 130
22 Stat. 3458; 10 U.S.C. 2302 note) is amended by strik-
23 ing “Under Secretary of Defense for Acquisition,
24 Technology, and Logistics” and inserting “Under Sec-
25 retary of Defense for Acquisition and Sustainment”.

1 (38) *Section 806 of the National Defense Author-*
2 *ization Act for Fiscal Year 2012 (Public Law 112–*
3 *81; 125 Stat. 1487; 10 U.S.C. 2302 note) is amended*
4 *by striking “Under Secretary of Defense for Acquisi-*
5 *tion, Technology, and Logistics” each place such term*
6 *appears and inserting “Under Secretary of Defense*
7 *for Acquisition and Sustainment”.*

8 (39) *Section 843 of the National Defense Author-*
9 *ization Act for Fiscal Year 2012 (Public Law 112–*
10 *81; 125 Stat. 1487; 10 U.S.C. 2302 note) is amended*
11 *by striking “Under Secretary of Defense for Acquisi-*
12 *tion, Technology, and Logistics” and inserting*
13 *“Under Secretary of Defense for Acquisition and*
14 *Sustainment”.*

15 (40) *Section 254(b) of the Duncan Hunter Na-*
16 *tional Defense Authorization Act for Fiscal Year 2009*
17 *(Public Law 110–417; 122 Stat. 4402; 10 U.S.C.*
18 *2302 note) is amended by striking “Under Secretary*
19 *of Defense for Acquisition, Technology, and Logistics”*
20 *and inserting “Under Secretary of Defense for Acqui-*
21 *sition and Sustainment”.*

22 (41) *Section 802(d) of the Ronald W. Reagan*
23 *National Defense Authorization Act for Fiscal Year*
24 *2005 (Public Law 108–375; 118 Stat. 2004; 10*
25 *U.S.C. 2302 note) is amended by striking “Under*

1 *Secretary of Defense for Acquisition, Technology, and*
 2 *Logistics” each place such term appears and inserting*
 3 *“Under Secretary of Defense for Acquisition and*
 4 *Sustainment”.*

5 *(42) Section 244 of the Bob Stump National De-*
 6 *fense Authorization Act for Fiscal Year 2003 (Public*
 7 *Law 107–314; 116 Stat. 2498; 10 U.S.C. 2302 note)*
 8 *is amended by striking “Under Secretary of Defense*
 9 *for Acquisition, Technology, and Logistics” each place*
 10 *such term appears and inserting “Under Secretary of*
 11 *Defense for Acquisition and Sustainment”.*

12 *(43) Section 804(c) of the Bob Stump National*
 13 *Defense Authorization Act for Fiscal Year 2003 (Pub-*
 14 *lic Law 107–314; 116 Stat. 2605; 10 U.S.C. 2302*
 15 *note) is amended by striking “Under Secretary of De-*
 16 *fense for Acquisition, Technology, and Logistics” each*
 17 *place such term appears and inserting “Under Sec-*
 18 *retary of Defense for Acquisition and Sustainment”.*

19 *(44) Section 2304 of title 10, United States*
 20 *Code, is amended by striking “Under Secretary of De-*
 21 *fense for Acquisition, Technology, and Logistics” each*
 22 *place such term appears and inserting “Under Sec-*
 23 *retary of Defense for Acquisition and Sustainment”.*

24 *(45) Section 895 of the National Defense Author-*
 25 *ization Act for Fiscal Year 2016 (Public Law 114–*

1 92; 129 Stat. 954; 10 U.S.C. 2304 note) is amended
 2 by striking “Under Secretary of Defense for Acquisi-
 3 tion, Technology, and Logistics” each place such term
 4 appears and inserting “Under Secretary of Defense
 5 for Acquisition and Sustainment”.

6 (46) Section 806(b) of the Ike Skelton National
 7 Defense Authorization Act for Fiscal Year 2011 (Pub-
 8 lic Law 111–383; 124 Stat. 4260; 10 U.S.C. 2304
 9 note) is amended by striking “Under Secretary of De-
 10 fense for Acquisition, Technology, and Logistics” each
 11 place such term appears and inserting “Under Sec-
 12 retary of Defense for Acquisition and Sustainment”.

13 (47) Section 821(a) of the National Defense Au-
 14 thorization Act for Fiscal Year 2008 (Public Law
 15 110–181; 122 Stat. 226; 10 U.S.C. 2304 note) is
 16 amended by striking “Under Secretary of Defense for
 17 Acquisition, Technology, and Logistics” and inserting
 18 “Under Secretary of Defense for Acquisition and
 19 Sustainment”.

20 (48) Section 801(b)(2)(B) of the National De-
 21 fense Authorization Act for Fiscal Year 2008 (Public
 22 Law 110–181; 122 Stat. 204; 10 U.S.C. 2304 note) is
 23 amended by striking “Under Secretary of Defense for
 24 Acquisition, Technology, and Logistics” and inserting

1 *“Under Secretary of Defense for Acquisition and*
 2 *Sustainment”.*

3 *(49) Section 817(e) of the John Warner National*
 4 *Defense Authorization Act for Fiscal Year 2007 (Pub-*
 5 *lic Law 109–364; 120 Stat. 2326; 10 U.S.C. 2304*
 6 *note) is amended by striking “Under Secretary of De-*
 7 *fense for Acquisition, Technology, and Logistics” and*
 8 *inserting “Under Secretary of Defense for Acquisition*
 9 *and Sustainment”.*

10 *(50) Section 811(e)(1) of the National Defense*
 11 *Authorization Act for Fiscal Year 2006 (Public Law*
 12 *109–163; 120 Stat. 2326; 10 U.S.C. 2304 note) is*
 13 *amended by striking “Under Secretary of Defense for*
 14 *Acquisition, Technology, and Logistics” and inserting*
 15 *“Under Secretary of Defense for Acquisition and*
 16 *Sustainment”.*

17 *(51) Section 875 of the National Defense Author-*
 18 *ization Act for Fiscal Year 2017 (Public Law 114–*
 19 *328; 130 Stat. 2310; 10 U.S.C. 2305 note) is amend-*
 20 *ed—*

21 *(A) in subsection (b)(2), by striking “Under*
 22 *Secretary of Defense for Acquisition, Technology,*
 23 *and Logistics” and inserting “Under Secretary*
 24 *of Defense for Acquisition and Sustainment”;*

1 (B) in subsection (c), by striking “Under
2 Secretary of Defense for Acquisition, Technology,
3 and Logistics” and inserting “Under Secretary
4 of Defense for Acquisition and Sustainment”;

5 (C) in subsection (d), by striking “The
6 Under Secretary for Acquisition, Technology,
7 and Logistics” and inserting “The Under Sec-
8 retary of Defense for Research and Engineering”;
9 and

10 (D) in subsection (e) through (f), by strik-
11 ing “Under Secretary of Defense for Acquisition,
12 Technology, and Logistics” and inserting “Under
13 Secretary of Defense for Acquisition and
14 Sustainment”.

15 (52) Section 888(b)(1) of the National Defense
16 Authorization Act for Fiscal Year 2017 (Public Law
17 114–328; 130 Stat. 2322; 10 U.S.C. 2305 note) is
18 amended by striking “Under Secretary of Defense for
19 Acquisition, Technology, and Logistics” and inserting
20 “Under Secretary of Defense for Acquisition and
21 Sustainment”.

22 (53) Section 829(b)(1) of the National Defense
23 Authorization Act for Fiscal Year 2017 (Public Law
24 114–328; 130 Stat. 2281; 10 U.S.C. 2306 note) is
25 amended by striking “Under Secretary of Defense for

1 *Acquisition, Technology, and Logistics” and inserting*
2 *“Under Secretary of Defense for Acquisition and*
3 *Sustainment”.*

4 *(54) Section 2306b(i)(7) of title 10, United*
5 *States Code, is amended by striking “Under Secretary*
6 *of Defense for Acquisition, Technology, and Logistics”*
7 *and inserting “Under Secretary of Defense for Acqui-*
8 *sition and Sustainment”.*

9 *(55) Section 2311(c) of title 10, United States*
10 *Code, is amended—*

11 *(A) in paragraph (1), by striking “Under*
12 *Secretary of Defense for Acquisition, Technology,*
13 *and Logistics” and inserting “Under Secretary*
14 *of Defense for Acquisition and Sustainment”;*
15 *and*

16 *(B) in paragraph (2)(B), by striking*
17 *“Under Secretary of Defense for Acquisition,*
18 *Technology, and Logistics” and inserting “Under*
19 *Secretary of Defense for Acquisition and*
20 *Sustainment”.*

21 *(56) Section 824(a) of the Ike Skelton National*
22 *Defense Authorization Act for Fiscal Year 2011 (Pub-*
23 *lic Law 111–383; 124 Stat. 4269; 10 U.S.C. 2320*
24 *note) is amended by striking “Under Secretary of De-*
25 *fense for Acquisition, Technology, and Logistics” and*

1 *inserting “Under Secretary of Defense for Acquisition*
2 *and Sustainment”.*

3 *(57) Section 2326(g) of title 10, United States*
4 *Code, is amended by striking “Under Secretary of De-*
5 *fense for Acquisition, Technology, and Logistics” and*
6 *inserting “Under Secretary of Defense for Acquisition*
7 *and Sustainment”.*

8 *(58) Section 2330 of title 10, United States*
9 *Code, is amended—*

10 *(A) in subsection (a)(1), by striking “Under*
11 *Secretary of Defense for Acquisition, Technology,*
12 *and Logistics” and inserting “Under Secretary*
13 *of Defense for Acquisition and Sustainment”;*

14 *(B) in subsection (a)(3), by striking “Under*
15 *Secretary of Defense for Acquisition, Technology,*
16 *and Logistics” and inserting “Under Secretary*
17 *of Defense for Acquisition and Sustainment”;*

18 *(C) in subsection (b)(2), by striking “Under*
19 *Secretary of Defense for Acquisition, Technology,*
20 *and Logistics” and inserting “Under Secretary*
21 *of Defense for Acquisition and Sustainment”;*
22 *and*

23 *(D) in subsection (b)(3)(A), by striking*
24 *“Under Secretary of Defense for Acquisition,*
25 *Technology, and Logistics” and inserting “Under*

1 *Secretary of Defense for Acquisition and*
2 *Sustainment”.*

3 (59) *Section 882 of the National Defense Author-*
4 *ization Act for Fiscal Year 2016 (Public Law 114–*
5 *92; 129 Stat. 942; 10 U.S.C. 2330 note) is amended*
6 *in the matter preceding paragraph (1) by striking*
7 *“Under Secretary of Defense for Acquisition, Tech-*
8 *nology, and Logistics” and inserting “Under Sec-*
9 *retary of Defense for Acquisition and Sustainment”.*

10 (60) *Section 801(b)(2)(B) of the National De-*
11 *fense Authorization Act for Fiscal Year 2002 (Public*
12 *Law 107–107; 115 Stat. 1176; 10 U.S.C. 2330 note)*
13 *is 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 (61) *Section 2334 of title 10, United States*
18 *Code, is amended by striking “Under Secretary of De-*
19 *fense for Acquisition, Technology, and Logistics” each*
20 *place such term appears and inserting “Under Sec-*
21 *retary of Defense for Acquisition and Sustainment”.*

22 (62) *Section 2350a(b)(2) of title 10, United*
23 *States Code, is amended by striking “Under Secretary*
24 *of Defense for Acquisition, Technology, and Logistics,*
25 *and the Assistant Secretary of Defense for Research*

1 *and Engineering*” and inserting “Under Secretary of
 2 *Defense for Acquisition and Sustainment, and the*
 3 *Under Secretary of Defense for Research and Engi-*
 4 *neering*”.

5 (63) *Section 2359(b)(1) of title 10, United States*
 6 *Code, is amended by striking “Under Secretary of De-*
 7 *fense for Acquisition, Technology, and Logistics” and*
 8 *inserting “Under Secretary of Defense for Research*
 9 *and Engineering*”.

10 (64) *Section 2359b of title 10, United States*
 11 *Code, is amended—*

12 (A) *in subsection (a)(1), by striking “Under*
 13 *Secretary of Defense for Acquisition, Technology,*
 14 *and Logistics” and inserting “Under Secretary*
 15 *of Defense for Research and Engineering*”; and

16 (B) *in subsection (l)(1), by striking “Under*
 17 *Secretary of Defense for Acquisition, Technology,*
 18 *and Logistics” and inserting “Under Secretary*
 19 *of Defense for Research and Engineering*”.

20 (65) *Section 2365 of title 10, United States*
 21 *Code, is amended—*

22 (A) *by striking “Assistant Secretary” each*
 23 *place it appears and inserting “Under Sec-*
 24 *retary*”; and

1 (B) in subsection (d), by striking paragraph
2 (3).

3 (66) Section 2375 of title 10, United States
4 Code, is amended by striking “Under Secretary of De-
5 fense for Acquisition, Technology, and Logistics” each
6 place such term appears and inserting “Under Sec-
7 retary of Defense for Acquisition and Sustainment”.

8 (67) Section 874(b)(1) of the National Defense
9 Authorization Act for Fiscal Year 2017 (Public Law
10 114–328; 130 Stat. 2310; 10 U.S.C. 2375 note) is
11 amended by striking “Under Secretary of Defense for
12 Acquisition, Technology, and Logistics” and inserting
13 “Under Secretary of Defense for Acquisition and
14 Sustainment”.

15 (68) Section 876 of the National Defense Author-
16 ization Act for Fiscal Year 2017 (Public Law 114–
17 328; 130 Stat. 2311; 10 U.S.C. 2377 note) is amended
18 by striking “Under Secretary of Defense for Acquisi-
19 tion, Technology, and Logistics” and inserting
20 “Under Secretary of Defense for Acquisition and
21 Sustainment”.

22 (69) Section 855 of the National Defense Author-
23 ization Act for Fiscal Year 2016 (Public Law 114–
24 92; 129 Stat. 919; 10 U.S.C. 2377 note) is amended
25 by striking “Under Secretary of Defense for Acquisi-

1 *tion, Technology, and Logistics” each place such term*
2 *appears and inserting “Under Secretary of Defense*
3 *for Acquisition and Sustainment”.*

4 *(70) Section 856(a)(2)(B) of the National De-*
5 *fense Authorization Act for Fiscal Year 2016 (Public*
6 *Law 114–92; 129 Stat. 920; 10 U.S.C. 2377 note) is*
7 *amended by striking “Under Secretary of Defense for*
8 *Acquisition, Technology, and Logistics” and inserting*
9 *“Under Secretary of Defense for Acquisition and*
10 *Sustainment”.*

11 *(71) Section 2399(b)(3) of title 10, United States*
12 *Code, is amended by striking “Under Secretary of De-*
13 *fense for Acquisition, Technology, and Logistics,” and*
14 *inserting “Under Secretary of Defense for Acquisition*
15 *and Sustainment, the Under Secretary of Defense for*
16 *Research and Engineering,”.*

17 *(72) Section 2419(a)(1) of title 10, United States*
18 *Code, is amended by striking “Under Secretary of De-*
19 *fense for Acquisition, Technology, and Logistics” and*
20 *inserting “Under Secretary of Defense for Acquisition*
21 *and Sustainment”.*

22 *(73) Section 825(c)(2) of the National Defense*
23 *Authorization Act for Fiscal Year 2016 (Public Law*
24 *114–92; 129 Stat. 908; 10 U.S.C. 2430 note) is*
25 *amended by striking “Under Secretary of Defense for*

1 *Acquisition, Technology, and Logistics” and inserting*
 2 *“Under Secretary of Defense for Acquisition and*
 3 *Sustainment”.*

4 *(74) Section 826(e) of the National Defense Au-*
 5 *thorization Act for Fiscal Year 2016 (Public Law*
 6 *114–92; 129 Stat. 908; 10 U.S.C. 2430 note) is*
 7 *amended by striking “Under Secretary of Defense for*
 8 *Acquisition, Technology, and Logistics” and inserting*
 9 *“Under Secretary of Defense for Acquisition and*
 10 *Sustainment”.*

11 *(75) Section 827(e) of the National Defense Au-*
 12 *thorization Act for Fiscal Year 2016 (Public Law*
 13 *114–92; 129 Stat. 909; 10 U.S.C. 2430 note) is*
 14 *amended by striking “Under Secretary of Defense for*
 15 *Acquisition, Technology, and Logistics” and inserting*
 16 *“Under Secretary of Defense for Acquisition and*
 17 *Sustainment”.*

18 *(76) Section 811(b) of the National Defense Au-*
 19 *thorization Act for Fiscal Year 2013 (Public Law*
 20 *112–239; 126 Stat. 1828; 10 U.S.C. 2430 note) is*
 21 *amended—*

22 *(A) in paragraph (1), by striking “if the*
 23 *Under Secretary of Defense for Acquisition,*
 24 *Technology, and Logistics” and inserting “if the*
 25 *service acquisition executive, in the case of a*

1 *major defense acquisition program of the mili-*
 2 *tary department, or the Under Secretary of De-*
 3 *fense for Acquisition and Sustainment, in the*
 4 *case of a Defense-wide or Defense Agency major*
 5 *defense acquisition program,”; and*

6 *(B) in paragraph (2), by inserting “the*
 7 *service acquisition executive or” before “the*
 8 *Under Secretary” each place such term appears.*

9 *(77) Section 812(a) of the National Defense Au-*
 10 *thorization Act for Fiscal Year 2013 (Public Law*
 11 *112–239; 126 Stat. 1829; 10 U.S.C. 2430 note) is*
 12 *amended by striking “Under Secretary of Defense for*
 13 *Acquisition, Technology, and Logistics” and inserting*
 14 *“Under Secretary of Defense for Acquisition and*
 15 *Sustainment”.*

16 *(78) Section 814 of the Duncan Hunter National*
 17 *Defense Authorization Act for Fiscal Year 2009 (Pub-*
 18 *lic Law 115–91; 131 Stat. 1467; 10 U.S.C. 2430 note)*
 19 *is amended—*

20 *(A) in subsection (b), by striking paragraph*

21 *(2) and inserting the following new paragraphs:*

22 *“(2) REQUIRED MEMBERS.—Each Configuration*
 23 *Steering Board under this section shall include a rep-*
 24 *resentative of the following:*

1 “(A) *The Chief of Staff of the Armed Force*
2 *concerned.*

3 “(B) *The Comptroller of the military de-*
4 *partment concerned.*

5 “(C) *The military deputy to the service ac-*
6 *quisition executive concerned.*

7 “(D) *The program executive officer for the*
8 *major defense acquisition program concerned.*

9 “(3) *ADDITIONAL MEMBERS.—In addition to the*
10 *members required in paragraph (2), when the mile-*
11 *stone decision authority for a major defense acquisi-*
12 *tion program is the Under Secretary of Defense for*
13 *Acquisition and Sustainment, each Configuration*
14 *Steering Board under this section shall also include*
15 *a representative of the following:*

16 “(A) *The Office of the Under Secretary of*
17 *Defense for Acquisition and Sustainment.*

18 “(B) *Other armed forces, as appropriate.*

19 “(C) *The Joint Staff.*

20 “(D) *Other senior representatives of the Of-*
21 *fice of the Secretary of Defense and the military*
22 *department concerned, as appropriate.”; and*

23 (B) *in subsection (c)(5)(B), by striking*
24 *“Under Secretary of Defense for Acquisition,*

1 *Technology, and Logistics*” and inserting “serv-
 2 *ice acquisition executive*”.

3 (79) *Section 801(a)(1) of the John Warner Na-*
 4 *tional Defense Authorization Act for Fiscal Year 2007*
 5 *(Public Law 109–364; 120 Stat. 2312; 10 U.S.C.*
 6 *2430 note) is amended by striking “Under Secretary*
 7 *of Defense for Acquisition, Technology, and Logistics”*
 8 *and inserting “Under Secretary of Defense for Acqui-*
 9 *sition and Sustainment”.*

10 (80) *Section 924 of the National Defense Author-*
 11 *ization Act for Fiscal Year 2004 (Public Law 108–*
 12 *136; 117 Stat. 1576; 10 U.S.C. 2430 note) is amended*
 13 *by striking “Under Secretary of Defense for Acquisi-*
 14 *tion, Technology, and Logistics” each place it appears*
 15 *and inserting “Under Secretary of Defense for Acqui-*
 16 *sition and Sustainment”.*

17 (81) *Section 1675(a) of the National Defense Au-*
 18 *thorization Act for Fiscal Year 2016 (Public Law*
 19 *114–92; 192 Stat. 1131; 10 U.S.C. 2431 note) is*
 20 *amended by striking “Under Secretary of Defense for*
 21 *Acquisition, Technology, and Logistics” and inserting*
 22 *“the Under Secretary of Defense for Research and En-*
 23 *gineering”.*

24 (82) *Section 2431a(b) of title 10, United States*
 25 *Code, is amended by striking “Under Secretary of De-*

1 *fense for Acquisition, Technology, and Logistics” and*
2 *inserting “Under Secretary of Defense for Acquisition*
3 *and Sustainment”.*

4 *(83) Section 2435 of title 10, United States*
5 *Code, is amended by striking—*

6 *(A) in subsection (b), by striking “Under*
7 *Secretary of Defense for Acquisition, Technology,*
8 *and Logistics” and inserting “service acquisition*
9 *executive, in the case of a major defense acqui-*
10 *sition program of a military department, or the*
11 *Under Secretary of Defense for Acquisition and*
12 *Sustainment, in the case of a Defense-wide or*
13 *Defense Agency major defense acquisition pro-*
14 *gram”; and*

15 *(B) in subsection (e)(2), by striking “Under*
16 *Secretary of Defense for Acquisition, Technology,*
17 *and Logistics” and inserting “Under Secretary*
18 *of Defense for Acquisition and Sustainment”.*

19 *(84) Section 2438(b) of title 10, United States*
20 *Code, is amended—*

21 *(A) in paragraph (1), by striking “Under*
22 *Secretary of Defense for Acquisition, Technology*
23 *and Logistics” and inserting “Under Secretary*
24 *of Defense for Acquisition and Sustainment”;*
25 *and*

1 (B) in paragraph (2), by striking “Under
2 Secretary of Defense for Acquisition, Technology
3 and Logistics” and inserting “Under Secretary
4 of Defense for Acquisition and Sustainment”.

5 (85) Section 2448b(a) of title 10, United States
6 Code, is amended in the matter preceding paragraph
7 (1) by inserting “by an independent organization se-
8 lected by the service acquisition executive” after “con-
9 ducted”.

10 (86) Section 2503(b) of title 10, United States
11 Code, is amended by striking “Under Secretary of De-
12 fense for Acquisition, Technology, and Logistics” and
13 inserting “Under Secretary of Defense for Acquisition
14 and Sustainment”.

15 (87) Section 2508(b) of title 10, United States
16 Code, is amended by striking “Under Secretary of De-
17 fense for Acquisition, Technology, and Logistics” and
18 inserting “Under Secretary of Defense for Acquisition
19 and Sustainment”.

20 (88) Section 2521 of title 10, United States
21 Code, is amended—

22 (A) in subsection (a), by striking “The
23 Under Secretary of Defense for Acquisition,
24 Technology, and Logistics” and inserting “The

1 *Under Secretary of Defense for Research and En-*
 2 *gineering”;*

3 *(B) in subsection (e)(4)(D), by striking*
 4 *“Under Secretary of Defense for Acquisition,*
 5 *Technology, and Logistics” and inserting “Under*
 6 *Secretary of Defense for Research and Engineer-*
 7 *ing”; and*

8 *(C) in subsection (e)(5), by striking “Under*
 9 *Secretary of Defense for Acquisition, Technology,*
 10 *and Logistics” and inserting “Under Secretary*
 11 *of Defense for Research and Engineering”.*

12 *(89) Section 2533b(k)(2)(A) of title 10, United*
 13 *States Code, is amended by striking “Under Secretary*
 14 *of Defense for Acquisition, Technology, and Logistics”*
 15 *and inserting “Under Secretary of Defense for Acqui-*
 16 *sition and Sustainment”.*

17 *(90) Section 2546 of title 10, United States*
 18 *Code, is amended—*

19 *(A) in the heading of subsection (a), by*
 20 *striking “UNDER SECRETARY OF DEFENSE FOR*
 21 *ACQUISITION, TECHNOLOGY, AND LOGISTICS”*
 22 *and inserting “UNDER SECRETARY OF DEFENSE*
 23 *FOR ACQUISITION AND SUSTAINMENT”;*

24 *(B) in subsection (a), by striking “Under*
 25 *Secretary of Defense for Acquisition, Technology,*

1 *and Logistics” and inserting “Under Secretary*
2 *of Defense for Acquisition and Sustainment”;*
3 *and*

4 (C) in subsection (b), by striking “Under
5 *Secretary of Defense for Acquisition, Technology,*
6 *and Logistics” and inserting “Under Secretary*
7 *of Defense for Acquisition and Sustainment”.*

8 (91) Section 2548 of title 10, United States
9 Code, is amended—

10 (A) in subsection (a), by striking “Under
11 *Secretary of Defense for Acquisition, Technology,*
12 *and Logistics” and inserting “Under Secretary*
13 *of Defense for Acquisition and Sustainment”;*
14 *and*

15 (B) in subsection (c)(8), by striking “Under
16 *Secretary of Defense for Acquisition, Technology,*
17 *and Logistics” and inserting “Under Secretary*
18 *of Defense for Acquisition and Sustainment”.*

19 (92) Section 2902(b) of title 10, United States
20 Code, is amended—

21 (A) in paragraph (1), by striking “Office of
22 *the Assistant Secretary of Defense for Research*
23 *and Engineering” and inserting “Office of the*
24 *Secretary of Defense for Research and Engineer-*
25 *ing”;* and

1 (B) in paragraph (3), by striking “Office of
2 the Under Secretary of Defense for Acquisition,
3 Technology, and Logistics” and inserting “Office
4 of the Under Secretary of Defense for Acquisition
5 and Sustainment”.

6 (93) Section 2824(d) of the National Defense Au-
7 thorization Act for Fiscal Year 2013 (Public law 112–
8 239; 126 Stat. 2154; 10 U.S.C. 2911 note) is amended
9 by striking “Under Secretary of Defense for Acquisi-
10 tion, Technology, and Logistics and the Assistant Sec-
11 retary of Defense for Energy, Installations, and Envi-
12 ronment” and inserting “Under Secretary of Defense
13 for Acquisition and Sustainment”.

14 (94) Section 315(d) of the National Defense Au-
15 thorization Act for Fiscal Year 2012 (Public law 112–
16 81; 125 Stat. 1357; 10 U.S.C. 2911 note) is amended
17 by 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 (95) Section 2926(e)(5)(D) of title 10, United
22 States Code, is amended by striking “Under Secretary
23 of Defense for Acquisition, Technology, and Logistics”
24 and inserting “Under Secretary for Defense for Ac-
25 quisition and Sustainment”.

1 (96) *Section 836(a)(2) of the National Defense*
2 *Authorization Act for Fiscal Year 2012 (Public Law*
3 *112–81; 125 Stat. 1508; 22 U.S.C. 2767 note) is*
4 *amended by striking “the Under Secretary of Defense*
5 *for Acquisition, Technology, and Logistics, the Assist-*
6 *ant Secretary of Defense for Research,” and inserting*
7 *“the Under Secretary of Defense for Acquisition and*
8 *Sustainment, the Under Secretary of Defense for Re-*
9 *search and Engineering,”.*

10 (97) *Section 7103(d)(7)(M)(v) of title 22, United*
11 *States Code, is amended by striking “Under Secretary*
12 *of Defense for Acquisition, Technology, and Logistics”*
13 *and inserting “Under Secretary of Defense for Acqui-*
14 *sition and Sustainment”.*

15 (98) *Section 1126(a)(3) of title 31, United States*
16 *Code, is amended by striking “Under Secretary of De-*
17 *fense for Acquisition, Technology, and Logistics” and*
18 *inserting “Under Secretary of Defense for Acquisition*
19 *and Sustainment”.*

20 (99) *Section 11319(d)(4) of title 40, United*
21 *States Code, is amended by striking “Under Secretary*
22 *of Defense for Acquisition, Technology, and Logistics”*
23 *and inserting “Under Secretary of Defense for Acqui-*
24 *sition and Sustainment”.*

1 (100) Section 1302(b)(2)(A)(i) of title 41, United
 2 States Code, is amended by striking “Under Secretary
 3 of Defense for Acquisition, Technology, and Logistics”
 4 and inserting “Under Secretary of Defense for Acquisition and Sustainment”.

6 (101) Section 809 of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102–190; 105 Stat. 1423; 41 U.S.C. 1302 note) is amended by striking “Under Secretary of Defense for Acquisition, Technology, and Logistics” and
 10 inserting “Under Secretary of Defense for Acquisition and Sustainment”.

13 (102) Section 1311(b)(3) of title 41, United States Code, is amended by striking “Under Secretary of Defense for Acquisition, Technology, and Logistics” and
 16 inserting “Under Secretary of Defense for Acquisition and Sustainment”.

18 (103) Section 98f(a)(3) of title 50, United States Code, is amended by striking “Under Secretary of Defense for Acquisition, Technology, and Logistics” and
 21 inserting “Under Secretary of Defense for Acquisition and Sustainment”.

23 (104) Section 1521 of title 50, United States Code, is amended—
 24

1 (A) in subsection (f)(1), by striking “Under
2 Secretary of Defense for Acquisition, Technology,
3 and Logistics” and inserting “Under Secretary
4 of Defense for Acquisition and Sustainment”;
5 and

6 (B) in subsection (g)(2), by striking “Under
7 Secretary of Defense for Acquisition, Technology,
8 and Logistics” and inserting “Under Secretary
9 of Defense for Acquisition and Sustainment.”.

10 (k) *REQUIREMENTS FOR THE NATIONAL SECURITY*
11 *STRATEGY FOR NATIONAL TECHNOLOGY AND INDUSTRIAL*
12 *BASE.—*

13 (1) *NATIONAL SECURITY STRATEGY FOR NA-*
14 *TIONAL TECHNOLOGY AND INDUSTRIAL BASE.—*Sec-
15 *tion 2501(a) of title 10, United States Code, is*
16 *amended by inserting after the first sentence the fol-*
17 *lowing new sentence: “The Secretary shall submit*
18 *such strategy to Congress not later than 180 days*
19 *after the date of submission of the national security*
20 *strategy report required under section 108 of the Na-*
21 *tional Security Act of 1947 (50 U.S.C. 3043).”.*

22 (2) *ANNUAL REPORT TO CONGRESS.—*Section
23 *2504(3) of title 10, United States Code, is amended—*

1 (A) in the matter preceding subparagraph
 2 (A), by inserting “Executive order or” after
 3 “pursuant to”;

4 (B) by amending subparagraph (A) to read
 5 as follows:

6 “(A) prioritized list of gaps or
 7 vulnerabilities in the national technology and
 8 industrial base, including—

9 “(i) a description of mitigation strate-
 10 gies necessary to address such gaps or
 11 vulnerabilities;

12 “(ii) the identification of the indi-
 13 vidual responsible for addressing such gaps
 14 or vulnerabilities; and

15 “(iii) a proposed timeline for action to
 16 address gaps or vulnerabilities.”.

17 (l) *ESTABLISHMENT OF CENTER FOR ACQUISITION IN-*
 18 *NOVATION.*—

19 (1) *ESTABLISHMENT OF CENTER FOR ACQUI-*
 20 *SION INNOVATION.*—

21 (A) *IN GENERAL.*—Chapter 97 of title 10,
 22 United States Code, is amended by inserting
 23 after section 1746 the following new section:

1 **“§ 1746a. Center for Acquisition Innovation**

2 “(a) *ESTABLISHMENT.*—*The Secretary of Defense, act-*
3 *ing through the Under Secretary of Defense for Acquisition*
4 *and Sustainment, shall establish and maintain a Center*
5 *for Acquisition Innovation (hereinafter referred to as the*
6 *‘Center’)* *at the Naval Postgraduate School. The Center shall*
7 *operate as an academic entity specializing in innovation*
8 *relating to the defense acquisition system.*

9 “(b) *MISSION.*—(1) *The mission of the Center is to*
10 *provide to policymakers in the Department of Defense, Con-*
11 *gress, and throughout the Government, academic analyses*
12 *and policy alternatives for innovation in the defense acqui-*
13 *sition system. The Center shall accomplish that mission by*
14 *a variety of means intended to widely disseminate the re-*
15 *search findings of the Center.*

16 “(2) *In carrying out the mission under paragraph (1),*
17 *the Center shall, on an ongoing basis, review the statutes*
18 *and regulations applicable to the defense acquisition sys-*
19 *tem. The objective of such review is to provide policy alter-*
20 *natives for streamlining and improving the efficiency and*
21 *effectiveness of the defense acquisition process in order to*
22 *ensure a defense technology advantage for the United States*
23 *over potential adversaries.*

24 “(c) *IMPLEMENTATION REVIEW OF SECTION 809*
25 *PANEL RECOMMENDATIONS AND CENTER POLICY ALTER-*
26 *NATIVES.*—(1) *The Center shall, on an ongoing basis, review*

1 *implementation of the recommendations of the Section 809*
2 *Panel and policy alternatives provided by the Center. As*
3 *part of such review, the Center shall—*

4 “(A) *for recommendations or policy alternatives*
5 *for the enactment of legislation, identify whether (or*
6 *to what extent) the recommendations or policy alter-*
7 *natives have been adopted by being enacted into law*
8 *by Congress;*

9 “(B) *for recommendations or policy alternatives*
10 *for the issuance of regulations, identify whether (or to*
11 *what extent) the recommendations or policy alter-*
12 *natives have been adopted through issuance of new*
13 *agency or Government-wide regulations; and*

14 “(C) *for recommendations or policy alternatives*
15 *for revisions to policies and procedures in the execu-*
16 *tive branch, identify whether (or to what extent) the*
17 *recommendations or policy alternatives have been*
18 *adopted through issuance of an appropriate imple-*
19 *menting directive or other form of guidance.*

20 “(2) *In this subsection, the term ‘Section 809 Panel’*
21 *means the panel established by the Secretary of Defense pur-*
22 *suant to section 809 of the National Defense Authorization*
23 *Act for Fiscal Year 2016 (Public Law 114–92), as amended*
24 *by section 863(d) of the National Defense Authorization Act*
25 *for Fiscal Year 2017 (Public Law 114–328) and sections*

1 803(c) and 883 of the National Defense Authorization Act
2 for Fiscal Year 2018 (Public Law 115–91).

3 “(d) *FUNDING*.—There shall be available for the Center
4 for any fiscal year from the Defense Acquisition Workforce
5 and Development Fund not less than the amount of
6 \$3,000,000 (in fiscal year 2019 constant dollars), in addi-
7 tion to any other amount available for that fiscal year for
8 the Naval Postgraduate School.

9 “(e) *ANNUAL REPORT*.—(1) Not later than September
10 30 each year, the Center shall submit to the Secretary of
11 Defense, who shall forward to the Committees on Armed
12 Services of the Senate and House of Representatives, a re-
13 port describing the activities of the Center during the pre-
14 vious year and providing the findings, analysis, and policy
15 alternatives of the Center relating to the defense acquisition
16 system.

17 “(2) Each such report shall be submitted in accordance
18 with paragraph (1) without further review within the exec-
19 utive branch.

20 “(3) Each report under paragraph (1) shall include
21 the following:

22 “(A) Results of academic research and analysis.

23 “(B) Results of the implementation reviews con-
24 ducted pursuant to subsection (d).

1 “(C) *Policy alternatives for such legislative and*
 2 *executive branch action as the Center considers war-*
 3 *ranted.*

4 “(D) *Specific implementation language for any*
 5 *statutory changes recommended.*

6 “(f) *DEFINITION.—In this section, the term ‘defense ac-*
 7 *quisition system’ has the meaning given that term in sec-*
 8 *tion 2545(2) of this title.’.*

9 (B) *CLERICAL AMENDMENT.—The table of*
 10 *sections at the beginning of such chapter is*
 11 *amended by inserting after the item relating to*
 12 *section 2165 the following new item:*

“1746a. *Center for Acquisition Innovation.*”.

13 (2) *DEADLINE FOR IMPLEMENTATION.—The Sec-*
 14 *retary of Defense shall establish the Center for Acqui-*
 15 *sition Innovation under section 1746a of title 10,*
 16 *United States Code, as added by subsection (a), not*
 17 *later than March 1, 2020. The first Director of the*
 18 *Center shall be appointed not later than June 1,*
 19 *2020, and the Center should be fully operational not*
 20 *later than June 1, 2021.*

21 (3) *IMPLEMENTATION REPORT.—*

22 (A) *IN GENERAL.—Not later than January*
 23 *1, 2021, the head of the Center of Acquisition In-*
 24 *novation shall submit to the Secretary of Defense*
 25 *a report setting forth the organizational plan for*

1 *the Center for Acquisition Innovation, the pro-*
 2 *posed budget for the Center, and the timetable for*
 3 *initial and full operations of the Center.*

4 (B) *TRANSMITTAL.—The Secretary of De-*
 5 *fense shall transmit the report under paragraph*
 6 *(1), together with whatever comments the Sec-*
 7 *retary considers appropriate, to the Committee*
 8 *on Armed Services of the Senate and the Com-*
 9 *mittee on Armed Services of the House of Rep-*
 10 *resentatives not later than February 1, 2021.*

11 (4) *RECORDS OF THE SECTION 809 PANEL.—*

12 (A) *TRANSFER AND MAINTENANCE OF*
 13 *RECORDS.—Following termination of the Section*
 14 *809 Panel, the records of the panel shall be*
 15 *transferred to, and shall be maintained by, the*
 16 *Defense Technical Information Center. Such*
 17 *transfer shall be accomplished not later than Au-*
 18 *gust 1, 2019.*

19 (B) *STATUS OF RECORDS.—Working pa-*
 20 *pers, records of interview, and any other draft*
 21 *work products generated for any purpose by the*
 22 *Section 809 Panel during its research are cov-*
 23 *ered by the deliberative process privilege exemp-*
 24 *tion under paragraph (5) of section 552(b) of*
 25 *title 5, United States Code.*

1 (C) *DEFINITION.*—*In this section, the term*
2 *“Section 809 Panel” means the panel established*
3 *by the Secretary of Defense pursuant to section*
4 *809 of the National Defense Authorization Act*
5 *for Fiscal Year 2016 (Public Law 114–92), as*
6 *amended by section 863(d) of the National De-*
7 *fense Authorization Act for Fiscal Year 2017*
8 *(Public Law 114–328) and sections 803(c) and*
9 *883 of the National Defense Authorization Act*
10 *for Fiscal Year 2018 (Public Law 115–91).*

11 ***Subtitle F—Industrial Base Matters***

12 ***SEC. 871. CONSIDERATION OF SUBCONTRACTING TO MI-***
13 ***NORITY INSTITUTIONS.***

14 (a) *IN GENERAL.*—*Chapter 141 of title 10, United*
15 *States Code, is amended by adding at the end the following*
16 *new section:*

17 ***“§ 2410t. Consideration of subcontracting to minority***
18 ***institutions***

19 “(a) *CONSIDERATION OF SUBCONTRACTING TO MINOR-*
20 *ITY INSTITUTIONS.*—*The Secretary of Defense shall revise*
21 *the Department of Defense Supplement to the Federal Ac-*
22 *quisition Regulation to require that the system used by the*
23 *Federal Government to monitor or record contractor past*
24 *performance for a grant or contract awarded to an institu-*

tion of higher education includes incentives for the award
of a sub-grant or subcontract to minority institutions.

“(b) *MINORITY INSTITUTION DEFINED.*—In this section, the term ‘minority institution’ means—

“(1) a part B institution (as that term is defined in section 322(2) of the Higher Education Act of 1965 (20 U.S.C. 1061(2)); or

“(2) any other institution of higher education (as that term is defined in section 101 of such Act (20 U.S.C. 1001)) at which not less than 50 percent of the total student enrollment consists of students from ethnic groups that are underrepresented in the fields of science and engineering.”.

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

“2410t. Consideration of subcontracting to minority institutions.”.

**SEC. 872. SIZE STANDARD CALCULATIONS FOR CERTAIN
SMALL BUSINESS CONCERNS.**

(a) *CLARIFYING AMENDMENT TO THE SMALL BUSINESS RUNWAY EXTENSION ACT OF 2018.*—Section 3(a)(2)(C) of the Small Business Act (15 U.S.C. 632(a)(2)(C)) is amended by inserting “(including the Administration when acting pursuant to subparagraph (A))” after “no Federal department or agency”.

1 (b) *FINALIZATION OF SMALL BUSINESS RUNWAY EX-*
 2 *TENSION ACT OF 2018 RULES.*—*The Administrator of the*
 3 *Small Business Administration shall issue a final rule im-*
 4 *plementing the Small Business Runway Extension Act of*
 5 *2018 (Public Law 115–324) not later than December 17,*
 6 *2019.*

7 (c) *AMENDMENT TO SIZE STANDARDS FOR CERTAIN*
 8 *SMALL BUSINESS CONCERNS.*—

9 (1) *SIZE STANDARDS FOR SMALL BUSINESS CON-*
 10 *CERNS PROVIDING SERVICES.*—*Section*
 11 *3(a)(2)(C)(ii)(II) of the Small Business Act (15*
 12 *U.S.C. 632(a)(2)(C)(ii)(II)) is amended by striking*
 13 *“not less than”.*

14 (2) *SIZE STANDARDS FOR OTHER BUSINESS CON-*
 15 *CERNS.*—*Section 3(a)(2)(C)(ii)(III) of the Small*
 16 *Business Act (15 U.S.C. 632(a)(2)(C)(ii)(III)) is*
 17 *amended by striking “not less than 3 years” and in-*
 18 *serting “5 years”.*

19 (d) *TRANSITION PLAN FOR THE SMALL BUSINESS*
 20 *RUNWAY EXTENSION ACT OF 2018.*—

21 (1) *PLAN REQUIRED.*—*Not later than 30 days*
 22 *after the date of the enactment of this Act, the Admin-*
 23 *istrator of the Small Business Administration shall*
 24 *implement a transition plan to assist business con-*
 25 *cerns and Federal agencies with compliance with the*

1 *requirements of the Small Business Runway Extension*
 2 *Act of 2018 (Public Law 115–324).*

3 (2) *3-YEAR CALCULATION FOR SIZE STAND-*
 4 *ARDS.—*

5 (A) *IN GENERAL.—The transition plan de-*
 6 *scribed under paragraph (1) shall include a re-*
 7 *quirement that, during the period beginning on*
 8 *December 17, 2018, and ending on the date that*
 9 *is 6 months after the date on which the Adminis-*
 10 *trator issues final rules implementing the Small*
 11 *Business Runway Extension Act of 2018 (Public*
 12 *Law 115–324), allows the use of a 3-year cal-*
 13 *culatation for a size standard to be applied to a*
 14 *business concern if the use of such 3-year cal-*
 15 *culatation allows such concern to be considered a*
 16 *small business concern under section 3(a)(1) of*
 17 *the Small Business Act (15 U.S.C. 632(a)(1)).*

18 (B) *3-YEAR CALCULATION DEFINED.—In*
 19 *this subsection, the term “3-year calculation”*
 20 *means—*

21 (i) *with respect to a business concern*
 22 *providing services described under clause*
 23 *(ii)(II) of such section, a determination of*
 24 *the size of such concern on the basis of the*

1 *annual average gross receipts of such con-*
 2 *cern over a period of 3 years; and*

3 *(ii) with respect to a business concern*
 4 *described under clause (ii)(III) of such sec-*
 5 *tion, a determination of the size of such*
 6 *concern on the basis of data over a period*
 7 *of 3 years.*

8 *(e) REQUIREMENT TO UPDATE SAM.—Not later than*
 9 *90 days after the date of the enactment of this Act, the Sys-*
 10 *tem for Award Management (or any successor system) shall*
 11 *be updated to comply with the requirements of this Act.*

12 **SEC. 873. MODIFICATIONS TO SMALL BUSINESS SUBCON-**
 13 **TRACTING.**

14 *(a) SMALL BUSINESS LOWER-TIER SUBCON-*
 15 *TRACTING.—Section 8(d) of the Small Business Act (15*
 16 *U.S.C. 637(d)) is amended—*

17 *(1) by amending paragraph (16) to read as fol-*
 18 *lows:*

19 *“(16) CREDIT FOR CERTAIN SMALL BUSINESS*
 20 *CONCERN SUBCONTRACTORS.—*

21 *“(A) IN GENERAL.—For purposes of deter-*
 22 *mining whether or not a prime contractor has*
 23 *attained the percentage goals specified in para-*
 24 *graph (6)—*

1 “(i) if the subcontracting goals pertain
 2 only to a single contract with the Federal
 3 agency, the prime contractor may elect to
 4 receive credit for small business concerns
 5 performing as first tier subcontractors or
 6 subcontractors at any tier pursuant to the
 7 subcontracting plans required under para-
 8 graph (6)(D) in an amount equal to the
 9 total dollar value of any subcontracts
 10 awarded to such small business concerns;
 11 and

12 “(ii) if the subcontracting goals per-
 13 tain to more than one contract with one or
 14 more Federal agencies, or to one contract
 15 with more than one Federal agency, the
 16 prime contractor may only receive credit for
 17 first tier subcontractors that are small busi-
 18 ness concerns.

19 “(B) COLLECTION AND REVIEW OF DATA ON
 20 SUBCONTRACTING PLANS.—The head of each con-
 21 tracting agency shall ensure that—

22 “(i) the agency collects and reports
 23 data on the extent to which contractors of
 24 the agency meet the goals and objectives set

1 *forth in subcontracting plans submitted*
 2 *pursuant to this subsection; and*

3 “(ii) *the agency periodically reviews*
 4 *data collected and reported pursuant to sub-*
 5 *paragraph (A) for the purpose of ensuring*
 6 *that such contractors comply in good faith*
 7 *with the requirements of this subsection and*
 8 *subcontracting plans submitted by the con-*
 9 *tractors pursuant to this subsection.*

10 “(C) *RULE OF CONSTRUCTION.—Nothing in*
 11 *this paragraph shall be construed to allow a Fed-*
 12 *eral agency to establish a goaling requirement*
 13 *for a prime contractor eligible to receive credit*
 14 *under this paragraph that establishes an amount*
 15 *of subcontracts with a subcontractor that is not*
 16 *a first tier subcontractor for such prime con-*
 17 *tractor.”; and*

18 (2) *by adding at the end the following new para-*
 19 *graph:*

20 “(18) *DISPUTE PROCESS FOR NON-PAYMENT TO*
 21 *SUBCONTRACTORS.—*

22 “(A) *NOTICE TO AGENCY.—With respect to*
 23 *a contract with a Federal agency, a subcon-*
 24 *tractor of a prime contractor on such contract*
 25 *may, if the subcontractor has not received pay-*

1 *ment for performance on such contract within 30*
 2 *days of the completion of such performance, no-*
 3 *tify the Office of Small and Disadvantaged Busi-*
 4 *ness Utilization (hereinafter referred to as*
 5 *‘OSDBU’) of the Federal agency and the prime*
 6 *contractor of such lack of payment.*

7 “(B) *AGENCY DETERMINATION.*—

8 “(i) *IN GENERAL.*—Upon receipt of a
 9 *notice described under subparagraph (A)*
 10 *and if such notice is provided to the agency*
 11 *within the 15-day period following the end*
 12 *the 30-day period described in subpara-*
 13 *graph (A), the OSDBU shall verify whether*
 14 *such lack of payment has occurred and de-*
 15 *termine whether such lack of payment is*
 16 *due to an undue restriction placed on the*
 17 *prime contractor by an action of the Fed-*
 18 *eral agency.*

19 “(ii) *RESPONSE DURING DETERMINA-*
 20 *TION.*—During the period in which the
 21 *OSDBU is making the determination under*
 22 *clause (i), the prime contractor may re-*
 23 *spond to both the subcontractor and the*
 24 *OSDBU with relevant verifying documenta-*

1 *tion to either prove payment or allowable*
 2 *status of nonpayment.*

3 *“(C) CURE PERIOD.—If the OSDBU*
 4 *verifies that the lack of payment under subpara-*
 5 *graph (B) is not due to an action of the Federal*
 6 *agency, and the prime contractor has not pro-*
 7 *vided verifying documentation described in sub-*
 8 *paragraph (B)(ii), the OSDBU shall notify the*
 9 *prime contractor and provide the prime con-*
 10 *tractor with a 15-day period in which the prime*
 11 *contractor may make the payment owed to the*
 12 *subcontractor.*

13 *“(D) RESULT OF NONPAYMENT.—If, after*
 14 *notifying the prime contractor under subpara-*
 15 *graph (C), the OSDBU determines that the*
 16 *prime contractor has not fully paid the amount*
 17 *owed within the 15-day period described under*
 18 *subparagraph (C), the OSDBU shall ensure that*
 19 *such failure to pay is reflected in the Contractor*
 20 *Performance Assessment Reporting system (or*
 21 *any successor system).”.*

22 *(b) MAINTENANCE OF RECORDS WITH RESPECT TO*
 23 *CREDIT UNDER A SUBCONTRACTING PLAN.—Section*
 24 *8(d)(6) of the Small Business Act (15 U.S.C. 637(d)(6)) is*
 25 *amended—*

1 (1) by redesignating subparagraphs (G) and (H)
 2 as subparagraphs (H) and (I), respectively (and con-
 3 forming the margins accordingly); and

4 (2) by inserting after subparagraph (F) the fol-
 5 lowing new subparagraph:

6 “(G) a recitation of the types of records the suc-
 7 cessful offeror or bidder will maintain to demonstrate
 8 that procedures have been adopted to substantiate the
 9 credit the successful offeror or bidder will elect to re-
 10 ceive under paragraph (16)(A)(i);”.

11 **SEC. 874. INCLUSION OF BEST IN CLASS DESIGNATIONS IN**
 12 **ANNUAL REPORT ON SMALL BUSINESS**
 13 **GOALS.**

14 Section 15(h) of the Small Business Act (15 U.S.C.
 15 644(h)) is amended by adding at the end the following new
 16 paragraph:

17 “(4) **BEST IN CLASS SMALL BUSINESS PARTICI-**
 18 **PATION REPORTING.**—

19 “(A) **ADDENDUM.**—The Administrator, in
 20 addition to the requirements under paragraph
 21 (2), shall include in the report required by such
 22 paragraph, for each best in class designation—

23 “(i) the total amount of spending Gov-
 24 ernmentwide in such designation;

1 “(ii) *the number of small business con-*
 2 *cerns awarded contracts and the dollar*
 3 *amount of such contracts awarded within*
 4 *each such designation to each of the fol-*
 5 *lowing—*

6 “(I) *qualified HUBZone small*
 7 *business concerns;*

8 “(II) *small business concerns*
 9 *owned and controlled by women;*

10 “(III) *small business concerns*
 11 *owned and controlled by service-dis-*
 12 *abled veterans; and*

13 “(IV) *small business concerns*
 14 *owned and controlled by socially and*
 15 *economically disadvantaged individ-*
 16 *uals.*

17 “(B) *BEST IN CLASS DEFINED.—The term*
 18 *‘best in class’ has the meaning given such term*
 19 *by the Director of the Office of Management and*
 20 *Budget.*

21 “(C) *EFFECTIVE DATE.—The Administrator*
 22 *shall report on the information described by sub-*
 23 *paragraph (A) beginning on the date that such*
 24 *information is available in the Federal Procure-*

1 *ment Data System, the System for Award Man-*
 2 *agement, or any successor to such systems.”.*

3 **SEC. 875. SMALL BUSINESS ADMINISTRATION CYBERSECU-**
 4 **RITY REPORTS.**

5 *Section 10 of the Small Business Act (15 U.S.C. 639)*
 6 *is amended by inserting after subsection (a) the following:*

7 “(b) *CYBERSECURITY REPORTS.*—

8 “(1) *ANNUAL REPORT.*—*Not later than 180 days*
 9 *after the date of enactment of this subsection, and*
 10 *every year thereafter, the Administrator shall submit*
 11 *a report to the appropriate congressional committees*
 12 *that includes—*

13 “(A) *an assessment of the information tech-*
 14 *nology (as defined in section 11101 of title 40,*
 15 *United States Code) and cybersecurity infra-*
 16 *structure of the Administration;*

17 “(B) *a strategy to increase the cybersecurity*
 18 *infrastructure of the Administration;*

19 “(C) *a detailed account of any information*
 20 *technology equipment or interconnected system*
 21 *or subsystem of equipment of the Administration*
 22 *that was manufactured by an entity that has its*
 23 *principal place of business located in China,*
 24 *Iran, Russia, or North Korea; and*

1 “(D) an account of any cybersecurity risk
2 or incident that occurred at the Administration
3 during the 2-year period preceding the date on
4 which the report is submitted, and any action
5 taken by the Administrator to respond to or re-
6 mediate any such cybersecurity risk or incident.

7 “(2) *ADDITIONAL REPORTS.*—If the Adminis-
8 trator determines that there is a reasonable basis to
9 conclude that a cybersecurity risk or incident oc-
10 curred at the Administration, the Administrator
11 shall—

12 “(A) not later than 7 days after the date on
13 which the Administrator makes that determina-
14 tion, notify the appropriate congressional com-
15 mittees of the cybersecurity risk or incident; and

16 “(B) not later than 30 days after the date
17 on which the Administrator makes a determina-
18 tion under subparagraph (A)—

19 “(i) provide notice to individuals and
20 small business concerns affected by the cy-
21 bersecurity risk or incident; and

22 “(ii) submit to the appropriate con-
23 gressional committees a report, based on in-
24 formation available to the Administrator as

1 *of the date which the Administrator submits*
 2 *the report, that includes—*

3 “(I) a summary of information
 4 about the cybersecurity risk or inci-
 5 dent, including how the cybersecurity
 6 risk or incident occurred; and

7 “(II) an estimate of the number of
 8 individuals and small business con-
 9 cerns affected by the cybersecurity risk
 10 or incident, including an assessment of
 11 the risk of harm to affected individuals
 12 and small business concerns.

13 “(3) *RULE OF CONSTRUCTION.*—*Nothing in this*
 14 *subsection shall be construed to affect the reporting re-*
 15 *quirements of the Administrator under chapter 35 of*
 16 *title 44, United States Code, in particular the re-*
 17 *quirement to notify the Federal information security*
 18 *incident center under section 3554(b)(7)(C)(ii) of such*
 19 *title, or any other provision of law.*

20 “(4) *DEFINITIONS.*—*In this subsection:*

21 “(A) *APPROPRIATE CONGRESSIONAL COM-*
 22 *MITTEES.*—*The term ‘appropriate congressional*
 23 *committees’ means—*

24 “(i) *the Committee on Small Business*
 25 *and Entrepreneurship of the Senate; and*

1 “(ii) *the Committee on Small Business*
2 *of the House of Representatives.*

3 “(B) *CYBERSECURITY RISK; INCIDENT.—*
4 *The terms ‘cybersecurity risk’ and ‘incident’ have*
5 *the meanings given such terms, respectively,*
6 *under section 2209(a) of the Homeland Security*
7 *Act of 2002.’”.*

8 **SEC. 876. CYBER COUNSELING CERTIFICATION PROGRAM**
9 **FOR LEAD SMALL BUSINESS DEVELOPMENT**
10 **CENTERS.**

11 *Section 21 of the Small Business Act (15 U.S.C. 648)*
12 *is amended by adding at the end the following:*

13 “(o) *CYBER COUNSELING CERTIFICATION PROGRAM*
14 *FOR LEAD SMALL BUSINESS DEVELOPMENT CENTERS.—*

15 “(1) *CERTIFICATION PROGRAM.—The Adminis-*
16 *trator shall establish a cyber counseling certification*
17 *program, or approve a similar existing program, to*
18 *certify employees of lead small business development*
19 *centers to provide cyber planning assistance to small*
20 *business concerns.*

21 “(2) *NUMBER OF CERTIFIED EMPLOYEES.—The*
22 *Administrator shall ensure that each lead small busi-*
23 *ness development center has at least 1 employee, and*
24 *not less than 10 percent of the total number of em-*
25 *ployees of the lead small business development center,*

1 *certified in providing cyber planning assistance*
 2 *under this subsection.*

3 “(3) *CONSIDERATION OF SMALL BUSINESS DE-*
 4 *VELOPMENT CENTER CYBER STRATEGY.*—*In carrying*
 5 *out this subsection, the Administrator, to the extent*
 6 *practicable, shall consider any cyber strategy methods*
 7 *included in the Small Business Development Center*
 8 *Cyber Strategy developed under section 1841(a)(3)(B)*
 9 *of the National Defense Authorization Act for Fiscal*
 10 *Year 2017 (Public Law 114–328; 130 Stat. 2662) and*
 11 *any cybersecurity outreach conducted pursuant to sec-*
 12 *tion 2209(l) of the Homeland Security Act of 2002.*

13 “(4) *REIMBURSEMENT FOR CERTIFICATION.*—
 14 *Subject to the availability of appropriations, the Ad-*
 15 *ministrator shall reimburse a lead small business de-*
 16 *velopment center in an amount not to exceed*
 17 *\$350,000 in any fiscal year for costs relating to the*
 18 *certification of an employee of the lead small business*
 19 *development center under the program established*
 20 *under paragraph (1).*

21 “(5) *DEFINITIONS.*—*In this subsection:*

22 “(A) *CYBER PLANNING ASSISTANCE.*—*The*
 23 *term ‘cyber planning assistance’ means counsel*
 24 *and assistance to improve the cybersecurity in-*
 25 *frastructure, awareness of cyber threat indica-*

1 tors, and cyber training programs for employees
2 of a small business concern.

3 “(B) *LEAD SMALL BUSINESS DEVELOPMENT*
4 *CENTER.*—The term ‘lead small business develop-
5 ment center’ means a small business development
6 center that has received a grant under this sec-
7 tion.”.

8 **SEC. 877. EXEMPTION OF CERTAIN CONTRACTS FROM THE**
9 **PERIODIC INFLATION ADJUSTMENTS TO THE**
10 **ACQUISITION-RELATED DOLLAR THRESHOLD.**

11 Subparagraph (B) of section 1908(b)(2) of title 41,
12 United States Code, is amended by inserting “3131 to
13 3134,” after “sections”.

14 **SEC. 878. IMPROVEMENTS TO CERTAIN DEFENSE INNOVA-**
15 **TION PROGRAMS.**

16 (a) *ALIGNMENT OF THE SMALL BUSINESS INNOVATION*
17 *RESEARCH PROGRAM AND SMALL BUSINESS TECHNOLOGY*
18 *TRANSFER PROGRAM OF THE DEPARTMENT OF DEFENSE*
19 *WITH THE NATIONAL DEFENSE SCIENCE AND TECH-*
20 *NOLOGY STRATEGY.*—

21 (1) *IN GENERAL.*—The Secretary of Defense and
22 Secretaries of the military departments shall, to the
23 extent practicable, align the research topics selected
24 for activities conducted under the Small Business In-
25 novation Research Program and Small Business

1 *Technology Transfer Program (as defined under sec-*
 2 *tion 9 of the Small Business Act (15 U.S.C. 638) with*
 3 *the National Defense Science and Technology Strategy*
 4 *established under section 218 of the John. S. McCain*
 5 *National Defense Authorization Act for Fiscal Year*
 6 *2019 (Public Law 115–232; 132 Stat. 1679).*

7 (2) *USE OF NATIONAL DEFENSE SCIENCE AND*
 8 *TECHNOLOGY STRATEGY TO DETERMINE RESEARCH*
 9 *TOPICS.—Section 9 of the Small Business Act (15*
 10 *U.S.C. 638) is amended—*

11 (A) *in subsection (g)(3)(B), by striking “,*
 12 *in the 1992 report” and all that follows through*
 13 *“that authority” and inserting “in the National*
 14 *Defense Science and Technology Strategy estab-*
 15 *lished under section 218 of the John. S. McCain*
 16 *National Defense Authorization Act for Fiscal*
 17 *Year 2019 (Public Law 115–232; 132 Stat.*
 18 *1679)”;* and

19 (B) *in subsection (o)(3)(B), by striking “,*
 20 *in accordance with section 2522 of title 10,*
 21 *United States Code” and inserting “in the Na-*
 22 *tional Defense Science and Technology Strategy*
 23 *established under section 218 of the John. S.*
 24 *McCain National Defense Authorization Act for*

1 *Fiscal Year 2019 (Public Law 115–232; 132*
 2 *Stat. 1679)”.*

3 **(b) PILOT PROGRAM FOR DOMESTIC INVESTMENT**
 4 **UNDER THE SBIR PROGRAM.—**

5 **(1) SENSE OF CONGRESS.—***It is the sense of*
 6 *Congress that the Administrator of the Small Busi-*
 7 *ness Administration should promulgate regulations to*
 8 *carry out the requirements under section 9(dd) of the*
 9 *Small Business Act (15 U.S.C. 638(dd)) that—*

10 **(A)** *permit small business concerns that are*
 11 *majority-owned by multiple venture capital op-*
 12 *erating companies, hedge funds, or private eq-*
 13 *uity firms to participate in the SBIR program*
 14 *in accordance with such section;*

15 **(B)** *provide specific information regarding*
 16 *eligibility, participation, and affiliation rules to*
 17 *such small business concerns; and*

18 **(C)** *preserve and maintain the integrity of*
 19 *the SBIR program as a program for small busi-*
 20 *ness concerns in the United States by prohibiting*
 21 *large entities or foreign-owned entities from par-*
 22 *ticipation in the SBIR program.*

23 **(2) DOMESTIC INVESTMENT PILOT PROGRAM.—**

24 **(A) IN GENERAL.—***Not later than 1 year*
 25 *after the date of the enactment of this Act and*

1 *notwithstanding the requirements of section*
2 *9(dd) of the Small Business Act (15 U.S.C.*
3 *638(dd)), the Secretary of Defense shall create*
4 *and administer a program to be known as the*
5 *“Domestic Investment Pilot Program” under*
6 *which the Secretary and the service acquisition*
7 *executive for each military department may*
8 *make a SBIR award to a small business concern*
9 *that is majority-owned by multiple United*
10 *States-owned venture capital operating compa-*
11 *nies, hedge funds, or private equity firms with-*
12 *out providing the written determination de-*
13 *scribed under paragraph (2) of such section*
14 *9(dd).*

15 *(B) LIMITATION.—The Secretary of Defense*
16 *may award not more than 10 percent of the*
17 *funds allocated for the SBIR program of the De-*
18 *partment of Defense under section 9(f) of the*
19 *Small Business Act (15 U.S.C. 638(f)) to small*
20 *business concerns that are owned in majority*
21 *part by multiple venture capital operating com-*
22 *panies, hedge funds, or private equity firms*
23 *through competitive, merit-based procedures that*
24 *are open to all eligible small business concerns.*

1 (C) *EVALUATION CRITERIA.*—*In carrying*
 2 *out the Domestic Investment Pilot Program, the*
 3 *Secretary of Defense may not use investment of*
 4 *venture capital or investment from hedge funds*
 5 *or private equity firms as a criterion for the*
 6 *award of contracts under the SBIR program or*
 7 *STTR program.*

8 (D) *ANNUAL REPORTING.*—*The Secretary of*
 9 *Defense shall include as part of each annual re-*
 10 *port required under section 9(b)(7) of the Small*
 11 *Business Act (15 U.S.C. 638(9)(b)(7))*—

12 (i) *information on the implementation*
 13 *of the Domestic Investment Pilot Program;*

14 (ii) *the number of proposals received*
 15 *from small business concerns that are ma-*
 16 *jority-owned by multiple venture capital*
 17 *operating companies, hedge funds, or pri-*
 18 *rate equity firms for the Domestic Invest-*
 19 *ment Pilot Program; and*

20 (iii) *the number of awards made to*
 21 *such small business concerns.*

22 (E) *TERMINATION.*—*The Domestic Invest-*
 23 *ment Pilot Program established under this sub-*
 24 *section shall terminate on September 30, 2022.*

25 (3) *DEFINITIONS.*—*In this section:*

1 (A) *SBIR*.—The term “*SBIR*” has the
 2 meaning given in section 9(e) of the *Small Busi-*
 3 *ness Act* (15 U.S.C. 638(e)).

4 (B) *SMALL BUSINESS ACT DEFINITIONS*.—
 5 The terms “small business concern”, “venture
 6 capital operating company”, “hedge fund”, and
 7 “private equity firm” have the meanings given
 8 those terms, respectively, in section 3 of the
 9 *Small Business Act* (15 U.S.C. 632).

10 (c) *CYBERSECURITY TECHNICAL ASSISTANCE FOR*
 11 *SBIR AND STTR PROGRAMS*.—

12 (1) *IN GENERAL*.—The Secretary of Defense may
 13 enter into an agreement with 1 or more vendors se-
 14 lected under section (9)(q)(2) of the *Small Business*
 15 *Act* (15 U.S.C. 638(q)(2)) to provide small business
 16 concerns engaged in *SBIR* or *STTR* projects with cy-
 17 bersecurity technical assistance , such as access to a
 18 network of cybersecurity experts and engineers en-
 19 gaged in designing and implementing cybersecurity
 20 practices.

21 (2) *AMOUNTS*.—In carrying out paragraph (1),
 22 the Secretary of Defense may provide the amounts de-
 23 scribed under section (9)(q)(3) of such Act (15 U.S.C.
 24 638(q)(3)) to a recipient that meets the eligibility re-
 25 quirements under the applicable subparagraph, if the

1 *recipient requests to seek cybersecurity technical as-*
 2 *sistance from an individual or entity other than a*
 3 *vendor selected as described in paragraph (1).*

4 *(d) PHASE 0 PROOF OF CONCEPT PARTNERSHIP PRO-*
 5 *GRAM FOR THE DEPARTMENT OF DEFENSE.—Section 9(jj)*
 6 *of the Small Business Act (15 U.S.C. 638) is amended—*

7 *(1) in paragraph (1), by striking “The Director*
 8 *of the National Institutes of Health” and inserting “A*
 9 *covered agency head”;*

10 *(2) by striking “The Director” each place it ap-*
 11 *pears and inserting “A covered agency head”;*

12 *(3) by striking “the Director” each place it ap-*
 13 *pears and inserting “a covered agency head”;*

14 *(4) in paragraph (2)—*

15 *(A) by amending subparagraph (A) to read*
 16 *as follows:*

17 *“(A) the term ‘covered agency head’*
 18 *means—*

19 *“(i) with respect to the STTR program*
 20 *of the National Institutes of Health, the Di-*
 21 *rector of the National Institutes of Health;*
 22 *or*

23 *“(ii) with respect to the STTR pro-*
 24 *gram of the Department of Defense, the Sec-*
 25 *retary of Defense;”;* and

1 (B) in subparagraph (C), by striking “in
 2 the National Institutes of Health’s STTR pro-
 3 gram” and inserting “in either the STTR pro-
 4 gram of the Department of Defense or the STTR
 5 program of the National Institutes of Health”;
 6 and

7 (5) in paragraph (4)(A), by inserting “partici-
 8 pating in the STTR program administered by such
 9 agency head” after “a qualifying institution”.

10 (e) *MODIFICATION TO THE DEFENSE RESEARCH AND*
 11 *DEVELOPMENT RAPID INNOVATION PROGRAM.—*

12 (1) *INCREASE TO FUNDING.—*Section
 13 2359a(b)(3) of title 10, United States Code, is amend-
 14 ed by striking “\$3,000,000” and inserting
 15 “\$6,000,000”.

16 (2) *REPORT.—*Not later than 180 days after the
 17 date of the enactment of this Act, the Secretary of De-
 18 fense shall submit to the congressional defense com-
 19 mittees a report on the program established under sec-
 20 tion 2359a(b)(3) of title 10, United States Code,
 21 (commonly known as the “Defense Research and De-
 22 velopment Rapid Innovation Program”), which shall
 23 include—

24 (A) with respect to the two fiscal years pre-
 25 ceding the submission of the report—

1 (i) a description of the total number of
2 proposals funded under the program;

3 (ii) the percent of funds made available
4 under the program for Small Business In-
5 novation Research Program projects; and

6 (iii) a list of Small Business Innova-
7 tion Research Program projects that re-
8 ceived funding under the program that were
9 included in major defense acquisition pro-
10 grams (as defined in section 2430 of title
11 10, United States Code) and other defense
12 acquisition programs that meet critical na-
13 tional security needs; and

14 (B) an assessment on the effectiveness of the
15 program in stimulating innovation technologies,
16 reducing acquisition or lifecycle costs, addressing
17 technical risk, and improving the timeliness and
18 thoroughness of test and evaluation outcomes.

19 (f) *ESTABLISHMENT OF JOINT RESERVE DETACH-*
20 *MENTS AT DEFENSE INNOVATION UNIT.—*

21 (1) *ESTABLISHMENT.—*The Secretary of Defense,
22 in consultation with the Secretaries of the military
23 departments, shall establish not fewer than three joint
24 reserve detachments (referred to in this section as

1 *“Detachments”*) at locations of the Defense Innova-
2 tion Unit—

3 *(A) to support engagement and collabora-*
4 *tion with commercial innovation hubs; and*

5 *(B) to accelerate the transition and adop-*
6 *tion of commercial technologies for national secu-*
7 *rity purposes.*

8 (2) *COMPOSITION.*—*Each Detachment shall be*
9 *composed of members of the reserve components who*
10 *possess relevant private sector experience in the fields*
11 *of business, acquisition, intelligence, engineering,*
12 *technology transfer, science, mathematics, contracting,*
13 *procurement, logistics, cyberspace security, or such*
14 *other fields as are determined to be relevant by the*
15 *Under Secretary of Defense for Research and Engi-*
16 *neering.*

17 (3) *RESPONSIBILITIES.*—*The Detachments shall*
18 *have the following responsibilities:*

19 *(A) Each Detachment shall provide the De-*
20 *partment of Defense with expertise, analysis, al-*
21 *ternatives for innovation, and opportunities for*
22 *greater engagement and collaboration between*
23 *the defense innovation ecosystem and commercial*
24 *industry.*

1 (B) *Each Detachment shall, on an ongoing*
2 *basis—*

3 (i) *recruit, retain, and employ mem-*
4 *bers of the reserve components who possess*
5 *relevant private sector experience, as de-*
6 *scribed in paragraph (2);*

7 (ii) *partner with the military services,*
8 *the combatant commands, and other De-*
9 *partment of Defense organizations to seek*
10 *and rapidly prototype advanced commercial*
11 *solutions while lowering the barrier to entry*
12 *to serve defense requirements;*

13 (iii) *increase awareness of—*

14 (I) *the technology portfolios of the*
15 *Defense Innovation Unit; and*

16 (II) *the technology requirements of*
17 *the Department of Defense as identified*
18 *in the National Defense Science and*
19 *Technology Strategy developed under*
20 *section 218 of the John S. McCain Na-*
21 *tional Defense Authorization Act for*
22 *Fiscal Year 2019 (Public Law 115–*
23 *232; 132 Stat. 1679);*

24 (iv) *capitalize on the growing invest-*
25 *ment in research and development made by*

1 the commercial industry in assessing and
2 maturing dual-use technologies; and

3 (v) carry out such other activities as
4 may be directed by the Under Secretary of
5 Defense for Research and Engineering.

6 (4) *DEADLINE FOR ESTABLISHMENT OF DETACH-*
7 *MENTS.—The Secretary of Defense shall ensure that—*

8 (A) at least one Detachment is established
9 on or before October 1, 2020; and

10 (B) all three Detachments required under
11 subsection (a) are established on or before Octo-
12 ber 1, 2022.

13 (5) *IMPLEMENTATION REPORT.—*

14 (A) *IN GENERAL.—Not later than 120 days*
15 *after the date of the enactment of this Act, the*
16 *Under Secretary of Defense for Research and En-*
17 *gineering shall submit to the congressional de-*
18 *fense committees a report that includes—*

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 En-*
 6 *gineering shall consult with the Director of the*
 7 *Defense Innovation Unit and the head of each*
 8 *military service.*

9 (g) *MODIFICATION TO DEPARTMENT OF DEFENSE*
 10 *SBIR EXPENDITURES.*—*Section 9(f) of the Small Business*
 11 *Act (15 U.S.C. 638(f)) is amended—*

12 (1) *in paragraph (1)(I), by inserting “, except as*
 13 *provided in paragraph (5)” after “thereafter,” and*
 14 *inserting “fiscal years 2017 through 2019; and”; and*

15 (2) *by adding at the end the following new para-*
 16 *graph:*

17 “(5) *REQUIRED EXPENDITURE AMOUNTS FOR*
 18 *THE DEPARTMENT OF DEFENSE.*—*With respect to fis-*
 19 *cal year 2020 and each fiscal year thereafter, para-*
 20 *graph (1)(I) shall apply to the Department of Defense*
 21 *with ‘4.0 percent’ substituted for ‘3.2 percent’.*”.

1 **SEC. 879. PILOT PROGRAM FOR DEVELOPMENT OF TECH-**
2 **NOLOGY-ENHANCED CAPABILITIES WITH**
3 **PARTNERSHIP INTERMEDIARIES.**

4 (a) *ESTABLISHMENT.*—*The Secretary of Defense may*
5 *authorize the Commander of the United States Special Op-*
6 *erations Command to use not more than 5 percent of the*
7 *funds required to be expended by the Department of Defense*
8 *under section 9(f)(1) of the Small Business Act (15 U.S.C.*
9 *638(f)(1)) for a pilot program to increase participation by*
10 *small business concerns in the development of technology-*
11 *enhanced capabilities for special operations forces.*

12 (b) *USE OF PARTNERSHIP INTERMEDIARY.*—

13 (1) *AUTHORIZATION.*—*The Commander of the*
14 *United States Special Operations Command may*
15 *modify an existing agreement with a partnership*
16 *intermediary to assist the Commander in carrying*
17 *out the pilot program under this section, including*
18 *with respect to the award of Small Business Innova-*
19 *tion Research Program contracts, Small Business*
20 *Technology Transfer Program contracts, and other*
21 *contracts and agreements to small business concerns.*

22 (2) *USE OF FUNDS.*—*None of the funds referred*
23 *to in subsection (a) shall be used to pay a partnership*
24 *intermediary for any administrative costs associated*
25 *with the pilot program.*

1 (c) *REPORT.*—Not later than October 1, 2020, and Oc-
 2 tober 1, 2021, the Commander of the United States Special
 3 Operations Command shall submit to the congressional de-
 4 fense committees, the Committee on Small Business of the
 5 House of Representatives, and the Committee on Small
 6 Business and Entrepreneurship of the Senate a report de-
 7 scribing any agreement with a partnership intermediary
 8 entered into pursuant to this section. The report shall in-
 9 clude, for each such agreement, the amount of funds obli-
 10 gated, an identification of the recipient of such funds, and
 11 a description of the use of such funds.

12 (d) *TERMINATION.*—The authority to carry out a pilot
 13 program under this section shall terminate on September
 14 30, 2021.

15 (e) *DEFINITIONS.*—In this section:

16 (1) *PARTNERSHIP INTERMEDIARY.*—The term
 17 “partnership intermediary” has the meaning given
 18 the term in section 23(c) of the Stevenson-Wydler
 19 Technology Innovation Act of 1980 (15 U.S.C.
 20 3715(c)).

21 (2) *SMALL BUSINESS CONCERN.*—The term
 22 “small business concern” has the meaning given the
 23 term under section 3 of the Small Business Act (15
 24 U.S.C. 632).

1 (3) *SMALL BUSINESS INNOVATION RESEARCH*
 2 *PROGRAM.—The term “Small Business Innovation*
 3 *Research Program” has the meaning given the term*
 4 *in section 9(e)(4) of the Small Business Act (15*
 5 *U.S.C. 638(e)).*

6 (4) *SMALL BUSINESS TECHNOLOGY TRANSFER*
 7 *PROGRAM.—The term “Small Business Technology*
 8 *Transfer Program” has the meaning given the term*
 9 *in section 9(e)(5) of the Small Business Act (15*
 10 *U.S.C. 638(e)).*

11 (5) *TECHNOLOGY-ENHANCED CAPABILITY.—The*
 12 *term “technology-enhanced capability” means a prod-*
 13 *uct, concept, or process that improves the ability of a*
 14 *member of the Armed Forces to achieve an assigned*
 15 *mission.*

16 **SEC. 880. AUTHORIZED OFFICIAL TO CARRY OUT THE PRO-**
 17 **CUREMENT TECHNICAL ASSISTANCE COOP-**
 18 **ERATIVE AGREEMENT PROGRAM.**

19 (a) *AUTHORIZED OFFICIAL.—Effective October 1,*
 20 *2021, section 2411(3) of title 10, United States Code, is*
 21 *amended by striking “Director of Defense Logistics Agency”*
 22 *and inserting “Under Secretary of Defense for Acquisition*
 23 *and Sustainment”.*

24 (b) *REPORT AND BRIEFING.—Not later than November*
 25 *1, 2020, the Secretary of Defense shall provide to the con-*

1 gressional defense committees a written report and briefing
 2 on the activities carried out in preparation for the transi-
 3 tion of responsibilities for carrying out the procurement
 4 technical assistance cooperative agreement program under
 5 chapter 142 of title 10, United States Code, from the Direc-
 6 tor of Defense Logistics Agency to the Under Secretary of
 7 Defense for Acquisition and Sustainment, as required by
 8 subsection (a).

9 (c) *ANNUAL BUDGET JUSTIFICATION DOCUMENTS.*—
 10 Not later than February 1, 2022, and each fiscal year there-
 11 after, the Secretary of Defense shall submit to the congres-
 12 sional defense committees a budget justification display that
 13 includes the procurement technical assistance cooperative
 14 agreement program under chapter 142 of title 10, United
 15 States Code, as part of the budget justification for Oper-
 16 ation and Maintenance, Defense-wide for the Office of the
 17 Secretary of Defense.

18 **SEC. 881. PERMANENT AUTHORIZATION AND IMPROVE-**
 19 **MENT OF DEPARTMENT OF DEFENSE MEN-**
 20 **TOR-PROTEGE PROGRAM.**

21 (a) *PERMANENT AUTHORIZATION.*—

22 (1) *REPEAL OF EXPIRATION OF AUTHORITY.*—
 23 Section 831 of the National Defense Authorization Act
 24 for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C.
 25 2302 note) is amended by striking subsection (j).

1 (2) *EFFECTIVE DATE.*—*The amendment made by*
 2 *paragraph (1) shall take effect on the date on which*
 3 *the Secretary of Defense submits to Congress the small*
 4 *business strategy required under section 2283 of title*
 5 *10, United States Code. The Secretary of Defense*
 6 *shall notify the Law Revision Counsel of the House*
 7 *of Representatives of the submission of the strategy so*
 8 *that the Law Revision Counsel may execute the*
 9 *amendment made by paragraph (1).*

10 (b) *OFFICE OF SMALL BUSINESS PROGRAMS OVER-*
 11 *SIGHT.*—*Section 831 of the National Defense Authorization*
 12 *Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C.*
 13 *2302 note) is amended—*

14 (1) *by redesignating subsection (n) as subsection*
 15 *(o); and*

16 (2) *by inserting after subsection (m) the fol-*
 17 *lowing new subsection:*

18 “(n) *ESTABLISHMENT OF PERFORMANCE GOALS AND*
 19 *PERIODIC REVIEWS.*—*The Office of Small Business Pro-*
 20 *grams of the Department of Defense shall—*

21 “(1) *establish performance goals consistent with*
 22 *the stated purpose of the Mentor-Protege Program and*
 23 *outcome-based metrics to measure progress in meeting*
 24 *those goals; and*

1 “(2) submit to the congressional defense commit-
 2 tees, not later than February 1, 2020, a report on
 3 progress made toward implementing these perform-
 4 ance goals and metrics, based on periodic reviews of
 5 the procedures used to approve mentor-protege agree-
 6 ments.”.

7 (c) *MODIFICATION OF DISADVANTAGED SMALL BUSI-*
 8 *NESS CONCERN DEFINITION.*—Subsection (o)(2) of the Na-
 9 tional Defense Authorization Act for Fiscal Year 1991 (Pub-
 10 lic Law 101–510; 10 U.S.C. 2302 note), as redesignated by
 11 subsection (b)(1) of this section, is amended by striking “has
 12 less than half the size standard corresponding to its pri-
 13 mary North American Industry Classification System
 14 code” and inserting “is not more than the size standard
 15 corresponding to its primary North American Industry
 16 Classification System code”.

17 (d) *REMOVAL OF PILOT PROGRAM REFERENCES.*—
 18 Section 831 of the National Defense Authorization Act for
 19 Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2302
 20 note) is amended—

21 (1) in the subsection heading for subsection (a),
 22 by striking “PILOT”; and

23 (2) by striking “pilot” each place it appears.

24 (e) *INDEPENDENT REPORT ON PROGRAM EFFECTIVE-*
 25 *NESS.*—

1 (1) *IN GENERAL.*—*The Secretary of Defense shall*
 2 *direct the Defense Business Board to submit to the*
 3 *congressional defense committees a report evaluating*
 4 *the effectiveness of the Mentor-Protege Program estab-*
 5 *lished under section 831 of the National Defense Au-*
 6 *thorization Act for Fiscal Year 1991 (Public Law*
 7 *101–510; 10 U.S.C. 2302 note), including rec-*
 8 *ommendations for improving the program in terms of*
 9 *performance metrics, forms of assistance, and overall*
 10 *program effectiveness not later than March 31, 2022.*

11 (2) *CONGRESSIONAL DEFENSE COMMITTEES DE-*
 12 *FINED.*—*In this subsection, the term “congressional*
 13 *defense committees” has the meaning given that term*
 14 *in section 101(a)(16) of title 10, United States Code.*

15 (f) *REPORT.*—*Not later than 180 days after the date*
 16 *of the enactment of this Act, and annually thereafter until*
 17 *September 30, 2021, the Secretary of Defense shall submit*
 18 *to the congressional defense committees a report on the Men-*
 19 *tor-Protege Program established under section 831 of the*
 20 *National Defense Authorization Act for Fiscal Year 1991*
 21 *(Public Law 101–510; 10 U.S.C. 2302 note) that de-*
 22 *scribes—*

23 (1) *each mentor-protege agreement entered into*
 24 *under such section, disaggregated by the type of dis-*
 25 *advantaged small business concern (as defined in sub-*

1 *section (o) of such section) receiving assistance pursu-*
 2 *ant to such an agreement;*

3 *(2) the type of assistance provided to protege*
 4 *firms (as defined in subsection (o) of such section)*
 5 *under each such agreement;*

6 *(3) the benefits provided to mentor firms (as de-*
 7 *fined in subsection (o) of such section) under each*
 8 *such agreement; and*

9 *(4) the progress of protege firms under each such*
 10 *agreement with respect to competing for Federal*
 11 *prime contracts and subcontracts.*

12 **SEC. 882. ASSISTANCE FOR SMALL BUSINESS CONCERNS**
 13 ***PARTICIPATING IN THE SMALL BUSINESS IN-***
 14 ***NOVATION RESEARCH PROGRAM AND THE***
 15 ***SMALL BUSINESS TECHNOLOGY TRANSFER***
 16 ***PROGRAM.***

17 *(a) DEFINITION OF SENIOR PROCUREMENT EXECU-*
 18 *TIVE.—Section 9(e) of the Small Business Act (15 U.S.C.*
 19 *638(e)) is amended—*

20 *(1) in paragraph (12)(B), by striking “and” at*
 21 *the end;*

22 *(2) in paragraph (13)(B), by striking the period*
 23 *at the end and inserting “; and”; and*

24 *(3) by adding at the end the following new para-*
 25 *graph:*

1 “(13) the term ‘senior procurement executive’
 2 means an official designated under section 1702(c) of
 3 title 41, United States Code, as the senior procure-
 4 ment executive of a Federal agency participating in
 5 a SBIR or STTR program.”.

6 (b) *INCLUSION OF SENIOR PROCUREMENT EXECU-*
 7 *TIVES IN SBIR AND STTR.*—

8 (1) *IN GENERAL.*—Section 9(b) of the Small
 9 Business Act (15 U.S.C. 638(b)) is amended—

10 (A) in paragraph (8), by striking “and” at
 11 the end;

12 (B) in paragraph (9), by striking the period
 13 at the end and inserting “; and”; and

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

16 “(10) to coordinate, where appropriate, with the
 17 senior procurement executive of the relevant Federal
 18 agency to assist small business concerns participating
 19 in a SBIR or STTR program with commercializing
 20 research developed under such a program before such
 21 small business concern is awarded a contract from
 22 such Federal agency.”.

23 (2) *TECHNICAL AMENDMENT.*—Section 9(b)(3) of
 24 the Small Business Act (15 U.S.C. 638(b)(3)) is
 25 amended by striking “and” at the end.

1 (c) *MODIFICATIONS RELATING TO PROCUREMENT*
 2 *CENTER REPRESENTATIVES AND OTHER ACQUISITION*
 3 *PERSONNEL.*—

4 (1) *SBIR AMENDMENT.*—Section 9(j) of the
 5 *Small Business Act (15 U.S.C. 638(j))* is amended by
 6 adding at the end the following new paragraph:

7 “(4) *MODIFICATIONS RELATING TO PROCURE-*
 8 *MENT CENTER REPRESENTATIVES.*—Upon the enact-
 9 ment of this paragraph, the Administrator shall mod-
 10 ify the policy directives issued pursuant to this sub-
 11 section to require procurement center representatives
 12 (as described in section 15(l)) to assist small business
 13 concerns participating in the SBIR program with re-
 14 searching solicitations for the award of a Federal con-
 15 tract (particularly with the Federal agency that has
 16 a funding agreement with the concern) and to provide
 17 technical assistance to such concerns to submit a bid
 18 for an award of a Federal contract. The procurement
 19 center representatives shall coordinate with the appro-
 20 priate senior procurement executive and the appro-
 21 priate Director of the Office of Small and Disadvan-
 22 taged Business Utilization established pursuant to
 23 section 15(k) for the agency letting the contract.”.

1 (2) *STTR AMENDMENT*.—Section 9(p)(2) of the
 2 *Small Business Act* (15 U.S.C. 638(p)(2)) is amend-
 3 ed—

4 (A) in subparagraph (E)(ii), by striking
 5 “and” at the end;

6 (B) in subparagraph (F), by striking the
 7 period at the end and inserting “; and”; and

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

10 “(G) procedures to ensure that procurement
 11 center representatives (as described in section
 12 15(l))—

13 “(i) assist small business concerns par-
 14 ticipating in the *STTR* program with re-
 15 searching applicable solicitations for the
 16 award of a Federal contract (particularly
 17 with the Federal agency that has a funding
 18 agreement with the concern);

19 “(ii) provide technical assistance to
 20 such concerns to submit a bid for an award
 21 of a Federal contract; and

22 “(iii) coordinate with the appropriate
 23 senior procurement executive and the appro-
 24 priate Director of the Office of Small and
 25 Disadvantaged Business Utilization estab-

1 lished pursuant to section 15(k) for the Fed-
 2 eral agency letting the contract in providing
 3 the assistance described in clause (i).”.

4 (d) *AMENDMENT TO DUTIES OF PROCUREMENT CEN-*
 5 *TER REPRESENTATIVES.*—Section 15(l)(2) of the *Small*
 6 *Business Act* (15 U.S.C. 644(l)(2)) is amended—

7 (1) in subparagraph (I), by striking “and” at
 8 the end;

9 (2) by redesignating subparagraph (J) as sub-
 10 paragraph (L); and

11 (3) by inserting after subparagraph (I) the fol-
 12 lowing new subparagraphs:

13 “(J) assist small business concerns partici-
 14 pating in a SBIR or STTR program under sec-
 15 tion 9 with researching applicable solicitations
 16 for the award of a Federal contract to market the
 17 research developed by such concern under such
 18 SBIR or STTR program;

19 “(K) provide technical assistance to small
 20 business concerns participating in a SBIR or
 21 STTR program under section 9 to submit a bid
 22 for an award of a Federal contract, including co-
 23 ordination with the appropriate senior procure-
 24 ment executive and the appropriate Director of
 25 the Office of Small and Disadvantaged Business

1 *Utilization established pursuant to subsection (k)*
 2 *for the agency letting the contract; and”.*

3 (e) *AMENDMENT TO THE DUTIES OF THE DIRECTOR*
 4 *OF SMALL AND DISADVANTAGED BUSINESS UTILIZATION*
 5 *FOR FEDERAL AGENCIES.*—*Section 15(k) of the Small*
 6 *Business Act (15 U.S.C. 644(k)) is amended—*

7 (1) *in paragraph (19), by striking “and” at the*
 8 *end;*

9 (2) *in paragraph (20), by striking the period at*
 10 *the end and inserting a semicolon; and*

11 (3) *by adding at the end the following new para-*
 12 *graphs:*

13 “(21) *shall assist small business concerns par-*
 14 *ticipating in a SBIR or STTR program under sec-*
 15 *tion 9 with researching applicable solicitations for the*
 16 *award of a Federal contract (particularly with the*
 17 *Federal agency that has a funding agreement, as de-*
 18 *finied under section 9, with the concern) to market the*
 19 *research developed by such concern under such SBIR*
 20 *or STTR program; and*

21 “(22) *shall provide technical assistance to small*
 22 *business concerns participating in a SBIR or STTR*
 23 *program under section 9 to submit a bid for an*
 24 *award of a Federal contract, including coordination*
 25 *with procurement center representatives and the ap-*

1 *appropriate senior procurement executive for the agency*
 2 *letting the contract.”.*

3 **SEC. 883. ACCELERATED PAYMENTS APPLICABLE TO CON-**
 4 **TRACTS WITH CERTAIN SMALL BUSINESS**
 5 **CONCERNS UNDER THE PROMPT PAYMENT**
 6 **ACT.**

7 *Section 3903(a) of title 31, United States Code, is*
 8 *amended—*

9 *(1) in paragraph (1)(B), by inserting “except as*
 10 *provided in paragraphs (10) and (11),” before “30*
 11 *days”;*

12 *(2) in paragraph (8), by striking “and”;*

13 *(3) in paragraph (9), by striking the period at*
 14 *the end and inserting a semicolon; and*

15 *(4) by adding at the end the following new para-*
 16 *graphs:*

17 *“(10) for a prime contractor (as defined in sec-*
 18 *tion 8701(5) of title 41) that is a small business con-*
 19 *cern (as defined under section 3 of the Small Business*
 20 *Act (15 U.S.C. 632)), to the fullest extent permitted*
 21 *by law, require that the head of an agency establish*
 22 *an accelerated payment date with a goal of 15 days*
 23 *after a proper invoice for the amount due is received*
 24 *if a specific payment date is not established by con-*
 25 *tract; and*

1 “(11) for a prime contractor (as defined in sec-
 2 tion 8701(5) of title 41) that subcontracts with a
 3 small business concern (as defined under section 3 of
 4 the Small Business Act (15 U.S.C. 632)), to the fullest
 5 extent permitted by law, require that the head of an
 6 agency establish an accelerated payment date with a
 7 goal of 15 days after a proper invoice for the amount
 8 due is received if—

9 “(A) a specific payment date is not estab-
 10 lished by contract; and

11 “(B) such prime contractor agrees to make
 12 payments to such subcontractor in accordance
 13 with such accelerated payment date, to the max-
 14 imum extent practicable, without any further
 15 consideration from or fees charged to such sub-
 16 contractor.”.

17 **SEC. 884. POSTAWARD EXPLANATIONS FOR UNSUCCESSFUL**
 18 **OFFERORS FOR CERTAIN CONTRACTS.**

19 Not later than 180 days after the date of the enactment
 20 of this Act, the Federal Acquisition Regulation shall be re-
 21 vised to require that with respect to an offer for a task order
 22 or delivery order in an amount greater than the simplified
 23 acquisition threshold (as defined in section 134 of title 41,
 24 United States Code) and less than or equal to \$5,500,000
 25 issued under an indefinite delivery-indefinite quantity con-

1 *tract, the contracting officer for such contract shall, upon*
 2 *written request from an unsuccessful offeror, provide a brief*
 3 *explanation as to why such offeror was unsuccessful that*
 4 *includes a summary of the rationale for the award and an*
 5 *evaluation of the significant weak or deficient factors in*
 6 *the offeror's offer.*

7 **SEC. 885. BRIEFING ON THE TRUSTED CAPITAL MARKET-**
 8 **PLACE PILOT PROGRAM.**

9 *Not later than December 15, 2019, the Secretary of De-*
 10 *fense shall provide to the congressional defense committees*
 11 *a briefing on the progress of the Trusted Capital Market-*
 12 *place pilot program (Solicitation number: CS-19-1701), to*
 13 *include plans for how the program will—*

- 14 *(1) align with critical defense requirements; and*
 15 *(2) become self-sustaining.*

16 **SEC. 886. BOOTS TO BUSINESS PROGRAM.**

17 *Section 32 of the Small Business Act (15 U.S.C. 657b)*
 18 *is amended by adding at the end the following new sub-*
 19 *section:*

20 *“(h) BOOTS TO BUSINESS PROGRAM.—*

21 *“(1) COVERED INDIVIDUAL DEFINED.—In this*
 22 *subsection, the term ‘covered individual’ means—*

23 *“(A) a member of the Armed Forces, includ-*
 24 *ing the National Guard or Reserves;*

1 “(B) an individual who is participating in
 2 the Transition Assistance Program established
 3 under section 1144 of title 10, United States
 4 Code;

5 “(C) an individual who—

6 “(i) served on active duty in any
 7 branch of the Armed Forces, including the
 8 National Guard or Reserves; and

9 “(ii) was discharged or released from
 10 such service under conditions other than
 11 dishonorable; and

12 “(D) a spouse or dependent of an indi-
 13 vidual described in subparagraph (A), (B), or
 14 (C).

15 “(2) *ESTABLISHMENT.*—Beginning on the first
 16 October 1 after the enactment of this subsection and
 17 for the subsequent 4 fiscal years, the Administrator
 18 shall carry out a program to be known as the ‘Boots
 19 to Business Program’ to provide entrepreneurship
 20 training to covered individuals.

21 “(3) *GOALS.*—The goals of the Boots to Business
 22 Program are to—

23 “(A) provide assistance and in-depth train-
 24 ing to covered individuals interested in business
 25 ownership; and

1 “(B) provide covered individuals with the
2 tools, skills, and knowledge necessary to identify
3 a business opportunity, draft a business plan,
4 identify sources of capital, connect with local re-
5 sources for small business concerns, and start up
6 a small business concern.

7 “(4) PROGRAM COMPONENTS.—

8 “(A) IN GENERAL.—*The Boots to Business*
9 *Program may include—*

10 “(i) a presentation providing exposure
11 to the considerations involved in self-em-
12 ployment and ownership of a small business
13 concern;

14 “(ii) an online, self-study course fo-
15 cused on the basic skills of entrepreneurship,
16 the language of business, and the consider-
17 ations involved in self-employment and
18 ownership of a small business concern;

19 “(iii) an in-person classroom instruc-
20 tion component providing an introduction
21 to the foundations of self employment and
22 ownership of a small business concern; and

23 “(iv) in-depth training delivered
24 through online instruction, including an on-

1 *line course that leads to the creation of a*
 2 *business plan.*

3 “(B) *COLLABORATION.*—*The Administrator*
 4 *may—*

5 “(i) *collaborate with public and pri-*
 6 *vate entities to develop course curricula for*
 7 *the Boots to Business Program; and*

8 “(ii) *modify program components in*
 9 *coordination with entities participating in*
 10 *a Warriors in Transition program, as de-*
 11 *finied in section 738(e) of the National De-*
 12 *fense Authorization Act for Fiscal Year*
 13 *2013 (10 U.S.C. 1071 note).*

14 “(C) *USE OF RESOURCE PARTNERS.*—

15 “(i) *IN GENERAL.*—*The Administrator*
 16 *shall—*

17 “(I) *ensure that Veteran Business*
 18 *Outreach Centers regularly participate,*
 19 *on a nationwide basis, in the Boots to*
 20 *Business Program; and*

21 “(II) *to the maximum extent*
 22 *practicable, use a variety of other re-*
 23 *source partners and entities in admin-*
 24 *istering the Boots to Business Pro-*
 25 *gram.*

1 “(ii) *GRANT AUTHORITY.*—*In carrying*
 2 *out clause (i), the Administrator may make*
 3 *grants to Veteran Business Outreach Cen-*
 4 *ters, other resource partners, or other enti-*
 5 *ties to carry out components of the Boots to*
 6 *Business Program.*

7 “(D) *AVAILABILITY TO DEPARTMENT OF DE-*
 8 *FENSE.*—*The Administrator shall make available*
 9 *to the Secretary of Defense information regard-*
 10 *ing the Boots to Business Program, including all*
 11 *course materials and outreach materials related*
 12 *to the Boots to Business Program, for inclusion*
 13 *on the website of the Department of Defense re-*
 14 *lating to the Transition Assistance Program, in*
 15 *the Transition Assistance Program manual, and*
 16 *in other relevant materials available for distribu-*
 17 *tion from the Secretary of Defense.*

18 “(E) *AVAILABILITY TO VETERANS AF-*
 19 *FAIRS.*—*In consultation with the Secretary of*
 20 *Veterans Affairs, the Administrator shall make*
 21 *available for distribution and display at local*
 22 *facilities of the Department of Veterans Affairs*
 23 *outreach materials regarding the Boots to Busi-*
 24 *ness Program which shall, at a minimum—*

1 “(i) describe the Boots to Business Pro-
2 gram and the services provided; and

3 “(ii) include eligibility requirements
4 for participating in the Boots to Business
5 Program.

6 “(5) REPORT.—Not later than 180 days after the
7 date of the enactment of this subsection and every
8 year thereafter, the Administrator shall submit to the
9 Committee on Small Business and Entrepreneurship
10 of the Senate and the Committee on Small Business
11 of the House of Representatives a report on the per-
12 formance and effectiveness of the Boots to Business
13 Program, which may be included as part of another
14 report submitted to such Committees by the Adminis-
15 trator, and which shall include—

16 “(A) information regarding grants awarded
17 under paragraph (4)(C);

18 “(B) the total cost of the Boots to Business
19 Program;

20 “(C) the number of program participants
21 using each component of the Boots to Business
22 Program;

23 “(D) the completion rates for each compo-
24 nent of the Boots to Business Program;

25 “(E) to the extent possible—

1 “(i) the demographics of program par-
2 ticipants, to include gender, age, race, rela-
3 tionship to military, military occupational
4 specialty, and years of service of program
5 participants;

6 “(ii) the number of small business con-
7 cerns formed or expanded with assistance
8 under the Boots to Business Program;

9 “(iii) the gross receipts of small busi-
10 ness concerns receiving assistance under the
11 Boots to Business Program;

12 “(iv) the number of jobs created with
13 assistance under the Boots to Business Pro-
14 gram;

15 “(v) the number of referrals to other re-
16 sources and programs of the Administra-
17 tion;

18 “(vi) the number of program partici-
19 pants receiving financial assistance under
20 loan programs of the Administration;

21 “(vii) the type and dollar amount of
22 financial assistance received by program
23 participants under any loan program of the
24 Administration; and

1 “(viii) results of participant satisfac-
2 tion surveys, including a summary of any
3 comments received from program partici-
4 pants;

5 “(F) an evaluation of the effectiveness of the
6 Boots to Business Program in each region of the
7 Administration during the most recent fiscal
8 year;

9 “(G) an assessment of additional perform-
10 ance outcome measures for the Boots to Business
11 Program, as identified by the Administrator;

12 “(H) any recommendations of the Adminis-
13 trator for improvement of the Boots to Business
14 Program, which may include expansion of the
15 types of individuals who are covered individuals;

16 “(I) an explanation of how the Boots to
17 Business Program has been integrated with other
18 transition programs and related resources of the
19 Administration and other Federal agencies; and

20 “(J) any additional information the Ad-
21 ministrator determines necessary.”.

1 **SEC. 887. MODIFICATIONS TO BUDGET DISPLAY REQUIRE-**
 2 **MENTS FOR THE DEPARTMENT OF DEFENSE**
 3 **SMALL BUSINESS INNOVATION RESEARCH**
 4 **PROGRAM AND SMALL BUSINESS TECH-**
 5 **NOLOGY TRANSFER PROGRAM.**

6 *Section 857 of the John S. McCain National Defense*
 7 *Authorization Act for Fiscal Year 2019 (Public Law 115–*
 8 *232; 132 Stat. 1891) is amended—*

9 *(1) in subsection (a)—*

10 *(A) by inserting “Under Secretary of De-*
 11 *fense (Comptroller) and the” before “Under Sec-*
 12 *retary of Defense for Research and Engineering”;*
 13 *and*

14 *(B) by striking “a budget display” and in-*
 15 *serting “one or more budget displays”;*

16 *(2) in subsection (b), by striking “The budget*
 17 *display” and inserting “The budget displays”; and*

18 *(3) in subsection (d), by striking “The budget*
 19 *display” and inserting “The budget displays”.*

20 **SEC. 888. SMALL BUSINESS CONTRACTING CREDIT FOR**
 21 **SUBCONTRACTORS THAT ARE PUERTO RICO**
 22 **BUSINESSES.**

23 *Section 15(x)(1) of the Small Business Act (15 U.S.C.*
 24 *644(x)(1)) is amended—*

25 *(1) by inserting “, or a prime contractor awards*
 26 *a subcontract (at any tier) to a subcontractor that is*

1 *a Puerto Rico business,” after “Puerto Rico busi-*
 2 *ness”;*

3 *(2) by inserting “or subcontract” after “the con-*
 4 *tract”;* and

5 *(3) by striking “subsection (g)(1)(A)(i)” and in-*
 6 *serting “subsection (g)(1)(A)”.*

7 **SEC. 889. SMALL BUSINESS CONTRACTING CREDIT FOR**
 8 **CERTAIN SMALL BUSINESSES LOCATED IN**
 9 **UNITED STATES TERRITORIES.**

10 *Section 15(x) of the Small Business Act (15 U.S.C.*
 11 *644(x)) is amended—*

12 *(1) in the subsection heading, by inserting “AND*
 13 *COVERED TERRITORY BUSINESSES” after “PUERTO*
 14 *RICO BUSINESSES”;*

15 *(2) in paragraph (1), by inserting “or a covered*
 16 *territory business” after “Puerto Rico business”; and*

17 *(3) by adding at the end the following new para-*
 18 *graph:*

19 **“(3) COVERED TERRITORY BUSINESS DE-**
 20 **FINED.—***In this subsection, the term ‘covered territory*
 21 *business’ means a small business concern that has its*
 22 *principal office located in one of the following:*

23 **“(A) The United States Virgin Islands.**

24 **“(B) American Samoa.**

25 **“(C) Guam.**

1 “(D) *The Northern Mariana Islands.*”.

2 ***Subtitle G—Other Matters***

3 ***SEC. 891. REQUIREMENT TO USE MODELS OF COMMERCIAL***
 4 ***E-COMMERCE PORTAL PROGRAM.***

5 (a) *IN GENERAL.*—*Before the award of a final contract*
 6 *to a commercial e-commerce portal provider pursuant to*
 7 *section 846 of the National Defense Authorization Act for*
 8 *Fiscal Year 2018 (Public Law 115–91; 41 U.S.C. 1901*
 9 *note), the Administrator of General Services shall establish*
 10 *a five-year program to test the three models for commercial*
 11 *e-commerce portals identified in section 4.1 of “Procure-*
 12 *ment Through Commercial E-Commerce Portals Phase II*
 13 *Report: Market Research & Consultation” issued by the Ad-*
 14 *ministrator in April 2019.*

15 (b) *ANALYSIS.*—*The Administrator shall conduct an*
 16 *analysis of the use of the three models described in sub-*
 17 *section (a) to determine which model is the most effective*
 18 *for procurement through commercial e-commerce portals.*

19 ***SEC. 892. REPORT AND DATABASE ON ITEMS MANUFAC-***
 20 ***TURED IN THE UNITED STATES FOR MAJOR***
 21 ***DEFENSE ACQUISITION PROGRAMS.***

22 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
 23 *that any equipment or products purchased for major defense*
 24 *acquisition programs (as defined in section 2430 of title*
 25 *10, United States Code) should be manufactured in the*

1 *United States substantially all from articles, materials, or*
 2 *supplies mined, produced, or manufactured in the United*
 3 *States, and that any such equipment or products purchased*
 4 *by any entity of the Department of Defense should be Amer-*
 5 *ican-made, provided that American-made equipment and*
 6 *products are of a quality similar to that of competitive of-*
 7 *fers and are available in a timely manner to meet mission*
 8 *requirements.*

9 (b) *IN GENERAL.*—Chapter 144 of title 10, United
 10 States Code, is amended by inserting after section 2436 the
 11 following new section:

12 **“§2436a. Major defense acquisition programs: report**
 13 **and database on items manufactured in**
 14 **the United States**

15 “(a) *REPORT.*—Beginning not later than one year
 16 after the date of the enactment of this Act, the Secretary
 17 of Defense shall submit to the congressional defense commit-
 18 tees an annual report on the percentage of any items pro-
 19 cured in connection with a major defense acquisition pro-
 20 gram that are manufactured in the United States substan-
 21 tially all from articles, materials, or supplies mined, pro-
 22 duced, or manufactured in the United States.

23 “(b) *DATABASE.*—The Secretary of Defense shall estab-
 24 lish a database for information related to items described
 25 in the report required under subsection (a) that can be used

1 *for continuous data analysis to inform acquisition decisions*
 2 *relating to major defense acquisition programs.”.*

3 (c) *CLERICAL AMENDMENT.—The table of section at*
 4 *the beginning of such chapter is amended by inserting after*
 5 *the item relating to section 2436 the following new item:*

*“2436a. Major defense acquisition programs: report and database on items manu-
 factured in the United States.”.*

6 **SEC. 893. REQUIREMENTS RELATING TO SELECTED ACQUI-**
 7 **SITION REPORTS.**

8 (a) *INAPPLICABILITY OF TERMINATION OF REPORT*
 9 *SUBMITTAL TO CONGRESS.—*

10 (1) *IN GENERAL.—Selected Acquisition Reports*
 11 *required by section 2432 of title 10, United States*
 12 *Code, shall not constitute reports covered by sub-*
 13 *section (b) of section 1080 of the National Defense Au-*
 14 *thorization Act for Fiscal Year 2016 (Public Law*
 15 *114–92; 129 Stat. 1000; 10 U.S.C. 111 note), and*
 16 *their submittal to Congress as required by such sec-*
 17 *tion 2432 shall not be terminated by operation of sub-*
 18 *section (a) of such section 1080.*

19 (2) *CONFORMING AMENDMENT.—Effective on De-*
 20 *cember 30, 2021, section 1051(x) of the National De-*
 21 *fense Authorization Act for Fiscal Year 2018 (Public*
 22 *Law 115–91; 131 Stat. 1567) is amended by striking*
 23 *paragraph (4).*

1 (b) *FORM OF SELECTED ACQUISITION REPORTS.*—

2 Section 2432 of title 10, United States Code, is amended
3 by adding at the end the following new subsection:

4 “(i) A report required under this section shall be sub-
5 mitted in unclassified form without any designation relat-
6 ing to dissemination control, but may contain a classified
7 annex.”.

8 (c) *REPORT ON ALTERNATIVE METHODOLOGY.*—The
9 Secretary of Defense shall include with the budget for fiscal
10 year 2021, as submitted to Congress pursuant to section
11 1105(a) of title 31, United States Code, a report proposing
12 an alternative methodology for providing status reports on
13 major defense acquisition programs and other acquisition
14 activities, including programs carried out under section
15 804 of the National Defense Authorization Act for Fiscal
16 Year 2016 (Public Law 114–92; 10 U.S.C. 2302 note),
17 where such status reports shall include information on—

18 (1) *scheduled and completed cybersecurity tests of*
19 *software acquired through a program covered by the*
20 *status report, including assessments on cooperative*
21 *vulnerability and penetration and adversarial assess-*
22 *ments;*

23 (2) *software development metrics, including ini-*
24 *tial and most recent estimates of the projected value,*
25 *sizing, schedule, and level of effort for software ac-*

(d) *GUIDANCE ON CYBERSECURITY TESTS.*—With respect to cybersecurity tests included in the alternative methodology report described in subsection (c)(1), the Secretary of Defense, in coordination with the Director of Operational Test and Evaluation, shall develop policies on the selection of cybersecurity tests, methods to consistently describe the cybersecurity tests, and methods to associate cybersecurity tests with a component part of a system or a version of the software tested.

16 (a) *IN GENERAL.*—Section 862 of National Defense
17 Authorization Act for Fiscal Year 2012 (Public Law 112–
18 181; 125 Stat. 1521; 10 U.S.C. note prec. 2191) is amend-
19 ed—

(A) by striking “Under Secretary of Defense
for Acquisition, Technology, and Logistics” and
inserting “Under Secretary of Defense for Re-
search and Engineering”; and

1 (B) by striking “ensure that Department of
 2 Defense contractors” and inserting “encourage
 3 Department of Defense contractors to”; and
 4 (2) by amending subsection (b) to read as fol-
 5 lows:

6 “(b) *ALLOWABLE COST.*—The cost of participating in
 7 activities described in subsection (a) to a Department of
 8 Defense contractor shall be deemed to be an allowable cost
 9 under a contract between the contractor and the Depart-
 10 ment of Defense.”.

11 (b) *IMPLEMENTATION.*—Not later than 180 days after
 12 the date of the enactment of this Act, the Secretary of De-
 13 fense shall issue such rules or guidance necessary to imple-
 14 ment the amendments made by this section.

15 **SEC. 895. EXTENSION OF SUNSET RELATING TO FEDERAL**
 16 **DATA CENTER CONSOLIDATION INITIATIVE.**

17 Subsection (e) of section 834 of the National Defense
 18 Authorization Act for Fiscal Year 2015 (44 U.S.C. 3601
 19 note) is amended by striking “2020” and inserting “2022”.

20 **SEC. 896. REQUIREMENTS RELATING TO CERTAIN RAIL**
 21 **ROLLING STOCK PROCUREMENTS AND OPER-**
 22 **ATIONS.**

23 (a) *LIMITATION ON CERTAIN RAIL ROLLING STOCK*
 24 *PROCUREMENTS.*—Section 5323 of title 49, United States
 25 Code, is amended by adding at the end the following:

1 “(u) *LIMITATION ON CERTAIN RAIL ROLLING STOCK*
 2 *PROCUREMENTS.*—

3 “(1) *IN GENERAL.*—*Except as provided in para-*
 4 *graph (5), financial assistance made available under*
 5 *this chapter shall not be used in awarding a contract*
 6 *or subcontract to an entity on or after the date of en-*
 7 *actment of this subsection for the procurement of rail*
 8 *rolling stock for use in public transportation if the*
 9 *manufacturer of the rail rolling stock—*

10 “(A) *is incorporated in or has manufac-*
 11 *turing facilities in the United States; and*

12 “(B) *is owned or controlled by, is a sub-*
 13 *sidary of, or is otherwise related legally or fi-*
 14 *nancially to a corporation based in a country*
 15 *that—*

16 “(i) *is identified as a nonmarket econ-*
 17 *omy country (as defined in section 771(18)*
 18 *of the Tariff Act of 1930 (19 U.S.C.*
 19 *1677(18))) as of the date of enactment of*
 20 *this subsection;*

21 “(ii) *was identified by the United*
 22 *States Trade Representative in the most re-*
 23 *cent report required by section 182 of the*
 24 *Trade Act of 1974 (19 U.S.C. 2242) as a*

1 *priority foreign country under subsection*
 2 *(a)(2) of that section; and*

3 *“(iii) is subject to monitoring by the*
 4 *Trade Representative under section 306 of*
 5 *the Trade Act of 1974 (19 U.S.C. 2416).*

6 *“(2) EXCEPTION.—For purposes of paragraph*
 7 *(1), the term ‘otherwise related legally or financially’*
 8 *does not include a minority relationship or invest-*
 9 *ment.*

10 *“(3) INTERNATIONAL AGREEMENTS.—This sub-*
 11 *section shall be applied in a manner consistent with*
 12 *the obligations of the United States under inter-*
 13 *national agreements.*

14 *“(4) CERTIFICATION FOR RAIL ROLLING*
 15 *STOCK.—*

16 *“(A) IN GENERAL.—Except as provided in*
 17 *paragraph (5), as a condition of financial assist-*
 18 *ance made available in a fiscal year under sec-*
 19 *tion 5337, a recipient that operates rail fixed*
 20 *guideway service shall certify in that fiscal year*
 21 *that the recipient will not award any contract or*
 22 *subcontract for the procurement of rail rolling*
 23 *stock for use in public transportation with a rail*
 24 *rolling stock manufacturer described in para-*
 25 *graph (1).*

1 “(B) *SEPARATE CERTIFICATION.*—*The cer-*
 2 *tification required under this paragraph shall be*
 3 *in addition to any certification the Secretary es-*
 4 *tablishes to ensure compliance with the require-*
 5 *ments of paragraph (1).*

6 “(5) *EXCEPTION.*—*This subsection, including the*
 7 *certification requirement under paragraph (4), shall*
 8 *not apply to the award of a contract or subcontract*
 9 *made by a public transportation agency with a rail*
 10 *rolling stock manufacturer described in paragraph (1)*
 11 *if the manufacturer and the public transportation*
 12 *agency have a contract for rail rolling stock that was*
 13 *executed before the date of enactment of this sub-*
 14 *section.”.*

15 (b) *CYBERSECURITY CERTIFICATION FOR RAIL ROLL-*
 16 *ING STOCK AND OPERATIONS.*—*Section 5323 of title 49,*
 17 *United States Code, as amended by subsection (a), is*
 18 *amended by adding at the end the following:*

19 “(v) *CYBERSECURITY CERTIFICATION FOR RAIL ROLL-*
 20 *ING STOCK AND OPERATIONS.*—

21 “(1) *CERTIFICATION.*—*As a condition of finan-*
 22 *cial assistance made available under this chapter, a*
 23 *recipient that operates a rail fixed guideway public*
 24 *transportation system shall certify that the recipient*
 25 *has established a process to develop, maintain, and*

1 *execute a written plan for identifying and reducing*
2 *cybersecurity risks.*

3 “(2) *COMPLIANCE.—For the process required*
4 *under paragraph (1), a recipient of assistance under*
5 *this chapter shall—*

6 “(A) *utilize the approach described by the*
7 *voluntary standards and best practices developed*
8 *under section 2(c)(15) of the National Institute*
9 *of Standards and Technology Act (15 U.S.C.*
10 *272(c)(15)), as applicable;*

11 “(B) *identify hardware and software that*
12 *the recipient determines should undergo third-*
13 *party testing and analysis to mitigate cybersecu-*
14 *rity risks, such as hardware or software for rail*
15 *rolling stock under proposed procurements; and*

16 “(C) *utilize the approach described in any*
17 *voluntary standards and best practices for rail*
18 *fixed guideway public transportation systems de-*
19 *veloped under the authority of the Secretary of*
20 *Homeland Security, as applicable.*

21 “(3) *LIMITATIONS ON STATUTORY CONSTRUC-*
22 *TION.—Nothing in this subsection shall be construed*
23 *to interfere with the authority of—*

24 “(A) *the Secretary of Homeland Security to*
25 *publish or ensure compliance with requirements*

1 *or standards concerning cybersecurity for rail*
 2 *fixed guideway public transportation systems; or*
 3 “(B) *the Secretary of Transportation under*
 4 *section 5329 to address cybersecurity issues as*
 5 *those issues relate to the safety of rail fixed*
 6 *guideway public transportation systems.”.*

7 **SEC. 897. PROHIBITION ON CONTRACTING WITH PERSONS**
 8 **THAT HAVE BUSINESS OPERATIONS WITH**
 9 **THE MADURO REGIME.**

10 (a) *PROHIBITION.—Except as provided under sub-*
 11 *sections (c), (d), and (e), the Department of Defense may*
 12 *not enter into a contract for the procurement of goods or*
 13 *services with any person that has business operations with*
 14 *an authority of the Government of Venezuela that is not*
 15 *recognized as the legitimate Government of Venezuela by the*
 16 *United States Government.*

17 (b) *DEFINITIONS.—In this section:*

18 (1) *BUSINESS OPERATIONS.—The term “business*
 19 *operations” means engaging in commerce in any*
 20 *form, including acquiring, developing, maintaining,*
 21 *owning, selling, possessing, leasing, or operating*
 22 *equipment, facilities, personnel, products, services,*
 23 *personal property, real property, or any other appa-*
 24 *ratus of business or commerce.*

1 (2) *GOVERNMENT OF VENEZUELA.*—(A) *The term*
 2 *“Government of Venezuela” includes the government*
 3 *of any political subdivision of Venezuela, and any*
 4 *agency or instrumentality of the Government of Ven-*
 5 *ezuela.*

6 (B) *For purposes of subparagraph (A), the term*
 7 *“agency or instrumentality of the Government of Ven-*
 8 *ezuela” means an agency or instrumentality of a for-*
 9 *foreign state as defined in section 1603(b) of title 28,*
 10 *United States Code, with each reference in such sec-*
 11 *tion to “a foreign state” deemed to be a reference to*
 12 *“Venezuela”.*

13 (3) *PERSON.*—*The term “person” means—*

14 (A) *a natural person, corporation, com-*
 15 *pany, business association, partnership, society,*
 16 *trust, or any other nongovernmental entity, or-*
 17 *ganization, or group;*

18 (B) *any governmental entity or instrumen-*
 19 *tality of a government, including a multilateral*
 20 *development institution (as defined in section*
 21 *1701(c)(3) of the International Financial Insti-*
 22 *tutions Act (22 U.S.C. 262r(c)(3))); and*

23 (C) *any successor, subunit, parent entity, or*
 24 *subsidiary of, or any entity under common own-*

1 *ership or control with, any entity described in*
2 *subparagraph (A) or (B).*

3 *(c) EXCEPTIONS.—*

4 *(1) IN GENERAL.—The prohibition under sub-*
5 *section (a) does not apply to a contract that the Sec-*
6 *retary of Defense and the Secretary of State jointly*
7 *determine—*

8 *(A) is necessary—*

9 *(i) for purposes of providing humani-*
10 *tarian assistance to the people of Venezuela,*

11 *(ii) for purposes of providing disaster*
12 *relief and other urgent life-saving measures;*

13 *or*

14 *(iii) to carry out noncombatant evacu-*
15 *ations; or*

16 *(B) is vital to the national security inter-*
17 *ests of the United States.*

18 *(2) NOTIFICATION REQUIREMENT.—The Sec-*
19 *retary of Defense shall notify the congressional defense*
20 *committees, the Committee on Foreign Affairs of the*
21 *House of Representatives, and the Committee on For-*
22 *oreign Relations of the Senate of any contract entered*
23 *into on the basis of an exception provided for under*
24 *paragraph (1).*

1 (d) *OFFICE OF FOREIGN ASSETS CONTROL LI-*
 2 *CENSES.*—*The prohibition in subsection (a) shall not apply*
 3 *to a person that has a valid license to operate in Venezuela*
 4 *issued by the Office of Foreign Assets Control.*

5 (e) *AMERICAN DIPLOMATIC MISSION IN VEN-*
 6 *EZUELA.*—*The prohibition in subsection (a) shall not apply*
 7 *to contracts related to the operation and maintenance of*
 8 *the United States Government’s consular offices and diplo-*
 9 *matic posts in Venezuela.*

10 (f) *APPLICABILITY.*—*This section shall apply with re-*
 11 *spect to any contract entered into on or after the date of*
 12 *the enactment of this section.*

13 **SEC. 898. REPORT ON COST GROWTH OF MAJOR DEFENSE**
 14 **ACQUISITIONS PROGRAMS.**

15 *The Comptroller General shall submit to the Com-*
 16 *mittee on Armed Services of the Senate and the Committee*
 17 *on Armed Services of the House of Representatives a report*
 18 *analyzing cost growth of major defense acquisition pro-*
 19 *grams (as defined in section 2430 of title 10, United States*
 20 *Code) during the 15 fiscal years preceding the date of the*
 21 *enactment of this Act.*

1 **SEC. 899. INCLUSION OF OPERATIONAL ENERGY PROJECTS**
 2 **FOR USES OF ENERGY COST SAVINGS.**

3 *Section 2912(b)(1) of title 10, United States Code, is*
 4 *amended by inserting “operational energy projects,” after*
 5 *“including”.*

6 **SEC. 899A. REPORT AND STRATEGY ON TERMINATED FOR-**
 7 **EIGN CONTRACTS.**

8 *(a) REPORT.—Not later than 90 days after the date*
 9 *of the enactment of this Act, the Secretary of Defense shall*
 10 *submit to Congress a report on contracts performed in for-*
 11 *eign countries for which the contract was terminated for*
 12 *convenience because of actions taken by the government of,*
 13 *or an entity located in, the foreign country that impeded*
 14 *the ability of the contractor to perform the contract. Such*
 15 *report shall include, for each contract so terminated—*

16 *(1) the specific contract type;*

17 *(2) the good or service that is the subject of the*
 18 *contract;*

19 *(3) the contracting entity within the Department*
 20 *of Defense;*

21 *(4) the annual and total value of the contract;*

22 *(5) the foreign countries involved in imple-*
 23 *menting the contract;*

24 *(6) an identification of the government of, or en-*
 25 *tity located in, the foreign country that impeded the*
 26 *ability of the contractor to perform the contract;*

1 (7) *the rationale, if any, for impeding the ability*
 2 *of the contractor to perform the contract, and an*
 3 *analysis of whether the rationale contradicted and re-*
 4 *quirements of the Federal Acquisition Regulation;*

5 (8) *the increased costs incurred by the Depart-*
 6 *ment of Defense because of the termination; and*

7 (9) *any additional information, as determined*
 8 *by the Secretary.*

9 (b) *STRATEGY.*—*The Secretary of Defense, in collabo-*
 10 *ration with the Secretary of State, shall develop a strategy*
 11 *and accompanying guidelines for contractors and other*
 12 *Federal Government employees involved in the performance*
 13 *of Department of Defense contracts in foreign countries to*
 14 *ensure such contracts are not subject to interference, con-*
 15 *tract meddling, or favoritism by government of, or an entity*
 16 *located in, the foreign country. Not later than 90 days after*
 17 *the date of the enactment of this Act, the Secretary of De-*
 18 *fense shall submit to Congress a report on the strategy and*
 19 *accompanying guidelines.*

20 **SEC. 899B. INDIVIDUAL ACQUISITION FOR COMMERCIAL**
 21 **LEASING SERVICES.**

22 (a) *EXTENSION.*—*Section 877(c) of the John S.*
 23 *McCain National Defense Authorization Act For Fiscal*
 24 *Year 2019 (41 U.S.C. 3302 note) is amended by striking*
 25 *“2022” and inserting “2025”.*

1 (b) *AUDIT.*—Section 887(b)(1) of such Act is amended
 2 by striking “biennial audits” and inserting “audits every
 3 five years”.

4 **SEC. 899C. PROHIBITION ON CONTRACTING WITH ENTITIES**
 5 **LACKING A SEXUAL HARASSMENT POLICY.**

6 (a) *IN GENERAL.*—Not later than 270 days after the
 7 date of the enactment of this Act, the Secretary of Defense
 8 shall revise the Defense Federal Acquisition Regulation
 9 Supplement to state that the policy of the Department of
 10 Defense is that the Secretary of Defense may enter into a
 11 contract only with an entity that has an employee policy
 12 penalizing instances of sexual harassment.

13 (b) *DEBARMENT.*—If an entity that does not have an
 14 employee policy penalizing instances of sexual harassment
 15 seeks to enter into a contract with the Department of De-
 16 fense, the Secretary of Defense shall initiate a debarment
 17 proceeding in accordance with procedures in the Federal
 18 Acquisition Regulation against such entity.

19 **SEC. 899D. DOMESTIC PRODUCTION OF SMALL UNMANNED**
 20 **AIRCRAFT SYSTEMS.**

21 The Secretary of Defense shall take such action as nec-
 22 essary to strengthen the domestic production of small un-
 23 manned aircraft systems (as defined in section 331 of the
 24 FAA Modernization and Reform Act of 2012 (Public Law

1 112–95; 49 U.S.C. 44802 note)), as described under Presi-
 2 dential Determination No. 2019–13 of June 10, 2019.

3 **SEC. 899E. PROHIBITION ON CONTRACTING WITH PERSONS**
 4 **WITH WILLFUL OR REPEATED VIOLATIONS OF**
 5 **THE FAIR LABOR STANDARDS ACT OF 1938.**

6 *The head of a Federal department or agency (as de-*
 7 *fined in section 102 of title 40, United States Code) shall*
 8 *initiate a debarment proceeding with respect to a person*
 9 *for whom information regarding a willful or repeated viola-*
 10 *tion of the Fair Labor Standards Act of 1938 (29 U.S.C.*
 11 *201 et seq.) as determined by a disposition described under*
 12 *subsection (c)(1) of section 2313 of title 41, United States*
 13 *Code, is included in the database established under sub-*
 14 *section (a) of such section.*

15 **SEC. 899F. COMPTROLLER GENERAL REPORT ON CON-**
 16 **TRACTOR VIOLATIONS OF CERTAIN LABOR**
 17 **LAWS.**

18 *Not later than 180 days after the date of the enactment*
 19 *of this Act, the Comptroller of the United States shall sub-*
 20 *mit a report to Congress on the number of contractors—*

21 *(1) that performed a contract with the Depart-*
 22 *ment of Defense during the five-year period preceding*
 23 *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*

1 *of the Occupational Safety and Health Act of 1970*
 2 *(29 U.S.C. 651 et seq.) or the Fair Labor Standards*
 3 *Act of 1938 (29 U.S.C. 201 et seq.), and the nature*
 4 *of the violations committed.*

5 **SEC. 899G. REESTABLISHMENT OF COMMISSION ON WAR-**
 6 **TIME CONTRACTING.**

7 *(a) IN GENERAL.—There is hereby reestablished in the*
 8 *legislative branch under section 841 of the National Defense*
 9 *Authorization Act for Fiscal Year 2008 (Public Law 110–*
 10 *181; 122 Stat. 230) the Commission on Wartime Con-*
 11 *tracting.*

12 *(b) AMENDMENT TO DUTIES.—Section 841(c)(1) of the*
 13 *National Defense Authorization Act for Fiscal Year 2008*
 14 *(Public Law 110–181; 122 Stat. 231) is amended to read*
 15 *as follows:*

16 *“(1) GENERAL DUTIES.—The Commission shall*
 17 *study the following matters:*

18 *“(A) Federal agency contracting funded by*
 19 *overseas contingency operations funds.*

20 *“(B) Federal agency contracting for the*
 21 *logistical support of coalition forces operating*
 22 *under the authority of the 2001 or 2002 Author-*
 23 *ization for the Use of Military Force.*

24 *“(C) Federal agency contracting for the per-*
 25 *formance of security functions in countries where*

1 *coalition forces operate under the authority of*
 2 *the 2001 or 2002 Authorization for the Use of*
 3 *Military Force”.*

4 (c) *CONFORMING AMENDMENTS.*—*Section 841 of the*
 5 *National Defense Authorization Act for Fiscal Year 2008*
 6 *(Public Law 110–181; 122 Stat. 230) is amended—*

7 (1) *in subsection (b)—*

8 (A) *in paragraph (1), by striking “the Com-*
 9 *mittee on Oversight and Government Reform”*
 10 *each place it appears and inserting “the Com-*
 11 *mittee on Oversight and Reform”;*

12 (B) *in paragraph (2), by striking “of this*
 13 *Act” and inserting “of the Wartime Contracting*
 14 *Commission Reauthorization Act of 2019”;* and

15 (C) *in paragraph (4), by striking “was first*
 16 *established” each place it appears and inserting*
 17 *“was reestablished by the Wartime Contracting*
 18 *Commission Reauthorization Act of 2019”;* and

19 (2) *in subsection (d)(1), by striking “On March*
 20 *1, 2009” and inserting “Not later than one year after*
 21 *the date of enactment of the Wartime Contracting*
 22 *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 per-*
 6 *son, but only to the extent all judicial and adminis-*
 7 *trative remedies have been exhausted or have lapsed*
 8 *with respect to the Federal tax liability.”.*

9 **SEC. 899I. UNIFORMITY IN APPLICATION OF MICRO-PUR-**
 10 **CHASE THRESHOLD TO CERTAIN TASK OR DE-**
 11 **LIVERY 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 Act*
 19 *for Fiscal Year 2018 (10 U.S.C. 2304 note) is amended—*

20 *(1) in subsection (a)—*

21 *(A) by inserting “direct” before “costs in-*
 22 *curred”; and*

23 *(B) by striking “in processing” and insert-*
 24 *ing “by the Department in support of hearings*
 25 *to adjudicate”; and*

1 (2) *in subsection (b), by striking “two years after*
 2 *the date of the enactment of this Act” and inserting*
 3 *“60 days after the Secretary of Defense certifies in*
 4 *writing to the congressional defense committees that*
 5 *the Department of Defense has business systems that*
 6 *have been independently audited and that can accu-*
 7 *rately identify the direct costs incurred by the De-*
 8 *partment of Defense in support of hearings to adju-*
 9 *cate 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 Depart-
 14 *ment of Defense contract in a foreign country shall report*
 15 *possible cases of gross violations of internationally recog-*
 16 *nized human rights to the Secretary of Defense.*

17 (b) *REPORT.*—Not later than 180 days after the enact-
 18 *ment of this Act, the Secretary of Defense, with the concur-*
 19 *rence of the Secretary of State, shall submit to the appro-*
 20 *priate congressional committees a report that describes—*

21 (1) *the policies and procedures in place to obtain*
 22 *information about possible cases of gross violations of*
 23 *internationally recognized human rights from con-*
 24 *tractors 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 may*
 5 *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 Affairs*
 14 *of the House of Representatives.*

15 (2) *GROSS VIOLATIONS OF INTERNATIONALLY*
 16 *RECOGNIZED HUMAN RIGHTS.*—*The term “gross viola-*
 17 *tions 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 flagrant*
 23 *denial of the right to life, liberty, or the security of*
 24 *person.*

1 **SEC. 899L. CONGRESSIONAL OVERSIGHT OF PRIVATE SECU-**
2 **RITY CONTRACTOR CONTRACTS.**

3 (a) *REPORT OF CERTAIN CONTRACTS AND TASK OR-*
4 *DERS.—*

5 (1) *REQUIREMENT REGARDING CONTRACTS AND*
6 *TASK ORDERS.—The Inspector General of the Depart-*
7 *ment of Defense shall compile a report of the work*
8 *performed or to be performed under a covered contract*
9 *during the period beginning on October 1, 2001, and*
10 *ending on the last day of the month during which this*
11 *Act is enacted for work performed or work to be per-*
12 *formed in areas of contingency operations.*

13 (2) *FORM OF SUBMISSIONS.—The report required*
14 *by paragraph (1) shall be submitted in unclassified*
15 *form, to the maximum extent possible, but may con-*
16 *tain a classified annex, if necessary.*

17 (b) *REPORTS ON CONTRACTS FOR WORK TO BE PER-*
18 *FORMED IN AREAS OF CONTINGENCY OPERATIONS AND*
19 *OTHER SIGNIFICANT MILITARY OPERATIONS.—The Inspec-*
20 *tor General of the Department of Defense shall submit to*
21 *each specified congressional committee a report not later*
22 *than 60 days after the date of the enactment of this Act*
23 *that contains the following information:*

24 (1) *The number of civilians performing work in*
25 *areas of contingency operations under covered con-*
26 *tracts.*

1 (2) *The total cost of such covered contracts.*

2 (3) *The total number of civilians who have been*
 3 *wounded or killed in performing work under such*
 4 *covered contracts.*

5 (4) *A description of the disciplinary actions that*
 6 *have been taken against persons performing work*
 7 *under such covered contracts by the contractor, the*
 8 *United States Government, or the government of any*
 9 *country in which the area of contingency operations*
 10 *is located.*

11 (c) *DEFINITIONS.—In this section:*

12 (1) *COVERED CONTRACT.—The term “covered*
 13 *contract” means a contract for private security en-*
 14 *tered into by the Secretary of Defense in an amount*
 15 *greater than \$5,000,000.*

16 (2) *CONTINGENCY OPERATION.—The term “con-*
 17 *tingency operation” has the meaning provided by sec-*
 18 *tion 101(a)(13) of title 10, United States Code.*

19 (3) *SPECIFIED CONGRESSIONAL COMMITTEES.—*
 20 *The term “specified congressional committees” means*
 21 *the Committees on Armed Services of the Senate and*
 22 *the House of Representatives.*

1 **SEC. 899M. GAO REPORT ON CONTRACTING PRACTICES OF**
2 **THE CORPS OF ENGINEERS.**

3 (a) *STUDY REQUIRED.*—The Comptroller General of
4 the United States shall conduct a study on the contracting
5 practices of the Corps of Engineers, with a specific focus
6 on how the Corps of Engineers complies with and enforces
7 the requirement to pay prevailing wages on federally fi-
8 nanced construction jobs, as required by subchapter IV of
9 chapter 31 of title 40, United States Code (commonly re-
10 ferred to as the Davis-Bacon Act). The study shall consider
11 the following:

12 (1) Any programs or protocols the Corps of En-
13 gineers has in place for the purpose of carrying out
14 its Davis-Bacon Act enforcement obligations as set
15 forth in the Federal Acquisition Regulation.

16 (2) Any programs or protocols the Corps of En-
17 gineers has in place for the purpose of identifying
18 and addressing independent contractor
19 misclassification on projects subject to the Davis-
20 Bacon Act.

21 (3) The frequency with which the Corps of Engi-
22 neers conducts site visits on each covered project to
23 monitor Davis-Bacon Act compliance.

24 (4) The frequency with which the Corps of Engi-
25 neers monitors certified payroll reports submitted by

1 *contractors and subcontractors on each covered*
2 *project.*

3 *(5) Whether the Corps of Engineers accepts and*
4 *investigates complaints of Davis-Bacon Act violations*
5 *submitted by third parties, such as contractors and*
6 *workers' rights organizations.*

7 *(6) Whether the Corps of Engineers maintains a*
8 *database listing all contractors and subcontractors*
9 *who have, in one way or another, violated the Davis-*
10 *Bacon Act and whether the Corps consults this data-*
11 *base as part of its contract award process.*

12 *(7) The frequency, over the last five years, with*
13 *which the Corps of Engineers penalized, disqualified,*
14 *terminated, or moved for debarment of a contractor*
15 *for Davis-Bacon violations.*

16 *(8) How the Corps of Engineers verifies that the*
17 *contractors it hires for its projects are properly li-*
18 *censed.*

19 *(b) REPORT TO CONGRESS.—Not later than 1 year*
20 *after the date of enactment of this Act, the Comptroller Gen-*
21 *eral of the United States shall submit to the Committee on*
22 *Education and Labor, the Committee on Armed Services,*
23 *and the Committee on Transportation and Infrastructure*
24 *of the House of Representatives and the Committee on*
25 *Health, Education, Labor, and Pensions, the Committee on*

1 *Armed Services, and the Committee on Commerce, Science,*
 2 *and Transportation of the Senate a report that summarizes*
 3 *the results of the study required under subsection (a), to-*
 4 *gether with any recommendations for legislative or regu-*
 5 *latory action that would improve the efforts of enforcing*
 6 *the requirement to pay prevailing wages on federally fi-*
 7 *nanced construction jobs.*

8 **SEC. 899N. COMPTROLLER GENERAL REPORT ON DEFENSE**
 9 **BUSINESS PROCESSES.**

10 *The Comptroller General of the United States shall*
 11 *submit to the congressional defense committees a report on*
 12 *the use of defense business processes (as described under sec-*
 13 *tion 2222 of title 10, United States Code) that includes—*

14 *(1) an analysis of the extent to which the De-*
 15 *partment of Defense is developing a culture that rec-*
 16 *ognizes the importance of business processes to achiev-*
 17 *ing operational success;*

18 *(2) an analysis of the extent to which the De-*
 19 *partment of Defense components are implementing*
 20 *business process reengineering initiatives necessary to*
 21 *achieving improved financial management;*

22 *(3) an analysis of the quality of financial man-*
 23 *agement training provided to employees of the De-*
 24 *partment; and*

1 (4) *an identification of the steps taken by the*
 2 *Department of the Defense to institutionalize a cul-*
 3 *ture that recognizes the importance of financial man-*
 4 *agement.*

5 ***TITLE IX—DEPARTMENT OF DE-***
 6 ***FENSE ORGANIZATION AND***
 7 ***MANAGEMENT***

8 ***Subtitle A—Office of the Secretary***
 9 ***of Defense and Related Matters***

10 ***SEC. 901. UPDATE OF AUTHORITIES RELATING TO NUCLEAR***
 11 ***COMMAND, CONTROL, AND COMMUNICA-***
 12 ***TIONS.***

13 (a) *DUTIES AND POWERS OF UNDER SECRETARY OF*
 14 *DEFENSE FOR ACQUISITION AND SUSTAINMENT.—Section*
 15 *133b(b) of title 10, United States Code, is amended—*

16 (1) *by redesignating paragraphs (4), (5), (6),*
 17 *and (7) as paragraphs (5), (6), (7), and (8), respec-*
 18 *tively;*

19 (2) *by inserting after paragraph (3) the fol-*
 20 *lowing new paragraph (4):*

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

24 (3) *in paragraph (6), as so redesignated, by in-*
 25 *serting after “overseeing the modernization of nuclear*

1 *forces” the following: “, including the nuclear com-*
 2 *mand, control, and communications system,”.*

3 ***(b) CHIEF INFORMATION OFFICER.—Section 142(b)(1)***
 4 *of such title is amended—*

5 *(1) by striking subparagraph (G); and*

6 *(2) by redesignating subparagraphs (H) and (I)*
 7 *as subparagraphs (G) and (H), respectively.*

8 ***Subtitle B—Other Department of***
 9 ***Defense Organization and Man-***
 10 ***agement Matters***

11 ***SEC. 911. CODIFICATION OF ASSISTANT SECRETARIES FOR***
 12 ***ENVIRONMENT, INSTALLATIONS, AND EN-***
 13 ***ERGY OF THE ARMY, NAVY, AND AIR FORCE.***

14 ***(a) ASSISTANT SECRETARY OF THE ARMY.—Section***
 15 ***7016(b) of title 10, United States Code, is amended by add-***
 16 ***ing at the end the following new paragraph:***

17 ***“(6)(A) One of the Assistant Secretaries shall be the***
 18 ***Assistant Secretary for Installations, Energy, and Environ-***
 19 ***ment.***

20 ***“(B) The principal duty of the Assistant Secretary for***
 21 ***Installations, Energy, and Environment shall be the overall***
 22 ***supervision of installation, energy, and environment mat-***
 23 ***ters for the Department of the Army.”.***

1 (b) *ASSISTANT SECRETARY OF THE NAVY.*—Section
 2 8016(b) of title 10, United States Code, is amended by add-
 3 ing at the end the following new paragraph:

4 “(5)(A) *One of the Assistant Secretaries shall be the*
 5 *Assistant Secretary for Energy, Installations, and Environ-*
 6 *ment.*

7 “(B) *The principal duty of the Assistant Secretary for*
 8 *Energy, Installations, and Environment shall be the overall*
 9 *supervision of installation, energy, and environment mat-*
 10 *ters for the Department of the Navy.*”.

11 (c) *ASSISTANT SECRETARY OF THE AIR FORCE.*—Sec-
 12 tion 9016(b) of title 10, United States Code, is amended
 13 by adding at the end the following new paragraph:

14 “(5)(A) *One of the Assistant Secretaries shall be the*
 15 *Assistant Secretary for Installations, Environment, and*
 16 *Energy.*

17 “(B) *The principal duty of the Assistant Secretary for*
 18 *Installations, Environment, and Energy shall be the overall*
 19 *supervision of installation, energy, and environment mat-*
 20 *ters for the Department of the Air Force.*”.

21 **SEC. 912. LIMITATION ON AVAILABILITY OF FUNDS FOR**
 22 **CONSOLIDATION OF DEFENSE MEDIA ACTIV-**
 23 **ITY.**

24 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
 25 *that—*

1 (1) *the Defense Media Activity serves as a pre-*
2 *mier broadcasting and production center for Amer-*
3 *ica's servicemembers and their families worldwide;*
4 *and*

5 (2) *as the Department of Defense considers relo-*
6 *cating some or all of the functions of the Defense*
7 *Media Activity, Congress must have the opportunity*
8 *to consider the impact and scope that such a decision*
9 *would have on the Department's ability to meet its*
10 *current warfighting capabilities and ensure that the*
11 *Defense Media Activity does not consolidate its facili-*
12 *ties at the expense of satisfying its current mission re-*
13 *quirements.*

14 (b) *LIMITATION.*—None of the funds authorized to be
15 *appropriated by this Act or otherwise made available for*
16 *fiscal year 2020 or any subsequent fiscal year for the De-*
17 *partment of Defense may be used to consolidate the Defense*
18 *Media Activity until a period of 180 days has elapsed fol-*
19 *lowing the date on which the Secretary of Defense submits*
20 *the report required under subsection (c).*

21 (c) *REPORT REQUIRED.*—The Secretary of Defense
22 *shall submit to the congressional defense committees a re-*
23 *port that includes the following:*

24 (1) *Any current or future plans to restructure,*
25 *reduce, or eliminate the functions, personnel, facili-*

(2) Any modifications that have been made, or that may be made, to personnel compensation or funding accounts in preparation for, or in response to, efforts to consolidate the Defense Media Activity.

7 (3) *Any contractual agreements that have been*
8 *entered into to consolidate or explore the consolidation*
9 *of the Defense Media Activity.*

(4) Any Department of Defense directives or Administration guidance relating to efforts to consolidate the Defense Media Activity, including any directives or guidance intended to inform or instruct such efforts.

(d) CONSOLIDATE DEFINED.—In this section, the term “consolidate”, means any action to reduce or limit the functions, personnel, facilities, or capabilities of the Defense Media Activity, including entering into contracts or developing plans for such reduction or limitation.

20 SEC. 913. MODERNIZATION OF CERTAIN FORMS AND SUR-
21 VEYS.

(a) *STUDY.*—The Secretary of Defense shall conduct a study to identify each form and survey of the Department of Defense, in use on the date of the enactment of this Act, that contains a term or classification that the Secretary de-

1 *termines may be considered racially or ethnically insensi-*
 2 *tive.*

3 (b) *REPORTS.*—

4 (1) *INTERIM REPORTS.*—*On the date that is 90*
 5 *days after the date of the enactment of this Act, and*
 6 *on the date that is 180 days after such date of enact-*
 7 *ment, the Secretary shall submit to the Committees on*
 8 *Armed Services of the House of Representatives and*
 9 *the Senate a report on the status of the study con-*
 10 *ducted under subsection (a).*

11 (2) *FINAL REPORT.*—*Not later than one year*
 12 *after the date of the enactment of this Act, the Sec-*
 13 *retary shall submit to the Committees on Armed Serv-*
 14 *ices of the House of Representatives and the Senate a*
 15 *report on the results of the study conducted under*
 16 *subsection (a) that includes—*

17 (A) *a list of each form and survey identified*
 18 *under such study; and*

19 (B) *a plan for modernizing the terms and*
 20 *classifications contained in such forms and sur-*
 21 *veys, including legislative recommendations.*

22 (c) *MODERNIZATION REQUIRED.*—*Not later than 18*
 23 *months after the date of the enactment of this Act, the Sec-*
 24 *retary shall carry out the plan included in the report sub-*
 25 *mitted under subsection (b).*

1 ***Subtitle C—Space Matters***

2 ***PART 1—UNITED STATES SPACE CORPS***

3 ***SEC. 921. ESTABLISHMENT OF UNITED STATES SPACE***
 4 ***CORPS IN THE DEPARTMENT OF THE AIR***
 5 ***FORCE.***

6 (a) *ESTABLISHMENT.*—Part I of subtitle D of title 10,
 7 *United States Code*, is amended by adding at the end the
 8 *following new chapter:*

9 ***“CHAPTER 909—THE SPACE CORPS***

“Sec.
 “9091. *Establishment of the Space Corps.*
 “9093. *Commandant of the Space Corps.*
 “9095. *Officer career field for space.*

10 ***“§ 9091. Establishment of the Space Corps***

11 “(a) *ESTABLISHMENT.*—There is established a *United*
 12 *States Space Corps* as an armed force within the *Depart-*
 13 *ment of the Air Force.*

14 “(b) *COMPOSITION.*—(1) *The Space Corps shall be*
 15 *composed of the following:*

16 “(A) *The Commandant of the Space Corps.*

17 “(B) *The space forces and such assets as may be*
 18 *organic therein.*

19 “(2)(A) *The space forces specified in paragraph (1)(B)*
 20 *shall include the personnel and assets of the Air Force*
 21 *transferred to the Space Corps pursuant to the National*
 22 *Defense Authorization Act for Fiscal Year 2020.*

1 “(B) *The space forces specified in paragraph (1)(B)*
2 *may not include the personnel or assets of the National Re-*
3 *connaissance Office or the National Geospatial-Intelligence*
4 *Agency. Nothing in this section shall affect the authorities,*
5 *duties, or responsibilities of the Director of the National Re-*
6 *connaissance Office and the Director of the National*
7 *Geospatial-Intelligence Agency, including with respect to*
8 *the authority of each such Director to—*

9 “(i) *carry out the research, development, test,*
10 *and evaluation and procurement of satellites and user*
11 *satellite terminals of the Defense Agency of the Direc-*
12 *tor;*

13 “(ii) *operate such terminals; and*

14 “(iii) *develop requirements to ensure that the*
15 *space programs of the Department of Defense support*
16 *the mission of the Director.*

17 “(c) *FUNCTIONS.—The Space Corps shall be organized,*
18 *trained, and equipped to provide—*

19 “(1) *freedom of operation for the United States*
20 *in, from, and to space; and*

21 “(2) *prompt and sustained space operations.*

22 “(d) *DUTIES.—It shall be the duty of the Space Corps*
23 *to—*

24 “(1) *protect the interests of the United States in*
25 *space;*

1 “(2) *deter aggression in, from, and to space; and*

2 “(3) *conduct space operations.*

3 “(e) *ACQUISITION SYSTEM.—(1) The Secretary of the*
4 *Air Force may establish a separate, alternative acquisition*
5 *system for defense space acquisitions, including with respect*
6 *to procuring space vehicles, ground segments relating to*
7 *such vehicles, and satellite terminals, pursuant to the plan*
8 *specified in paragraph (2).*

9 “(2) *The Deputy Secretary of Defense shall develop the*
10 *plan, and submit such plan to the congressional defense*
11 *committees, under section 1601(b) of the John S. McCain*
12 *National Defense Authorization Act for Fiscal Year 2019*
13 *(Public Law 115–232; 132 Stat. 2103).*

14 “(3) *The alternative acquisition system under para-*
15 *graph (1) shall cover defense space acquisitions except with*
16 *respect to the National Reconnaissance Office and other ele-*
17 *ments of the Department of Defense that are elements of*
18 *the intelligence community (as defined in section 3 of the*
19 *National Security Act of 1947 (50 U.S.C. 3003)).*

20 “(f) *PERSONNEL DEVELOPMENT.—(1) The Secretary*
21 *may ensure the quality of the members of the Space Corps*
22 *pursuant to the plan specified in paragraph (2) and section*
23 *9095 of this title.*

24 “(2) *The Secretary shall develop the plan, and submit*
25 *such plan to the congressional defense committees, under*

1 *section 1601(c) of the John S. McCain National Defense Au-*
 2 *thorization Act for Fiscal Year 2019 (Public Law 115–232;*
 3 *132 Stat. 2103).*

4 “(3) *In carrying out paragraph (1), the Secretary*
 5 *shall address the following:*

6 “(A) *Managing the career progression of mem-*
 7 *bers of the Space Corps and civilian employees of the*
 8 *Space Corps throughout the military or civilian ca-*
 9 *reer of the member or the employee, as the case may*
 10 *be, including with respect to—*

11 “(i) *defining career professional milestones;*

12 “(ii) *pay and incentive structures;*

13 “(iii) *the management and oversight of the*
 14 *Space Corps;*

15 “(iv) *training relating to planning and exe-*
 16 *cuting warfighting missions and operations in*
 17 *space;*

18 “(v) *conducting periodic Space Corps-wide*
 19 *professional assessments to determine how the*
 20 *Space Corps is developing as a group; and*

21 “(vi) *establishing a centralized method to*
 22 *control personnel assignments and distribution.*

23 “(B) *The identification of future space-related*
 24 *career fields that the Secretary determines appro-*
 25 *priate, including a space acquisition career field.*

1 “(C) *The identification of any overlap that exists*
 2 *among operations and acquisitions career fields to de-*
 3 *termine opportunities for cross-functional career op-*
 4 *portunities.*

5 **“§ 9093. Commandant of the Space Corps**

6 “(a) *APPOINTMENT.—(1) There is a Commandant of*
 7 *the Space Corps, appointed by the President, by and with*
 8 *the advice and consent of the Senate, from the general offi-*
 9 *cers of the Air Force. The Commandant serves at the pleas-*
 10 *ure of the President.*

11 “(2) *The Commandant shall be appointed for a term*
 12 *of four years. In time of war or during a national emer-*
 13 *gency declared by Congress, the Commandant may be re-*
 14 *appointed for a term of not more than four years.*

15 “(b) *GRADE.—The Commandant, while so serving, has*
 16 *the grade of general without vacating the permanent grade*
 17 *of the officer.*

18 “(c) *RELATIONSHIP TO THE SECRETARY OF THE AIR*
 19 *FORCE.—Except as otherwise prescribed by law and subject*
 20 *to section 9013(f) of this title, the Commandant performs*
 21 *the duties of such position under the authority, direction,*
 22 *and control of the Secretary of the Air Force and is directly*
 23 *responsible to the Secretary.*

1 “(d) *DUTIES.*—Subject to the authority, direction, and
2 control of the Secretary of the Air Force, the Commandant
3 shall—

4 “(1) exercise supervision, consistent with the au-
5 thority assigned to commanders of unified or specified
6 combatant commands under chapter 6 of this title,
7 over such of the members and organizations of the
8 Space Corps as the Secretary determines; and

9 “(2) perform such other military duties, not oth-
10 erwise assigned by law, as are assigned to the Com-
11 mandant by the President, the Secretary of Defense,
12 or the Secretary of the Air Force.

13 “(e) *JOINT CHIEFS OF STAFF.*—(1) The Commandant
14 shall also perform the duties prescribed for the Com-
15 mandant as a member of the Joint Chiefs of Staff under
16 section 151 of this title.

17 “(2) To the extent that such action does not impair
18 the independence of the Commandant in the performance
19 of the duties of the Commandant as a member of the Joint
20 Chiefs of Staff, the Commandant shall inform the Secretary
21 of the Air Force regarding military advice rendered by
22 members of the Joint Chiefs of Staff on matters affecting
23 the Department of the Air Force.

24 “(3) Subject to the authority, direction, and control
25 of the Secretary of Defense, the Commandant shall keep the

1 *Secretary of the Air Force fully informed of significant*
 2 *military operations affecting the duties and responsibilities*
 3 *of the Secretary.”.*

4 (d) *CONFORMING AMENDMENTS.—*

5 (1) *JOINT CHIEFS OF STAFF.—*

6 (A) *MEMBERSHIP.—Section 151(a) of title*
 7 *10, United States Code, is amended—*

8 (i) *by redesignating paragraph (7) as*
 9 *paragraph (8); and*

10 (ii) *by inserting after paragraph (6)*
 11 *the following new paragraph:*

12 *“(7) The Commandant of the Space Corps.”.*

13 (B) *APPOINTMENT.—Section 152(b)(1)(B)*
 14 *of such title is amended by striking “or the Com-*
 15 *mandant of the Marine Corps” and inserting*
 16 *“the Commandant of the Marine Corps, or the*
 17 *Commandant of the Space Corps”.*

18 (2) *OFFICER CAREERS.—Chapter 907 of such*
 19 *title is amended as follows:*

20 (A) *In section 9084, by striking “officers in*
 21 *the Air Force” and inserting “officers in the*
 22 *Space Corps”.*

23 (B) *By transferring section 9084, as*
 24 *amended by subparagraph (A), to chapter 909*
 25 *and redesignating such section as section 9095.*

1 (C) *In the table of sections, by striking the*
 2 *item relating to section 9084.*

3 (3) *SECRETARY OF THE AIR FORCE.—Section*
 4 *9013 of such title is amended—*

5 (A) *in subsection (f), by inserting “and*
 6 *Space Corps” after “Officers of the Air Force”;*
 7 *and*

8 (B) *in subsection (g)(1), by inserting “and*
 9 *Space Corps” after “members of the Air Force”.*

10 (4) *DEFINITIONS.—Section 101 of such title is*
 11 *amended—*

12 (A) *in subsection (a)—*

13 (i) *in paragraph (4), by inserting*
 14 *“Space Corps,” after “Marine Corps,”; and*

15 (ii) *in paragraph (9)(C), by inserting*
 16 *“and the Space Corps” after “concerning*
 17 *the Air Force”; and*

18 (B) *in subsection (b)—*

19 (i) *in paragraph (4), by striking “or*
 20 *Marine Corps” and inserting “Marine*
 21 *Corps, or Space Corps”; and*

22 (ii) *in paragraph (13), by striking “or*
 23 *Marine Corps” and inserting “Marine*
 24 *Corps, or Space Corps”.*

1 (e) *CLERICAL AMENDMENT.*—*The table of chapters for*
 2 *part I of subtitle D of title 10, United States Code, is*
 3 *amended by adding at the end the following new item:*

“909. The Space Corps”.

4 **SEC. 922. TRANSFER OF PERSONNEL, FUNCTIONS, AND AS-**
 5 **SETS TO THE SPACE CORPS.**

6 (a) *TRANSFERS.*—

7 (1) *TRANSFER OF MILITARY PERSONNEL.*—

8 (A) *IN GENERAL.*—*The Secretary of Defense*
 9 *shall, during the transition period, transfer all*
 10 *covered military personnel to the Space Corps.*

11 (B) *RETENTION IN GRADE AND STATUS.*—
 12 *Covered military personnel transferred to the*
 13 *Space Corps pursuant to subparagraph (A) shall*
 14 *retain the grade and date of obtaining such*
 15 *grade that the individual person had before the*
 16 *date of the transfer unless otherwise altered or*
 17 *terminated in accordance with law.*

18 (2) *TRANSFER OF FUNCTIONS.*—*Except as other-*
 19 *wise directed by the Secretary of Defense, all func-*
 20 *tions, assets, and obligations of the space elements of*
 21 *the Air Force (including all property, records, instal-*
 22 *lations, activities, facilities, agencies, and projects of*
 23 *such elements) shall be transferred to the Space Corps.*

24 (b) *CONFORMING REPEAL.*—

1 (1) *IN GENERAL.*—Chapter 135 of title 10,
 2 *United States Code*, is amended by striking section
 3 2279c.

4 (2) *CLERICAL AMENDMENT.*—The table of sec-
 5 tions at the beginning of such chapter is amended by
 6 striking the item relating to section 2279c.

7 (3) *EFFECTIVE DATE.*—The amendments made
 8 by paragraphs (1) and (2) shall take effect on the date
 9 on which the transition period terminates, as deter-
 10 mined by the Secretary of Defense in accordance with
 11 subsection (c), which date shall be not later than De-
 12 cember 30, 2023.

13 (c) *NOTICE TO CONGRESS.*—Not later than 30 days be-
 14 fore the date on which the transition period terminates, the
 15 Secretary of Defense shall submit to the congressional de-
 16 fense committees a certification that identifies the date on
 17 which transition period will terminate.

18 (d) *DEFINITIONS.*—In this section:

19 (1) The term “covered military personnel”
 20 means commissioned officers and enlisted members of
 21 the space elements of the Air Force who are assigned
 22 to such elements as of the date on which such officers
 23 and members are transferred under subsection (a)(1).

24 (2) The term “transition period” means a period
 25 prescribed by the Secretary of Defense that—

1 (A) begins on January 1, 2021; and

2 (B) ends not later than December 30, 2023.

3 **SEC. 923. REPORTS ON SPACE CORPS.**

4 (a) *REPORT ON STRUCTURE OF SPACE CORPS.*—

5 (1) *IN GENERAL.*—*The Secretary of Defense shall*
6 *submit to the congressional defense committees a re-*
7 *port that includes a detailed plan for the organiza-*
8 *tional structure of the Space Corps.*

9 (2) *ELEMENTS.*—*The report required under*
10 *paragraph (1) shall include—*

11 (A) *a detailed description of the structure*
12 *and organizational elements required for the*
13 *Space Corps to perform its mission;*

14 (B) *a detailed description of the organiza-*
15 *tion and staff required to support the Com-*
16 *mandant of the Space Corps;*

17 (C) *a detailed explanation of how establish-*
18 *ment of the Space Corps is expected to affect the*
19 *composition and function of the space elements of*
20 *the Armed Forces;*

21 (D) *a description of how the Space Corps*
22 *will be organized, trained, and equipped;*

23 (E) *a description of how the Space Corps*
24 *will exercise acquisition authorities;*

1 (F) a description of how the Space Corps
 2 will coordinate with the United States Space
 3 Command, the Space Development Agency, and
 4 other space elements of the Armed Forces; and

5 (G) any other matters determined to be ap-
 6 propriate by the Secretary.

7 (b) *REPORT ON MILITARY PERSONNEL.*—

8 (1) *IN GENERAL.*—The Secretary of Defense shall
 9 submit to the congressional defense committees a re-
 10 port on the military personnel requirements of the
 11 Space Corps.

12 (2) *ELEMENTS.*—The report required under
 13 paragraph (1) shall include—

14 (A) a detailed plan setting forth—

15 (i) the proposed military personnel
 16 composition and structure of the Space
 17 Corps; and

18 (ii) plans for the transfer or reassign-
 19 ment of military personnel from the space
 20 elements of the Armed Forces to the Space
 21 Corps;

22 (B) the number of officer and enlisted per-
 23 sonnel to be transferred or reassigned to the
 24 Space Corps by functional area;

1 (C) a detailed description of the billet re-
 2 quirements for the Space Corps, including the
 3 staff organizational and rank structure; and

4 (D) the number of additional officer and en-
 5 listed billets that will be required for the Space
 6 Corps and a description of such billets.

7 (c) *REPORT ON CIVILIAN PERSONNEL.*—

8 (1) *IN GENERAL.*—The Secretary of Defense shall
 9 submit to the congressional defense committees a re-
 10 port on the civilian personnel requirements of the
 11 Space Corps.

12 (2) *ELEMENTS.*—The report required under
 13 paragraph (1) shall include—

14 (A) an assessment of the projected size of the
 15 civilian workforce of the Space Corps in fiscal
 16 year 2021 and in each fiscal year covered by the
 17 most recent future-years defense program sub-
 18 mitted to Congress under section 221 of title 10,
 19 United States Code;

20 (B) a detailed explanation of any projected
 21 changes to the size of the civilian workforce of the
 22 Space Corps from year-to-year; and

23 (C) a detailed plan for the transfer of civil-
 24 ian personnel from the space elements of the
 25 Armed Forces to the Space Corps.

1 (d) *REPORT ON TRANSFER OF FUNCTIONS AND AS-*
 2 *SETS.—*

3 (1) *IN GENERAL.—The Secretary of Defense shall*
 4 *submit to the congressional defense committees a re-*
 5 *port that includes a detailed plan for the transfer of*
 6 *the functions, assets, and obligations of the space ele-*
 7 *ments of the Armed Forces (including any property,*
 8 *records, installations, activities, facilities, agencies,*
 9 *and projects of such elements) to the Space Corps in*
 10 *accordance with section 922.*

11 (2) *ELEMENTS.—The report required under*
 12 *paragraph (1) shall include—*

13 (A) *a detailed list of the functions and as-*
 14 *sets to be transferred;*

15 (B) *a justification for each transfer pro-*
 16 *posed to be made under subparagraph (A);*

17 (C) *the location and value of each item pro-*
 18 *posed to be transferred under subparagraph (A);*

19 *and*

20 (D) *the date on which each item is expected*
 21 *to be transferred.*

22 (e) *REPORT ON FUNDING REQUIREMENTS.—*

23 (1) *IN GENERAL.—The Secretary of Defense shall*
 24 *submit to the congressional defense committees a re-*
 25 *port on the funding requirements for the Space Corps.*

1 (2) *ELEMENTS.*—*The report required under*
2 *paragraph (1) shall include a detailed estimate of the*
3 *funding that will be required to establish the Space*
4 *Corps and to conduct the activities and operations of*
5 *the Corps, including estimated expenditures and pro-*
6 *posed appropriations for each of fiscal years 2021*
7 *through 2025 as follows:*

8 (A) *With respect to procurement accounts—*

9 (i) *amounts displayed by account,*
10 *budget activity, line number, line item, and*
11 *line item title; and*

12 (ii) *a description of the requirements*
13 *for each such amount specific to the Space*
14 *Corps.*

15 (B) *With respect to research, development,*
16 *test, and evaluation accounts—*

17 (i) *amounts displayed by account,*
18 *budget activity, line number, program ele-*
19 *ment, and program element title; and*

20 (ii) *a description of the requirements*
21 *for each such amount specific to the Space*
22 *Corps.*

23 (C) *With respect to operation and mainte-*
24 *nance accounts—*

1 (i) amounts displayed by account title,
2 budget activity title, line number, and sub-
3 activity group title; and

4 (ii) a description of how such amounts
5 will specifically be used.

6 (D) With respect to military personnel ac-
7 counts—

8 (i) amounts displayed by account,
9 budget activity, budget sub-activity, and
10 budget sub-activity title; and

11 (ii) a description of the requirements
12 for each such amount specific to the Space
13 Corps.

14 (E) With respect to each project under mili-
15 tary construction accounts (including with re-
16 spect to unspecified minor military construction
17 and amounts for planning and design), the coun-
18 try, location, project title, and project amount by
19 fiscal year.

20 (F) With respect to any expenditures and
21 proposed appropriations not included the mate-
22 rials submitted under subparagraphs (A)
23 through (E), an explanation with a level of de-
24 tail equivalent to or greater than the level of de-
25 tail provided in the future-years defense program

1 *submitted to Congress under section 221 of title*
 2 *10, United States Code.*

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

6 (f) *DEADLINE FOR SUBMITTAL.*—*Each of the reports*
 7 *required under subsections (a) through (e) shall be sub-*
 8 *mitted to the congressional defense committees not later*
 9 *than February 1, 2020.*

10 **SEC. 924. SPACE NATIONAL GUARD.**

11 *The Secretary of Defense may not transfer any per-*
 12 *sonnel or resources from any reserve components, including*
 13 *the National Guard, to the Space Corps established by sec-*
 14 *tion 921 until the date on which a Space National Guard*
 15 *of the United States has been established by law.*

16 **SEC. 925. EFFECTS ON MILITARY INSTALLATIONS.**

17 *Nothing in this part, or the amendments made by this*
 18 *part, shall be construed to authorize or require the reloca-*
 19 *tion of any facility, infrastructure, or military installation*
 20 *of the Air Force.*

21 **PART 2—OTHER SPACE MATTERS**

22 **SEC. 931. UNITED STATES SPACE COMMAND.**

23 (a) *RESTORATION OF GENERAL AUTHORITY FOR ES-*
 24 *TABLISHMENT OF UNIFIED COMMAND.*—

1 (1) *IN GENERAL.*—Section 169 of title 10,
2 *United States Code*, is repealed.

3 (2) *CLERICAL AMENDMENT.*—The table of sec-
4 *tions at the beginning of chapter 6 of title 10, United*
5 *States Code*, is amended by striking the item relating
6 *to section 169.*

7 (b) *CONFORMING AMENDMENT.*—Section 2273a(d)(3)
8 *of title 10, United States Code*, is amended by striking “The
9 *Commander of the United States Strategic Command, act-*
10 *ing through the United States Space Command,” and in-*
11 *serting “The Commander of the United States Space Com-*
12 *mand, or, if no such command exists, the Commander of*
13 *the United States Strategic Command,”.*

14 **TITLE X—GENERAL PROVISIONS**

15 **Subtitle A—Financial Matters**

16 **SEC. 1001. GENERAL TRANSFER AUTHORITY.**

17 (a) *AUTHORITY TO TRANSFER AUTHORIZATIONS.*—

18 (1) *AUTHORITY.*—Upon determination by the
19 *Secretary of Defense that such action is necessary in*
20 *the national interest, the Secretary may transfer*
21 *amounts of authorizations made available to the De-*
22 *partment of Defense in this division for fiscal year*
23 *2019 between any such authorizations for that fiscal*
24 *year (or any subdivisions thereof). Amounts of au-*
25 *thorizations so transferred shall be merged with and*

1 *be available for the same purposes as the authoriza-*
 2 *tion to which transferred.*

3 (2) *LIMITATION.—Except as provided in para-*
 4 *graph (3), the total amount of authorizations that the*
 5 *Secretary may transfer under the authority of this*
 6 *section may not exceed \$1,000,000,000.*

7 (3) *EXCEPTION FOR TRANSFERS BETWEEN MILI-*
 8 *TARY PERSONNEL AUTHORIZATIONS.—A transfer of*
 9 *funds between military personnel authorizations*
 10 *under title IV shall not be counted toward the dollar*
 11 *limitation in paragraph (2).*

12 (b) *LIMITATIONS.—The authority provided by sub-*
 13 *section (a) to transfer authorizations—*

14 (1) *may only be used to provide authority for*
 15 *items that have a higher priority than the items from*
 16 *which authority is transferred; and*

17 (2) *may not be used to provide authority for an*
 18 *item that has been denied authorization by Congress.*

19 (c) *ADDITIONAL LIMITATION ON TRANSFERS FOR*
 20 *DRUG INTERDICTION AND COUNTER DRUG ACTIVITIES.—*
 21 *The authority provided by subsection (a) may not be used*
 22 *to transfer any amount to Drug Interdiction and Counter*
 23 *Drug Activities, Defense-wide.*

24 (d) *EFFECT ON AUTHORIZATION AMOUNTS.—A trans-*
 25 *fer made from one account to another under the authority*

1 *of this section shall be deemed to increase the amount au-*
 2 *thorized for the account to which the amount is transferred*
 3 *by an amount equal to the amount transferred.*

4 (e) *NOTICE TO CONGRESS.—The Secretary shall*
 5 *promptly notify Congress of each transfer made under sub-*
 6 *section (a).*

7 (f) *CERTIFICATION REQUIREMENT.—The authority to*
 8 *transfer any authorization under this section may not be*
 9 *used until the Secretary of Defense and the head of each*
 10 *entity affected by such transfer submits to the congressional*
 11 *defense committees certification in writing that—*

12 (1) *the amount transferred will be used for high-*
 13 *er priority items, based on unforeseen military re-*
 14 *quirements, than the items from which authority is*
 15 *transferred; and*

16 (2) *the amount transferred will not be used for*
 17 *any item for which funds have been denied authoriza-*
 18 *tion by Congress.*

19 **SEC. 1002. ADDITIONAL REQUIREMENTS FOR ANNUAL RE-**
 20 **PORT AND BRIEFING ON FINANCIAL IM-**
 21 **PROVEMENT AND AUDIT REMEDIATION PLAN.**

22 *Section 240b(b) of title 10, United States Code, is*
 23 *amended—*

24 (1) *in paragraph (1)(B)(iv), by adding at the*
 25 *end the following new subclause:*

1 “(IV) *A current accounting of the*
2 *defense business systems of the Depart-*
3 *ment of Defense that will be intro-*
4 *duced, replaced, updated, modified, or*
5 *retired in connection with the audit of*
6 *the full financial statements of the De-*
7 *partment, including a comprehensive*
8 *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-complete*
13 *estimates for each affected system;*
14 *and*

15 “(cc) *dependencies both be-*
16 *tween the various defense business*
17 *systems and between the introduc-*
18 *tion, replacement, update, modi-*
19 *fication, and retirement of such*
20 *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 busi-*
24 *ness 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’ has*
 10 *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”.*

24 (b) *SEMIANNUAL BRIEFINGS.—Subsection (b)(2) of*
 25 *such section is amended by striking “or audit remediation”.*

1 (c) *AUDIT REMEDIATION SERVICES*.—Subsection (b) of
 2 such section is further amended—

3 (1) in paragraph (1)(B), by adding at the end
 4 the following new clauses:

5 “(ix) If less than 50 percent of the
 6 audit remediation services under contract,
 7 as described in the briefing required under
 8 paragraph (2)(B), are being performed by
 9 individual professionals meeting the quali-
 10 fications described in subsection (c), a de-
 11 tailed description of the risks associated
 12 with the risks of the acquisition strategy of
 13 the Department with respect to conducting
 14 audit remediation activities and an expla-
 15 nation of how the strategy complies with the
 16 policies expressed by Congress.

17 “(x) If less than 25 percent of the audit
 18 remediation services under contract, as de-
 19 scribed in the briefing required under para-
 20 graph (2)(B), are being performed by indi-
 21 vidual professionals meeting the qualifica-
 22 tions described in subsection (c), a written
 23 certification that the staffing ratio complies
 24 with commercial best practices and presents
 25 no increased risk of delay in the Depart-

1 *ment’s ability to achieve a clean audit opin-*
 2 *ion.”; and*

3 *(2) in paragraph (2)—*

4 *(A) by striking “Not later” and inserting*
 5 *“(A) Not later”; and*

6 *(B) by adding at the end the following new*
 7 *subparagraph:*

8 *“(B) Not later than January 31 and June 30*
 9 *each year, the Under Secretary of Defense (Comp-*
 10 *troller) and the comptrollers of the military depart-*
 11 *ments shall provide a briefing to the congressional de-*
 12 *fense committees on the status of the corrective action*
 13 *plan. Such briefing shall include both the absolute*
 14 *number and percentage of personnel performing the*
 15 *amount of audit remediation services being performed*
 16 *by professionals meeting the qualifications described*
 17 *in subsection (c).”.*

18 *(d) SELECTION OF AUDIT REMEDIATION SERVICES.—*
 19 *Such section is further amended by adding at the end the*
 20 *following new subsection:*

21 *“(c) SELECTION OF AUDIT REMEDIATION SERVICES.—*
 22 *The selection of audit remediation service providers shall*
 23 *be based, among other appropriate criteria, on qualifica-*
 24 *tions, relevant experience, and capacity to develop and im-*
 25 *plement corrective action plans to address internal control*

1 *and compliance deficiencies identified during a financial*
 2 *statement or program audit.”.*

3 **SEC. 1004. REPORTING REQUIREMENTS RELATING TO DE-**
 4 **PARTMENT OF DEFENSE AUDITS.**

5 (a) *ANNUAL REPORT.*—

6 (1) *IN GENERAL.*—Chapter 9A of title 10, United
 7 States Code, is amended by adding at the end the fol-
 8 lowing new section:

9 **“§240g. Annual report on auditable financial state-**
 10 **ments**

11 “(a) *IN GENERAL.*—Not later than January 30 of each
 12 year, the Secretary of Defense shall submit to the congres-
 13 sional defense committees a report ranking each of the mili-
 14 tary departments and Defense Agencies in order of how ad-
 15 vanced they are in achieving auditable financial statements
 16 as required by law. In preparing the report, the Secretary
 17 shall seek to exclude information that is otherwise available
 18 in other reports to Congress.

19 “(b) *BOTTOM QUARTILE.*—Not later than June 30 of
 20 each year, the head of each of the military departments and
 21 Defense Agencies that were ranked in the bottom quartile
 22 of the report submitted under subsection (a) for that year
 23 shall submit to the congressional defense committees a re-
 24 port that includes the following information for that mili-
 25 tary department or Defense Agency:

1 “(1) *A description of the material weaknesses of*
2 *the military department or Defense Agency.*

3 “(2) *The underlying causes of such weaknesses.*

4 “(3) *A plan for remediating such weaknesses.*”.

5 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
6 *tions at the beginning of such chapter is amended by*
7 *adding at the end the following new item:*

“240g. Annual report on auditable financial statements.”.

8 (b) *LIMITATION ON USE OF FUNDS.*—*Of the amounts*
9 *authorized to be appropriated or otherwise made available*
10 *by this Act for travel of persons for the head of a military*
11 *department or Defense Agency described in subsection (b)*
12 *of section 240g of title 10, United States Code, as added*
13 *by subsection (a), for fiscal year 2020, not more than 80*
14 *percent may be obligated or expended before the submittal*
15 *of the report required under that subsection for that mili-*
16 *tary department or Defense Agency.*

17 (c) *PLAN FOR ACHIEVING UNMODIFIED AUDIT OPIN-*
18 *ION ON CONSOLIDATED AUDIT.*—

19 (1) *REPORT REQUIRED.*—*Not later than 90 days*
20 *after the date of the enactment of this Act, the Sec-*
21 *retary of Defense shall submit to the congressional de-*
22 *fense committees a report containing the plan of the*
23 *Secretary for achieving an unmodified audit opinion*
24 *of the Department of Defense-wide consolidated audit*

1 *by not later than five years after the date of the en-*
 2 *actment of this Act.*

3 (2) *LIMITATION ON USE OF FUNDS.—Of the*
 4 *amounts authorized to be appropriated or otherwise*
 5 *made available by this Act for Operation and Mainte-*
 6 *nance, Defense-Wide, Office of the Secretary of De-*
 7 *fense, for Travel of Persons for fiscal year 2020, not*
 8 *more than 70 percent may be obligated or expended*
 9 *before the date on which the Secretary submits the re-*
 10 *port required under paragraph (1).*

11 **SEC. 1005. ANNUAL BUDGET JUSTIFICATION DISPLAY FOR**
 12 **SERVICE-COMMON AND OTHER SUPPORT AND**
 13 **ENABLING CAPABILITIES FOR SPECIAL OPER-**
 14 **ATIONS FORCES.**

15 (a) *IN GENERAL.—Chapter 9 of title 10, United States*
 16 *Code, is amended by inserting after section 225 the fol-*
 17 *lowing new section:*

18 **“§226. Special operations forces: display of service-**
 19 **common and other support and enabling**
 20 **capabilities**

21 “(a) *IN GENERAL.—The Secretary shall include, in the*
 22 *budget materials submitted to Congress under section 1105*
 23 *of title 31 for fiscal year 2021 and any subsequent fiscal*
 24 *year, a consolidated budget justification display showing*
 25 *service-common and other support and enabling capabili-*

1 *ties for special operations forces requested by a military*
 2 *service or Defense Agency. Such budget justification display*
 3 *shall include any amount for service-common or other capa-*
 4 *bility development and acquisition, training, operations,*
 5 *pay, base operations sustainment, and other common serv-*
 6 *ices and support.*

7 “(b) *SERVICE-COMMON AND OTHER SUPPORT AND EN-*
 8 *ABLING CAPABILITIES.—In this section, the term ‘service-*
 9 *common and other support and enabling capabilities’*
 10 *means capabilities provided in support of special oper-*
 11 *ations that are not reflected in Major Force Program—11*
 12 *or designated as special operations forces-peculiar.”.*

13 (b) *CLERICAL AMENDMENT.—The table of sections at*
 14 *the beginning of such chapter is amended by inserting after*
 15 *the item relating to section 225 the following new item:*

“226. Special operations forces: display of service-common programs and activi-
ties.”.

16 **SEC. 1006. DETERMINATION OF BUDGETARY EFFECTS.**

17 *The budgetary effects of this Act, for the purpose of*
 18 *complying with the Statutory Pay-As-You-Go Act of 2010,*
 19 *shall be determined by reference to the latest statement titled*
 20 *“Budgetary Effects of PAYGO Legislation” for this Act,*
 21 *submitted for printing in the Congressional Record by the*
 22 *Chairman of the House Budget Committee, provided that*
 23 *such statement has been submitted prior to the vote on pas-*
 24 *sage.*

1 **SEC. 1007. INDEPENDENT PUBLIC ACCOUNTANT AUDIT OF**
 2 **FINANCIAL SYSTEMS OF THE DEPARTMENT**
 3 **OF DEFENSE.**

4 *The Secretary of Defense shall ensure that each major*
 5 *implementation of, or modification to, a financial system*
 6 *of the Department of Defense is reviewed by an independent*
 7 *public accountant to validate that such financial system*
 8 *will meet any applicable Federal requirements.*

9 **SEC. 1008. TRANSPARENCY OF ACCOUNTING FIRMS USED**
 10 **TO SUPPORT DEPARTMENT OF DEFENSE**
 11 **AUDIT.**

12 *Section 1006 of the John S. McCain National Defense*
 13 *Authorization Act for Fiscal Year 2019 (Public Law 115–*
 14 *232) is amended—*

15 *(1) by striking “For all contract actions” and*
 16 *inserting “(a) IN GENERAL.—For all contract ac-*
 17 *tions”;*

18 *(2) by inserting “fully adjudicated” before “dis-*
 19 *ciplinary proceedings”; and*

20 *(3) by adding at the end the following new sub-*
 21 *sections:*

22 *“(b) TREATMENT OF STATEMENT.—A statement set-*
 23 *ting for the details of a disciplinary proceeding submitted*
 24 *pursuant to subsection (a), and the information contained*
 25 *in such a statement, shall be—*

1 “(1) *treated as confidential to the extent required*
 2 *by the court or agency in which the proceeding has*
 3 *occurred; and*

4 “(2) *treated in a manner consistent with any*
 5 *protections or privileges established by any other pro-*
 6 *vision of Federal law.*

7 “(c) *DEFINITION OF ASSOCIATED PERSON.—In this*
 8 *section, the term ‘associated persons’ means, with respect*
 9 *to an accounting firm, any of the key personnel of the firm*
 10 *who are involved in the performance of a prime contract*
 11 *entered into by the firm with the Department of Defense.”.*

12 ***Subtitle B—Counterdrug Activities***

13 ***SEC. 1011. MODIFICATION OF AUTHORITY TO PROVIDE SUP-*** 14 ***PORT TO OTHER AGENCIES FOR*** 15 ***COUNTERDRUG ACTIVITIES AND ACTIVITIES*** 16 ***TO COUNTER TRANSNATIONAL ORGANIZED*** 17 ***CRIME.***

18 (a) *TYPES OF SUPPORT.—Paragraph (7) of subsection*
 19 *(b) of section 284 of title 10, United States Code, is amend-*
 20 *ed—*

21 (1) *by striking “and fences”; and*

22 (2) *by striking “to block” and inserting “along”.*

23 (b) *CONGRESSIONAL NOTIFICATION.—Subsection*
 24 *(h)(1) of such section is amended—*

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

3 (2) by inserting before subparagraph (B), as so
4 redesignated, the following new subparagraph (A):

5 “(A) In case of support for a purpose de-
6 scribed in subsection (b)—

7 “(i) an identification of the recipient
8 of the support;

9 “(ii) a description of the support pro-
10 vided;

11 “(iii) a description of the sources and
12 amounts of funds used to provide such sup-
13 port;

14 “(iv) a description of the amount of
15 funds obligated to provide such support;

16 “(v) an assessment of the efficacy and
17 cost-effectiveness of such support in advanc-
18 ing the objectives and strategy of the depart-
19 ment or agency to which the support will be
20 provided;

21 “(vi) any document describing a re-
22 quest for assistance from any other depart-
23 ment or agency of the United States and
24 any response to such a request from another

1 *department or agency of the United States*
 2 *to which support will be provided; and*
 3 “(vii) *in the case of any support for a*
 4 *purpose described under subsection (b)(7),*
 5 *metrics and analysis that establish that an*
 6 *area is a drug smuggling corridor.”.*

7 **SEC. 1012. TECHNICAL CORRECTION AND EXTENSION OF**
 8 **REPORTING REQUIREMENT REGARDING EN-**
 9 **HANCEMENT OF INFORMATION SHARING AND**
 10 **COORDINATION OF MILITARY TRAINING BE-**
 11 **TWEEN DEPARTMENT OF HOMELAND SECU-**
 12 **RITY AND DEPARTMENT OF DEFENSE.**

13 *Section 1014 of the National Defense Authorization*
 14 *Act for Fiscal Year 2017 (Public Law 114–328) is amend-*
 15 *ed—*

16 (1) *by striking “section 371 of title 10, United*
 17 *States Code” each place it appears and inserting*
 18 *“section 271 of title 10, United States Code”; and*
 19 (2) *in subsection (d)(3) by striking “January 31,*
 20 *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 Pol-*
 5 *icy Reauthorization Act of 2006 (Public Law 109–469; 32*
 6 *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 with*
 21 *the Department of Homeland Security, the Depart-*
 22 *ment of State, and other relevant Federal, State,*
 23 *local, and international partners to improve surveil-*
 24 *lance capabilities and maximize the effectiveness of*
 25 *counterdrug operations in the region; and*

1 (3) *the Secretary of Defense should, to the great-*
 2 *est extent possible, ensure United States Northern*
 3 *Command and United States Southern Command*
 4 *have the necessary assets to support and increase*
 5 *counter-drug activities within their respective areas of*
 6 *operations in the transit zone and the Caribbean*
 7 *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 Sec-*
 11 *retary of Homeland Security, shall conduct an assessment*
 12 *of the impact that any planned or proposed border wall*
 13 *construction would have on the volume of illegal narcotics*
 14 *entering the United States.*

15 ***Subtitle C—Naval Vessels and***
 16 ***Shipyards***

17 **SEC. 1021. TRANSPORTATION BY SEA OF SUPPLIES FOR THE**
 18 **ARMED FORCES AND DEFENSE AGENCIES.**

19 *Section 2631 of title 10, United States Code, is amend-*
 20 *ed—*

21 (1) *in the first sentence of subsection (a), by in-*
 22 *serting “or for a Defense Agency” after “Marine*
 23 *Corps”; and*

24 (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 fol-
4 lowing 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 into
19 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 en-
23 sure that there is a formal schoolhouse available at which
24 training is provided in any shipboard system that is pro-
25 gram 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 as*
4 *of the date of the enactment of this Act for which no*
5 *formal schoolhouse is available, the Secretary shall en-*
6 *sure that such a schoolhouse is available for the provi-*
7 *sion of training in such program by not later than*
8 *12 months after the date of the enactment of this Act.*

9 (2) *FUTURE PROGRAMS.*—*In the case of any*
10 *shipboard system program of record that is first used*
11 *after the date of the enactment of this Act, the Sec-*
12 *retary shall ensure that a formal schoolhouse is estab-*
13 *lished for the provision of training in such program*
14 *by not later than 12 months after the date on which*
15 *the shipboard system program of record is first used.*

16 **SEC. 1024. REPORT ON SHIPBUILDER TRAINING AND THE**
17 **DEFENSE INDUSTRIAL BASE.**

18 *Not later than 180 days after the date of the enactment*
19 *of this Act, the Secretary of Defense shall submit to the*
20 *Committees on Armed Services of the Senate and House of*
21 *Representatives a report on shipbuilder training and hiring*
22 *requirements necessary to achieve the Navy's 30-year ship-*
23 *building plan and to maintain the shipbuilding readiness*
24 *of the defense industrial base. Such report shall include each*
25 *of the following:*

1 (1) *An analysis and estimate of the time and in-*
2 *vestment required for new shipbuilders to gain pro-*
3 *ficiency in particular shipbuilding occupational spe-*
4 *cialties, including detailed information about the oc-*
5 *cupational specialty requirements necessary for con-*
6 *struction of naval surface ship and submarine classes*
7 *to be included in the Navy's 30-year shipbuilding*
8 *plan.*

9 (2) *An analysis of the age demographics and oc-*
10 *cupational experience level (measured in years of ex-*
11 *perience) of the shipbuilding defense industrial work-*
12 *force.*

13 (3) *An analysis of the potential time and invest-*
14 *ment challenges associated with developing and re-*
15 *training shipbuilding skills in organizations that lack*
16 *intermediate levels of shipbuilding experience.*

17 (4) *Recommendations concerning how to address*
18 *shipbuilder training during periods of demographic*
19 *transition, including whether emerging technologies,*
20 *such as augmented reality, may aid in new ship-*
21 *builder training.*

22 (5) *Recommendations concerning how to encour-*
23 *age young adults to enter the defense shipbuilding in-*
24 *dustry and to develop the skills necessary to support*
25 *the shipbuilding defense industrial base.*

1 **SEC. 1025. USE OF COMPETITIVE PROCEDURES FOR CVN-80**
2 **AND CVN-81 DUAL AIRCRAFT CARRIER CON-**
3 **TRACT.**

4 *To the extent practicable and unless otherwise required*
5 *by law, the Secretary of the Navy shall ensure that competi-*
6 *tive procedures are used with respect to any task order or*
7 *delivery order issued under a dual aircraft carrier contract*
8 *relating to the CVN-80 and CVN-81.*

9 **SEC. 1026. REPORT ON EXPANDING NAVAL VESSEL MAINTENANCE.**
10

11 *(a) REPORT REQUIRED.—Not later than May 1, 2020,*
12 *the Secretary of the Navy shall submit to the congressional*
13 *defense committees a report on allowing maintenance to be*
14 *performed on naval vessels at shipyards other than ship-*
15 *yards in the vessels' homeports.*

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

18 *(1) An assessment of the ability of homeport*
19 *shipyards to meet the current naval vessel maintenance*
20 *demands.*

21 *(2) An assessment of the ability of current home-*
22 *port shipyards to meet the naval vessel maintenance*
23 *demands of a 355-ship Navy.*

24 *(3) An assessment of the ability of non-homeport*
25 *firms to augment repair work at homeport shipyards,*
26 *which shall include—*

1 (A) the capability and proficiency of ship-
2 yards in the Great Lakes, Gulf Coast, East
3 Coast, West Coast, and Alaska regions to per-
4 form technical repair work on naval vessels at
5 locations other than their homeports;

6 (B) the required improvements to the capa-
7 bility of shipyards in the Great Lakes, Gulf
8 Coast, East Coast, West Coast, and Alaska re-
9 gions to enable performance of technical repair
10 work on naval vessels at locations other than
11 their homeports;

12 (C) an identification of naval vessel types
13 (such as noncombatant vessels or vessels that
14 only need limited periods of time in shipyards)
15 best suited for repair work performed by ship-
16 yards in locations other than their homeports;
17 and

18 (D) the potential benefits to fleet readiness
19 of expanding shipyard repair work to include
20 shipyards not located at naval vessel homeports.

21 (4) An assessment of the benefits to the commer-
22 cial shipyard industrial base of expanding repair
23 work for naval vessels to shipyards not eligible for
24 short-term work in accordance with section 8669a(c)
25 of title 10, United States Code.

1 (c) *HOMEPORT SHIPYARDS DEFINED.*—*In this section,*
 2 *the term “homeport shipyards” means shipyards associated*
 3 *with firms capable of being awarded short-term work at the*
 4 *homeport of a naval vessel in accordance with section*
 5 *8669a(c) of title 10, United States Code.*

6 ***Subtitle D—Counterterrorism***

7 ***SEC. 1031. EXTENSION OF AUTHORITY FOR JOINT TASK***
 8 ***FORCES TO PROVIDE SUPPORT TO LAW EN-***
 9 ***FORCEMENT AGENCIES CONDUCTING***
 10 ***COUNTER-TERRORISM ACTIVITIES.***

11 (a) *EXTENSION.*—*Subsection (b) of section 1022 of the*
 12 *National Defense Authorization Act for Fiscal Year 2004*
 13 *(Public Law 108–136; 10 U.S.C. 271 note) is amended by*
 14 *striking “2020” and inserting “2022”.*

15 (b) *TECHNICAL CORRECTIONS.*—*Subsection (e) of such*
 16 *section is amended—*

17 (1) *in paragraph (1), by inserting a period at*
 18 *the end; and*

19 (2) *by adding at the end the following paragraph*
 20 *(2):*

21 “(2) *For purposes of applying the definition of*
 22 *transnational organized crime under paragraph (1) to this*
 23 *section, the term ‘illegal means’, as it appears in such defi-*
 24 *niton, includes the trafficking of money, human traf-*
 25 *ficking, illicit financial flows, illegal trade in natural re-*

1 *sources and wildlife, trade in illegal drugs and weapons,*
 2 *and other forms of illegal means determined by the Sec-*
 3 *retary of Defense.”.*

4 **SEC. 1032. PROHIBITION ON USE OF FUNDS FOR TRANSFER**
 5 **OR RELEASE OF INDIVIDUALS DETAINED AT**
 6 **UNITED STATES NAVAL STATION, GUANTA-**
 7 **NAMO BAY, CUBA, TO CERTAIN COUNTRIES.**

8 *No amounts authorized to be appropriated or otherwise*
 9 *made available for the Department of Defense may be used*
 10 *during the period beginning on the date of the enactment*
 11 *of this Act and ending on December 31, 2020, to transfer,*
 12 *release, or assist in the transfer or release of any individual*
 13 *detained in the custody or under the control of the Depart-*
 14 *ment of Defense at United States Naval Station, Guanta-*
 15 *namo Bay, Cuba, to the custody or control of any country,*
 16 *or any entity within such country, as follows:*

- 17 (1) *Libya.*
- 18 (2) *Somalia.*
- 19 (3) *Syria.*
- 20 (4) *Yemen.*
- 21 (5) *Mexico.*
- 22 (6) *Guatemala.*
- 23 (7) *Honduras.*
- 24 (8) *El Salvador.*
- 25 (9) *Venezuela.*

1 (10) *Cuba.*

2 (11) *Iran.*

3 (12) *Russia.*

4 (13) *North Korea.*

5 **SEC. 1033. PROHIBITION ON USE OF FUNDS FOR TRANSFER**
 6 **TO AND DETENTION OF ADDITIONAL INDIVID-**
 7 **UALS, INCLUDING UNITED STATES CITIZENS,**
 8 **AT UNITED STATES NAVAL STATION, GUANTA-**
 9 **NAMO BAY, CUBA.**

10 (a) *PROHIBITION ON USE OF FUNDS.*—No amounts
 11 *authorized to be appropriated or otherwise made available*
 12 *to the Department of Defense may be used during the period*
 13 *beginning on the date of the enactment of this Act and end-*
 14 *ing on December 31, 2020, to—*

15 (1) *detain or provide assistance relating to the*
 16 *detention of any individual, including any United*
 17 *States citizen, pursuant to the law of war or a pro-*
 18 *ceeding under chapter 47A of title 10, United States*
 19 *Code, at United States Naval Station, Guantanamo*
 20 *Bay, Cuba; or*

21 (2) *transfer or provide assistance relating to the*
 22 *transfer of any individual, including any United*
 23 *States citizen, for the purpose of detaining such indi-*
 24 *vidual pursuant to the law of war or a proceeding*
 25 *under chapter 47A of title 10, United States Code, at*

1 *United States Naval Station, Guantanamo Bay,*
2 *Cuba.*

3 (b) *EXCEPTION.*—*The prohibition in subsection (a)*
4 *shall not apply to an individual who is or was detained*
5 *pursuant to the law of war or a Military Commissions Act*
6 *proceeding on or after May 2, 2018, at United States Naval*
7 *Station, Guantanamo Bay, Cuba, by the Department of De-*
8 *fense.*

9 (c) *DISPOSITION PLAN.*—*Not later than 60 days after*
10 *the date of the enactment of this Act, the Attorney General,*
11 *in consultation with the Secretary of Defense, shall submit*
12 *to the congressional defense committees a plan identifying*
13 *a disposition, other than continued law of war detention*
14 *at United States Naval Station, Guantanamo Bay, Cuba,*
15 *for each individual detained at United States Naval Sta-*
16 *tion, Guantanamo Bay, Cuba, as of the date of the enact-*
17 *ment of this Act.*

18 **SEC. 1034. SENSE OF CONGRESS REGARDING THE PROVI-**
19 **SION OF MEDICAL CARE TO INDIVIDUALS DE-**
20 **TAINED AT UNITED STATES NAVAL STATION,**
21 **GUANTANAMO BAY, CUBA.**

22 (a) *FINDINGS.*—*Congress makes the following findings:*
23 (1) *The individuals detained at United States*
24 *Naval Station, Guantanamo Bay, Cuba, are aging,*
25 *and such individuals are increasingly subject to a*

1 *number of health conditions exacerbated by age and*
 2 *the circumstances of their cases.*

3 *(2) Expeditionary medical treatment of individ-*
 4 *uals detained at United States Naval Station, Guan-*
 5 *tanamo Bay, Cuba, is logistically challenging and in-*
 6 *creasingly costly, especially treatment related to com-*
 7 *plex ailments that may become exacerbated with age.*

8 *(3) Medical care at United States Naval Station,*
 9 *Guantanamo Bay, Cuba, is likely to become an in-*
 10 *creasing challenge for the United States Government.*

11 *(4) Medical challenges at United States Naval*
 12 *Station, Guantanamo Bay, Cuba, also cause difficul-*
 13 *ties affecting the functions and processes of the mili-*
 14 *tary commissions and periodic review boards.*

15 *(b) SENSE OF CONGRESS.—It is the sense of Congress*
 16 *that—*

17 *(1) the United States has an ongoing obligation*
 18 *to provide medical care to individuals detained at*
 19 *United States Naval Station, Guantanamo Bay,*
 20 *Cuba, meeting appropriate standards of care; and*

21 *(2) the Secretary of Defense should take into ac-*
 22 *count the standards of care provided at other relevant*
 23 *facilities, including those administered by the Federal*
 24 *Bureau of Prisons, in determining the policies of the*
 25 *Department of Defense regarding the provision of*

1 *medical care to individuals detained at United States*
2 *Naval Station, Guantanamo Bay, Cuba.*

3 **SEC. 1035. INDEPENDENT ASSESSMENT ON GENDER AND**
4 **COUNTERING VIOLENT EXTREMISM.**

5 *(a) IN GENERAL.—The Secretary of Defense shall seek*
6 *to enter into a contract with a nonprofit entity or a feder-*
7 *ally funded research and development center independent*
8 *of the Department of Defense to conduct research and anal-*
9 *ysis on the intersection of gender and violent extremism and*
10 *terrorism.*

11 *(b) ELEMENTS.—The research and analysis conducted*
12 *under subsection (a) shall include research and analysis of*
13 *the following:*

14 *(1) The root and proximate causes of women's*
15 *participation in terrorist and violent extremist orga-*
16 *nizations.*

17 *(2) Ways for the Department of Defense to en-*
18 *gage women and girls who are vulnerable to extremist*
19 *and terrorist behavior.*

20 *(3) Ways women and girls can assist the Armed*
21 *Forces and partner military organizations in identi-*
22 *fying individuals of concern.*

23 *(4) The intersection of violent extremism and*
24 *terrorism and the following:*

25 *(A) Gender-based violence.*

1 (B) *Women’s empowerment at the household*
 2 *level, such as property and inheritance rights,*
 3 *bride-price and dowry, and the level of societal*
 4 *sanction for the killing or harming of women.*

5 (C) *Adolescent girls’ empowerment, such as*
 6 *the level of early, child, and forced marriage,*
 7 *and of girls’ access to secondary education.*

8 (5) *Best practices for the Armed Forces to sup-*
 9 *port women preventing and countering violent extre-*
 10 *mism and terrorism.*

11 (6) *Any other matters the Secretary of Defense*
 12 *determines to be appropriate.*

13 (c) *UTILIZATION.—The Secretary of Defense shall uti-*
 14 *lize the results of the research conducted under subsection*
 15 *(a) to inform each geographic combatant command’s strat-*
 16 *egy report and individual country strategy reports, where*
 17 *appropriate.*

18 (d) *REPORTS.—*

19 (1) *REPORT TO SECRETARY.—Not later than one*
 20 *year after the date of the enactment of this Act, the*
 21 *nonprofit entity or federally funded research and de-*
 22 *velopment center with which the Secretary of Defense*
 23 *enters into contract under subsection (a) shall submit*
 24 *to the Secretary of Defense a report that contains the*
 25 *assessment required by subsection (a).*

1 (2) *REPORT TO CONGRESS.*—Not later than two
2 *years after the date of the enactment of this Act, the*
3 *Secretary of Defense shall submit to the congressional*
4 *defense committees a report on the results of research*
5 *conducted under subsection (a).*

6 **SEC. 1036. ESTABLISHING A COORDINATOR FOR ISIS DE-**
7 **TAINEE ISSUES.**

8 (a) *IN GENERAL.*—Not later than 90 days after the
9 *date of the enactment of this Act, the President, acting*
10 *through the Secretary of State, shall designate an existing*
11 *official within the Department of State to serve as senior-*
12 *level coordinator to coordinate, in conjunction with the lead*
13 *and other relevant agencies, all matters for the United*
14 *States Government relating to the long-term disposition of*
15 *Islamic State of Iraq and Syria (ISIS) foreign terrorist*
16 *fighter detainees, including all matters in connection*
17 *with—*

18 (1) *repatriation, transfer, prosecution, and intel-*
19 *ligence-gathering;*

20 (2) *coordinating a whole-of-government approach*
21 *with other countries and international organizations,*
22 *including INTERPOL, to ensure secure chains of cus-*
23 *tody and locations of ISIS foreign terrorist fighter de-*
24 *tainees;*

1 (3) *coordinating technical and evidentiary as-*
 2 *sistance to foreign countries to aid in the successful*
 3 *prosecution of ISIS foreign terrorist fighter detainees;*
 4 *and*

5 (4) *all multilateral and international engage-*
 6 *ments led by the Department of State and other agen-*
 7 *cies that are related to the current and future han-*
 8 *dling, detention, and prosecution of ISIS foreign ter-*
 9 *rorist fighter detainees.*

10 (b) *RETENTION OF AUTHORITY.*—*The appointment of*
 11 *a senior-level coordinator pursuant to subsection (a) shall*
 12 *not deprive any agency of any authority to independently*
 13 *perform functions of that agency.*

14 (c) *ANNUAL REPORT.*—

15 (1) *IN GENERAL.*—*Not later than 180 days after*
 16 *the date of the enactment of this Act, and not less fre-*
 17 *quently than once each year thereafter through Janu-*
 18 *ary 21, 2021, the individual designated under sub-*
 19 *section (a) shall submit to the appropriate committees*
 20 *of Congress a detailed report regarding high-value*
 21 *ISIS detainees that the coordinator reasonably deter-*
 22 *mines to be subject to criminal prosecution in the*
 23 *United States.*

24 (2) *ELEMENTS.*—*The report under paragraph*
 25 (1) *shall include, at a minimum, the following:*

1 (A) A detailed description of the facilities
2 where ISIS foreign terrorist fighter detainees de-
3 scribed in paragraph (1) are being held.

4 (B) An analysis of all United States efforts
5 to prosecute ISIS foreign terrorist fighter detain-
6 ees described in paragraph (1) and the outcomes
7 of such efforts. Any information, the disclosure of
8 which may violate Department of Justice policy
9 or law, relating to a prosecution or investigation
10 may be withheld from a report under paragraph
11 (1).

12 (C) A detailed description of any option to
13 expedite prosecution of any ISIS foreign ter-
14 rorist fighter detainee described in paragraph
15 (1), including in a court of competent jurisdic-
16 tion outside of the United States.

17 (D) An analysis of factors on the ground in
18 Syria and Iraq that may result in the unin-
19 tended release of ISIS foreign terrorist fighter
20 detainees described in paragraph (1), and an as-
21 sessment of any measures available to mitigate
22 such releases.

23 (E) A detailed description of all multilat-
24 eral and other international efforts or proposals
25 that would assist in the prosecution of ISIS for-

1 *eign terrorist fighter detainees described in para-*
2 *graph (1).*

3 *(F) An analysis of all efforts between the*
4 *United States and partner countries within the*
5 *Global Coalition to Defeat ISIS or other coun-*
6 *tries to share intelligence or evidence that may*
7 *aid in the prosecution of members of the Islamic*
8 *State of Iraq and Syria and associated forces,*
9 *and any legal obstacles that may hinder such ef-*
10 *forts.*

11 *(G) An analysis of the manner in which the*
12 *United States Government communicates on*
13 *such proposals and efforts to the families of*
14 *United States citizens believed to be a victim of*
15 *a criminal act by an ISIS foreign terrorist fight-*
16 *er detainee.*

17 *(3) FORM.—The report under paragraph (1)*
18 *shall be submitted in unclassified form, but may in-*
19 *clude a classified annex.*

20 *(d) DEFINITIONS.—In this section:*

21 *(1) The term “appropriate committees of Con-*
22 *gress” means—*

23 *(A) the Committee on Armed Services, the*
24 *Committee on Foreign Relations, the Committee*
25 *on the Judiciary, the Select Committee on Intel-*

1 *ligence and the Committee on Appropriations of*
 2 *the Senate; and*

3 *(B) the Committee on Armed Services, the*
 4 *Committee on Foreign Affairs, the Committee on*
 5 *the Judiciary, the Permanent Select Committee*
 6 *on Intelligence, and the Committee on Appro-*
 7 *priations of the House of Representatives.*

8 *(2) The term “ISIS foreign terrorist fighter de-*
 9 *tainee” means a detained individual—*

10 *(A) who allegedly fought for or supported*
 11 *the Islamic State of Iraq and Syria (ISIS); and*

12 *(B) who is a national of a country other*
 13 *than Iraq or Syria.*

14 *(e) SUNSET.—The requirements under this section*
 15 *shall sunset on January 21, 2021.*

16 **SEC. 1037. MODIFICATION OF SUPPORT OF SPECIAL OPER-**
 17 **ATIONS TO COMBAT TERRORISM.**

18 *Section 127e of title 10, United States Code, is amend-*
 19 *ed—*

20 *(1) in subsection (a), by inserting “authorized”*
 21 *before “ongoing”; and*

22 *(2) in subsection (d)(2)—*

23 *(A) in subparagraph (A), by inserting “and*
 24 *a description of the authorized ongoing oper-*
 25 *ation” before the period at the end;*

1 (B) by redesignating subparagraph (C) as
2 subparagraph (D);

3 (C) by striking subparagraphs (B) and in-
4 serting the following new subparagraphs after
5 subparagraph (A):

6 “(B) A description of the foreign forces, ir-
7 regular forces, groups, or individuals engaged in
8 supporting or facilitating the authorized ongoing
9 operation who will receive the funds provided
10 under this section.

11 “(C) A detailed description of the support
12 provided or to be provided to the recipient of the
13 funds.”; and

14 (D) by adding at the end the following new
15 subparagraphs:

16 “(E) A detailed description of the legal and
17 operational authorities related to the authorized
18 ongoing operation, including relevant execute or-
19 ders issued by the Secretary of Defense and com-
20 batant commanders related to the authorized on-
21 going operation, including an identification of
22 operational activities United States Special Op-
23 erations Forces are authorized to conduct under
24 such execute orders.

1 “(F) *The duration for which the support is*
 2 *expected to be provided and an identification of*
 3 *the timeframe in which the provision of support*
 4 *will be reviewed by the combatant commander*
 5 *for a determination regarding the necessity of*
 6 *continuation of support.*”.

7 **SEC. 1038. PUBLIC AVAILABILITY OF MILITARY COMMIS-**
 8 **SION PROCEEDINGS.**

9 *Section 949d(c) of title 10, United States Code, is*
 10 *amended by adding at the end the following new paragraph:*

11 “(4) *In the case of any proceeding of a military com-*
 12 *mission under this chapter that is made open to the public,*
 13 *the military judge may order arrangements for the avail-*
 14 *ability of the proceeding to be watched remotely by the pub-*
 15 *lic through the internet.*”.

16 ***Subtitle E—Miscellaneous***
 17 ***Authorities and Limitations***

18 **SEC. 1041. SCHEDULING OF DEPARTMENT OF DEFENSE EX-**
 19 **ECUTIVE AIRCRAFT CONTROLLED BY SECRE-**
 20 **TARIES OF MILITARY DEPARTMENTS.**

21 (a) *IN GENERAL.*—Chapter 2 of title 10, United States
 22 *Code, is amended by adding at the end the following new*
 23 *section:*

1 **“§ 120. Department of Defense executive aircraft con-**
2 **trolled by Secretaries of military depart-**
3 **ments**

4 “(a) *IN GENERAL.*—*The Secretary of Defense shall en-*
5 *sure that the Chief of the Air Force Special Air Mission*
6 *Office is given the responsibility for scheduling all Depart-*
7 *ment of Defense executive aircraft controlled by the Secre-*
8 *taries of the military departments.*

9 “(b) *RESPONSIBILITIES.*—(1) *The Secretary of each of*
10 *the military departments shall ensure that there is represen-*
11 *tation from each of the armed forces within the Air Force*
12 *Special Air Mission Office to provide for daily management*
13 *and scheduling of the aircraft controlled by that military*
14 *department.*

15 “(2) *The Secretary of Defense shall be responsible for*
16 *resolving conflicts and arbitrating the allocation of aircraft*
17 *based on demand and priority.*

18 “(c) *LIMITATIONS.*—(1) *The Secretary of Defense may*
19 *not establish a new command and control organization to*
20 *support aircraft controlled by the Secretary of a military*
21 *department.*

22 “(2) *No aircraft controlled by the Secretary of a mili-*
23 *tary department may be permanently stationed at any lo-*
24 *cation without required users.*

25 “(d) *DEFINITIONS.*—*In this section:*

1 “(1) The term ‘required use traveler’ has the
2 meaning given such term in Department of Defense
3 directive 4500.56, as in effect on the date of the enact-
4 ment of this section.

5 “(2) The term ‘executive aircraft’ has the mean-
6 ing given such term in Department of Defense direc-
7 tive 4500.43, as in effect on the date of the enactment
8 of this section.”.

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

 “120. Department of Defense executive aircraft controlled by Secretaries of mili-
 tary departments.”.

12 **SEC. 1042. EXPLOSIVE ORDNANCE DEFENSE DISPOSAL PRO-**
13 **GRAM.**

14 (a) *ROLES, RESPONSIBILITIES, AND AUTHORITIES.*—
15 Subsection (b) of section 2284 of title 10, United States
16 Code, is amended—

17 (1) in paragraph (1)—

18 (A) in subparagraph (B), by inserting
19 “and” after the semicolon;

20 (B) in subparagraph (C),

21 (i) by striking “joint program execu-
22 tive officer who” and inserting “training
23 and technology program that”;

1 (ii) by inserting “, provides common
2 individual training,” after “explosive ord-
3 nance disposal”;

4 (iii) by striking “and procurement”;

5 (iv) by inserting “for common tools”
6 after “activities”;

7 (v) by striking “and combatant com-
8 mands”; and

9 (vi) by inserting “and” after the semi-
10 colon; and

11 (C) by striking subparagraphs (D) and (E);

12 (2) in paragraph (2), by striking “such as weap-
13 on systems, manned and unmanned vehicles and plat-
14 forms, cyber and communication equipment, and the
15 integration of explosive ordnance disposal sets, kits
16 and outfits and explosive ordnance disposal tools,
17 equipment, sets, kits, and outfits developed by the de-
18 partment.” and inserting “; and”; and

19 (3) by adding at the end the following new para-
20 graph:

21 “(3) the Secretary of the Army shall designate
22 an Army explosive ordnance disposal-qualified gen-
23 eral officer to serve as the co-chair of the Department
24 of Defense explosive ordnance disposal defense pro-
25 gram.”.

1 (b) *DEFINITIONS.*—*Such section is further amended by*
 2 *adding at the end the following new subsection:*

3 “(d) *DEFINITIONS.*—*In this section:*

4 “(1) *The term ‘explosive ordnance’ has the mean-*
 5 *ing given such term in section 283(d) of this title.*

6 “(2) *The term ‘explosive ordnance disposal’*
 7 *means the detection, identification, on-site evaluation,*
 8 *rendering safe, exploitation, recovery, and final dis-*
 9 *posal of explosive ordnance.’”.*

10 ***SEC. 1043. NOTIFICATION ON THE PROVISION OF DEFENSE***
 11 ***SENSITIVE SUPPORT.***

12 *Section 1055(b) of the National Defense Authorization*
 13 *Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C.*
 14 *113 note) is amended—*

15 (1) *in paragraph (2)—*

16 (A) *by redesignating subparagraph (C) as*
 17 *subparagraph (E); and*

18 (B) *by inserting after subparagraph (B) the*
 19 *following new subparagraphs:*

20 “(C) *A description of the required duration*
 21 *of the support.*

22 “(D) *A description of the initial costs for*
 23 *the support.’”; and*

24 (2) *by adding at the end the following new para-*
 25 *graph:*

1 “(5) *SUSTAINMENT COSTS.*—If the Secretary de-
 2 termines that sustainment costs will be incurred as a
 3 result of the provision of defense sensitive support, the
 4 Secretary, not later than 72 hours after the initial
 5 provision of such support, shall certify to the congres-
 6 sional defense committees (and the congressional intel-
 7 ligence committees with respect to matters relating to
 8 members of the intelligence community) that such
 9 sustainment costs will not interfere with the ability of
 10 the Department to execute operations, accomplish
 11 mission objectives, and maintain readiness.”.

12 **SEC. 1044. MODIFICATION AND TECHNICAL CORRECTION**
 13 **OF AUTHORITY FOR DEPLOYMENT OF MEM-**
 14 **BERS OF THE ARMED FORCES TO THE SOUTH-**
 15 **ERN LAND BORDER OF THE UNITED STATES.**

16 (a) *AUTHORITY.*—Subsection (a) of section 1059 of the
 17 National Defense Authorization Act for Fiscal Year 2016
 18 (Public Law 114–92; 129 Stat. 986; 10 U.S.C. 271 note
 19 prec.) is amended to read as follows:

20 “(a) *AUTHORITY.*—

21 “(1) *IN GENERAL.*—The Secretary of Defense
 22 may provide assistance to United States Customs and
 23 Border Protection for purposes of increasing ongoing
 24 efforts to secure the southern land border of the

1 *United States in accordance with the requirements of*
2 *this section.*

3 “(2) *CERTIFICATION REQUIREMENT.*—*If the Sec-*
4 *retary of Defense provides assistance under paragraph*
5 *(1), not later than 30 days before the provision of*
6 *such assistance, the Secretary shall submit to the*
7 *Committees on Armed Services of the Senate and*
8 *House of Representatives certification, in writing,*
9 *that—*

10 “(A) *the provision of the assistance will not*
11 *negatively affect military training, operations,*
12 *readiness, or other military requirement, includ-*
13 *ing the readiness of the National Guard and re-*
14 *serve components;*

15 “(B) *the tasks associated with the support*
16 *provided align with the mission or occupational*
17 *specialty of any members of the Armed Forces or*
18 *units of the Armed Forces that are deployed; and*

19 “(C) *any task associated with the support is*
20 *inherently governmental and cannot be per-*
21 *formed by a contractor.*

22 “(3) *NOTIFICATION REQUIREMENT.*—*Not later*
23 *than 30 days before the deployment of any member of*
24 *the Armed Forces or unit of the Armed Forces to the*
25 *southern land border of the United States in support*

1 *United States Customs and Border Protection* pursu-
2 *ant to this section or any other provision of law, the*
3 *Secretary of Defense shall provide to the Committees*
4 *on Armed Forces of the Senate and House of Rep-*
5 *resentatives notice of such deployment.”.*

6 (b) *SUPPORT.*—Subsection (e) of such section is
7 amended—

8 (1) by striking “*Of the amounts authorized to be*
9 *appropriated for the Department of Defense by this*
10 *Act, the*” and inserting “*The*”;

11 (2) by striking “*use up to \$75,000,000 to*”; and

12 (3) by inserting “*on a reimbursable basis*” after
13 “*subsection (a)*”.

14 (c) *REPORTING REQUIREMENTS.*—Subsection (f) of
15 such section is amended to read as follows:

16 “(f) *REPORTS.*—

17 “(1) *REPORT REQUIRED.*—Not later than 30
18 *days after the date on which any member of the*
19 *Armed Forces is deployed along the southern land*
20 *border of the United States at the request of the Sec-*
21 *retary of Homeland Security, and every 90 days*
22 *thereafter until no members are so deployed, the Sec-*
23 *retary of Defense shall submit to the Committee on*
24 *Armed Services and the Committee on Homeland Se-*
25 *curity and Governmental Affairs of the Senate and*

1 *the Committee on Armed Services and the Committee*
2 *on Homeland Security of the House of Representa-*
3 *tives a report that includes, for both the period cov-*
4 *ered by the report and the total period of the deploy-*
5 *ment, each of the following:*

6 “(A) *An identification of each unit of the*
7 *Armed Forces so deployed, including for each*
8 *such unit—*

9 “(i) *the duty station or location to*
10 *which the unit is assigned;*

11 “(ii) *the unit designation;*

12 “(iii) *the size of the unit; and*

13 “(iv) *whether any personnel in the*
14 *unit deployed under section 12302 of title*
15 *10, United States Code.*

16 “(B) *An identification of any training exer-*
17 *cises that were planned prior to such deployment*
18 *that included deployed units and were planned*
19 *to be executed after the date of the deployment.*

20 “(C) *For each unit so deployed, the readi-*
21 *ness rating of the unit before deployment and 15*
22 *days after the last day of such deployment.*

23 “(D) *The projected length of the deployment*
24 *and any special pay and incentives for which*

1 *deployed personnel may qualify during the de-*
2 *ployment.*

3 *“(E) A description of any specific pre-de-*
4 *ployment training provided to any individual or*
5 *unit before being so deployed, including the loca-*
6 *tion and duration of any such training.*

7 *“(F) A description of the rules and addi-*
8 *tional guidance applicable to the deployment, in-*
9 *cluding—*

10 *“(i) any special instructions provided*
11 *to units so deployed prior to deployment;*

12 *“(ii) the standing rules for the use of*
13 *force for deployed personnel; and*

14 *“(iii) whether personnel carry assigned*
15 *weapons and are issued ammunition.*

16 *“(G) A description of the life support condi-*
17 *tions, including living quarters and food ration*
18 *cycles, associated with such deployment and as-*
19 *sociated costs.*

20 *“(H) A map indicating the locations where*
21 *units so deployed are housed.*

22 *“(I) A map indicating the locations where*
23 *units so deployed are conducting their assigned*
24 *mission and an explanation for the choice of*
25 *such locations.*

1 “(J) A description of the specific missions
2 and tasks, by location, that are assigned to the
3 members of the Armed Forces who are so de-
4 ployed.

5 “(K) The total amount of funds obligated or
6 expended to provide support along the southern
7 border of the United States, including costs asso-
8 ciated with personnel (set forth separately from
9 any special pay and allowances), transportation,
10 operations, and any materials used in support of
11 any such deployment or support provided.

12 “(L) An assessment of the ongoing efficacy
13 and cost-effectiveness of the provision of such as-
14 sistance, including a comparison to the execution
15 by United States Customs and Border Protec-
16 tion, the strategy and recommendations of the
17 Secretary to address the challenges on the south-
18 ern border of the United States and to enhance
19 the effectiveness of such assistance, and a plan to
20 transition the functions performed by the mem-
21 bers of the Armed Forces pursuant to such assist-
22 ance.

23 “(M) The justification of United States Cus-
24 toms and Border Protection determining each lo-
25 cation where the Department of Defense provides

1 support under this section and any actions taken
2 by the Department of Homeland Security to
3 complete the mission or tasks before requesting
4 support from the Department of Defense and de-
5 termining when support from the Department of
6 Defense is needed, including—

7 “(i) copies of any relevant documents
8 that describe the factors taken into consider-
9 ation in requesting support from the De-
10 partment of Defense;

11 “(ii) the analysis that informs the
12 placement of members of the Armed Forces
13 along the southern land border of the United
14 States; and

15 “(iii) any memorandum, including re-
16 quests for assistance and responses to such
17 requests, shared between the Department of
18 Homeland Security and the Department of
19 Defense regarding the need for the deploy-
20 ment of members of the Armed Forces along
21 the southern land border of the United
22 States.

23 “(2) *FORM OF REPORT.*—Each report submitted
24 under this subsection shall be submitted in unclassi-
25 fied form and without any designation relating to

1 *dissemination control, but may include a classified*
 2 *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 section*
 7 *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 284*
 10 *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 this*
 14 *Act or otherwise made available for fiscal year 2020 may*
 15 *be obligated or expended for the inactivation of any Army*
 16 *watercraft unit until the Secretary of Defense submits to*
 17 *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 cor-*
 22 *poration for the review of the ability of the Army to*
 23 *meet the watercraft requirements of the combatant*
 24 *commanders and the effects on preparedness to pro-*

1 *vide support to States and territories in connection*
 2 *with natural disasters, threats, and emergencies; and*
 3 (3) *the federally funded research and develop-*
 4 *ment corporation has completed such review and vali-*
 5 *dated 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 be*
 11 *obligated, expended, or otherwise used to design or carry*
 12 *out a project to construct, replace, or modify a wall, fence,*
 13 *or other physical barrier along the international border be-*
 14 *tween 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 and*
 23 *transferred to another authorization by the Secretary*
 24 *of Defense pursuant to transfer authority available to*
 25 *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 amounts*
18 *described in subsection (a) for any fiscal year for objects*
19 *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 which
2 the Secretary provides the notice described in para-
3 graph (1).

4 (c) *CERTIFICATION.*—For each expenditure of funds
5 under this section, the Secretary shall certify that such ex-
6 penditure was made for an object of a confidential, extraor-
7 dinary, or emergency nature.

8 (d) *REPORT.*—Not later than December 31 of each of
9 2020 through 2025, the Secretary of Defense shall submit
10 to the congressional defense committees and the congres-
11 sional intelligence committees a report on expenditures
12 made under this section during the fiscal year preceding
13 the year in which the report is submitted. Each such report
14 shall include, for each expenditure under this section during
15 the fiscal year covered by the report, a description, the pur-
16 pose, the program element, and the certification required
17 under section (c).

18 (e) *LIMITATION ON DELEGATIONS.*—The Secretary of
19 Defense may not delegate the authority under this section
20 with respect to any expenditure in excess of \$75,000.

21 (f) *CONGRESSIONAL INTELLIGENCE COMMITTEES DE-*
22 *FINED.*—In this section, the term “congressional intelligence
23 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 to
 6 *be appropriated by this Act or otherwise made available*
 7 *to the Department of Defense for fiscal year 2020 may be*
 8 *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 oc-*
 16 *curred:*

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 Law*
 23 *105–89), or makes any similar determination*
 24 *that is legally authorized under State law.*

1 (B) *An official from the State or county*
 2 *child welfare agency with expertise in child trauma*
 3 *and development makes a best interests determination*
 4 *that it is in the best interests of the*
 5 *child to be removed from the parent or legal*
 6 *guardian because the child is in danger of abuse*
 7 *or neglect at the hands of the parent or legal*
 8 *guardian, or is a danger to herself or others.*

9 (C) *The separation is authorized based on—*

10 (i) *the finding of a chief patrol agent*
 11 *or the area port director in an official and*
 12 *undelegated capacity that—*

13 (I) *the child is a victim of traf-*
 14 *ficking or is at significant risk of be-*
 15 *coming a victim of trafficking;*

16 (II) *there is a strong likelihood*
 17 *that the adult is not the parent or legal*
 18 *guardian of the child; or*

19 (III) *the child is in danger of*
 20 *abuse or neglect at the hands of the*
 21 *parent or legal guardian, or is a dan-*
 22 *ger to themselves or others; and*

23 (ii) *the review and reauthorization of*
 24 *the separation by an independent child wel-*
 25 *fare expert licensed by the State or county*

1 *in which the child was separated by not*
 2 *later than 48 hours after the initial decision*
 3 *by the Chief Patrol Agent or the Area Port*
 4 *Director.*

5 (2) *EFFECT OF FAILURE TO REAUTHORIZE.— In*
 6 *the case of a separation referred to in paragraph*
 7 *(1)(C)(ii), if the child welfare expert does not reau-*
 8 *thorize such separation, the child shall be considered*
 9 *separated from a parent for purposes of this sub-*
 10 *section.*

11 **SEC. 1049. LIMITATION ON USE OF FUNDS FOR PROVIDING**
 12 **HOUSING FOR UNACCOMPANIED ALIEN CHIL-**
 13 **DREN.**

14 (a) *LIMITATION.—None of the funds authorized to be*
 15 *appropriated by this Act or otherwise made available for*
 16 *the Department of Defense may be used to provide assist-*
 17 *ance to the Department of Health and Human Services for*
 18 *the purpose of providing housing for unaccompanied alien*
 19 *children unless the Secretary of Defense submits to Congress*
 20 *certification that—*

21 (1) *the proposed site for the housing—*
 22 (A) *will not be used to house any unaccom-*
 23 *panied alien children for longer than the dead-*
 24 *lines set forth in paragraph (12) of the Flores*

1 *settlement agreement, and complies with the*
2 *other requirements of such paragraph (12); or*

3 *(B) if the proposed site will be used to house*
4 *any unaccompanied alien children for longer*
5 *than such deadlines, the proposed site meets the*
6 *standards for “licensed programs” as defined in*
7 *the Flores settlement agreement, including by*
8 *being licensed by an appropriate State agency to*
9 *provide residential, group, or foster care services*
10 *for dependent children; and*

11 *(2) identifies any known or potential environ-*
12 *mental hazards at or near the proposed site;*

13 *(3) describes the actions taken or to be taken to*
14 *mitigate any such hazard; and*

15 *(4) identifies any waivers or exceptions to stand-*
16 *ards of the Department of Health and Human Serv-*
17 *ices, including the Flores settlement agreement, that*
18 *have been requested or granted with regard to the site.*

19 *(b) DEFINITIONS.—In this section:*

20 *(1) The term “unaccompanied alien children”*
21 *has the meaning given such term in section 462 of the*
22 *Homeland Security Act of 2002 (6 U.S.C. 279)).*

23 *(2) The term “Flores settlement agreement”*
24 *means the stipulated settlement agreement filed on*
25 *January 17, 1997, in the United States District*

1 *Court for the Central District of California in Flores*
 2 *v. Reno, CV 85–4544–RJK.*

3 **SEC. 1050. UNITED STATES MUNITIONS LIST.**

4 *The President may not remove from the United States*
 5 *Munitions List any item that was included in category I,*
 6 *II, or III of the United States Munitions List, as in effect*
 7 *on August 31, 2017.*

8 **SEC. 1050A. LIMITATION ON USE OF FUNDS FOR REIM-**
 9 **BURSEMENT OF EXPENSES AT CERTAIN**
 10 **PROPERTIES.**

11 *(a) LIMITATION.—None of the funds made available for*
 12 *the Department of Defense may be obligated or expended*
 13 *to the following properties or to an entity with an owner-*
 14 *ship interest in such property:*

15 *(1) Trump Vineyard Estates.*

16 *(2) Trump International Hotel & Tower, Chi-*
 17 *cago.*

18 *(3) Mar-A-Lago Club.*

19 *(4) Trump Grande Sunny Isles.*

20 *(5) Trump Hollywood.*

21 *(6) Trump Towers Sunny Isles.*

22 *(7) Trump Plaza New Jersey.*

23 *(8) Trump International Hotel, Las Vegas.*

24 *(9) The Estates at Trump National.*

25 *(10) 610 Park Avenue, New York City.*

- 1 (11) *Trump International Hotel & Tower, New*
2 *York.*
- 3 (12) *Trump Palace.*
- 4 (13) *Trump Parc.*
- 5 (14) *Trump Parc East.*
- 6 (15) *Trump Park Avenue.*
- 7 (16) *Trump Park Residences, Yorktown.*
- 8 (17) *Trump Place.*
- 9 (18) *Trump Plaza, New Rochelle.*
- 10 (19) *Trump Soho, New York City.*
- 11 (20) *Trump Tower at City Center, Westchester.*
- 12 (21) *Trump Tower, New York City.*
- 13 (22) *Trump World Tower.*
- 14 (23) *Trump Parc, Stamford.*
- 15 (24) *Trump International Hotel and Tower,*
16 *Waikiki Beach Walk.*
- 17 (25) *Trump Towers, Istanbul Sisli.*
- 18 (26) *Trump Ocean Club.*
- 19 (27) *Trump International & Tower Hotel, To-*
20 *ronto.*
- 21 (28) *Trump Tower at City Century City,*
22 *Makati, Philippines.*
- 23 (29) *Trump Tower, Mumbai.*
- 24 (30) *Trump Towers, Pune.*
- 25 (31) *Trump Tower, Punta Del Este, Uruguay.*

1 (32) *Trump International Hotel & Tower, Van-*
 2 *couver.*

3 (33) *40 Wall Street, New York City.*

4 (34) *1290 Avenue of the Americas, New, York*
 5 *City.*

6 (35) *Trump International Hotel, Washington*

7 (36) *555 California Street, San Francisco.*

8 (37) *Trump Tower, Rio de Janeiro.*

9 (38) *Trump International Golf Links & Hotel,*
 10 *Doonbeg, Ireland.*

11 (39) *Trump National Doral, Miami.*

12 (40) *Trump Ocean Club, Panama City, Pan-*
 13 *ama.*

14 (41) *Albemarle Estate at Trump Winery, Char-*
 15 *lottesville, Virginia.*

16 (42) *Trump International Golf Links, Scotland.*

17 (43) *Trump National Golf Club, Bedminster.*

18 (44) *Trump National Golf Club, Charlotte.*

19 (45) *Trump National Golf Club, Colts Neck.*

20 (46) *Trump International Golf Links, Ireland.*

21 (47) *Trump Golf Links at Ferry Point, New*
 22 *York.*

23 (48) *Trump National Golf Club, Hudson Valley.*

24 (49) *Trump National Golf Club, Jupiter.*

25 (50) *Trump National Golf Club, Los Angeles.*

1 (51) *Trump International Golf Club, West Palm*
2 *Beach.*

3 (52) *Trump National Golf Club, Philadelphia.*

4 (53) *Trump International Golf Club, Dubai.*

5 (54) *Trump World Golf Club, Dubai.*

6 (55) *Trump Turnberry, Scotland.*

7 (56) *Trump National Golf Club, Potomac Falls,*
8 *Virginia.*

9 (57) *Trump National Golf Club, Westchester.*

10 (b) *WAIVER.—The President may issue a waiver to the*
11 *limitation under subsection (a) for costs incurred with re-*
12 *spect to the properties listed above if the president reim-*
13 *burses the Department of the Treasury for the amount of*
14 *the cost associated with the expense.*

15 **SEC. 1050B. LIMITATION ON USE OF FUNDS FOR EXHI-**
16 **BITION OF PARADE OF MILITARY FORCES**
17 **AND HARDWARE FOR REVIEW BY THE PRESI-**
18 **DENT.**

19 *None of the funds authorized to be appropriated by this*
20 *Act or otherwise appropriated for Fiscal Year 2020 for the*
21 *Department of Defense may be obligated or expended for*
22 *any exhibition or parade of military forces and hardware,*
23 *with the exception of the display of small arms and muni-*
24 *tions appropriate for customary ceremonial honors and for*
25 *the participation of military units that perform customary*

1 *ceremonial duties, for review by the President in a public*
 2 *or private exercise outside of authorized military operations*
 3 *or activities.*

4 **SEC. 1050C. PROHIBITION ON USE OF DOD EQUIPMENT,**
 5 **PERSONNEL, AND FACILITIES FOR ICE DE-**
 6 **TENTION.**

7 *No facilities, equipment, or personnel of the Depart-*
 8 *ment of Defense may be used to house or construct any hous-*
 9 *ing for any foreign nationals who are in the custody of and*
 10 *detained by U.S. Immigration and Customs Enforcement.*

11 ***Subtitle F—National Defense***
 12 ***Strategy Implementation***

13 **SEC. 1051. SHORT TITLE.**

14 *This subtitle may be cited as the “National Defense*
 15 *Strategy Implementation Act”.*

16 **SEC. 1052. REPORT ON OPERATIONAL CONCEPTS AND**
 17 **PLANS REGARDING STRATEGIC COMPETI-**
 18 **TORS.**

19 *Not later than February 1, 2020, and then biannually*
 20 *thereafter, the Secretary of Defense shall submit to the con-*
 21 *gressional defense committees a report on the Department*
 22 *of Defense’s operational concepts and plans regarding stra-*
 23 *tegic competitors, including on strategically significant*
 24 *matters identified in the National Defense Strategy, that*
 25 *also addresses each of the following:*

1 (1) *Ways of employing the force in peace time to*
2 *effectively deter strategic competitors below the thresh-*
3 *old of war while ensuring readiness for potential con-*
4 *flict.*

5 (2) *Ways of adapting innovative, operational*
6 *concepts needed for strategically significant and plau-*
7 *sible scenarios related to strategic competitors.*

8 (3) *Ways of addressing operational challenges re-*
9 *lated to achieving the strategic advantage against*
10 *strategic competitors related to nuclear, space, cyber,*
11 *conventional, and unconventional means in*
12 *warfighting doctrine.*

13 (4) *The technologies, force developments, posture*
14 *and capabilities, readiness, infrastructure, organiza-*
15 *tion, personnel, and other elements of the defense pro-*
16 *gram necessary to enable these operational concepts*
17 *and its implementation listed in paragraphs (1)*
18 *through (3).*

19 (5) *The ability of the National Security Innova-*
20 *tion Base to support the operational concepts listed in*
21 *paragraphs (1) through (3).*

22 (6) *The resources and defense investments nec-*
23 *essary to support the operational concepts and its im-*
24 *plementation, including budget recommendations.*

1 (7) *The risks associated with the operational*
2 *concepts, including the relationship and tradeoffs be-*
3 *tween missions, risks, and resources.*

4 (8) *Measures and metrics to track the effective-*
5 *ness of the operational concepts and plans.*

6 **SEC. 1053. ACTIONS TO INCREASE ANALYTIC SUPPORT.**

7 (a) *IN GENERAL.*—*The Secretary of Defense shall di-*
8 *rect the Under Secretary of Defense for Policy, the Director*
9 *of the Joint Staff, and the Director of Cost Assessment and*
10 *Program Evaluation, in consultation with the head of each*
11 *military service, to jointly develop and implement a plan*
12 *to strengthen the analytic capabilities, expertise, and proc-*
13 *esses necessary to meet the National Defense Strategy.*

14 (b) *ELEMENTS.*—*The plan under subsection (a) shall*
15 *include—*

16 (1) *an assessment of the decision support capa-*
17 *bility of the Department of Defense, specifically the*
18 *analytic expertise the Department is using to link*
19 *National Defense Strategy objectives to innovative ap-*
20 *proaches for meeting future challenges, including win-*
21 *ning in conflict and competing effectively against*
22 *strategic competitors;*

23 (2) *an approach for comparing competing anal-*
24 *yses and conducting joint analyses for force structure*

1 to support senior leaders in implementing the Na-
2 tional Defense Strategy;

3 (3) a determination of the analytic products and
4 support required to implement the National Defense
5 Strategy, including the ability to update these prod-
6 ucts to reflect current strategy and future threats; and

7 (4) such other matters as the Secretary of De-
8 fense determines to be appropriate.

9 (c) **BRIEFING REQUIRED.**—Not later than March 1,
10 2020, the Secretary of Defense shall provide to the congres-
11 sional defense committees a briefing on the plan under sub-
12 section (a).

13 **SEC. 1054. DEFINITIONS.**

14 In this subtitle:

15 (1) The term “operational challenges” means the
16 principal operational challenges to meeting the de-
17 fense objectives described in the most recent National
18 Defense Strategy, as such challenges are defined by
19 the Secretary of Defense in guidance issued to the De-
20 partment of Defense. The guidance issued by the Sec-
21 retary of under the preceding sentence shall—

22 (A) specifically identify operational chal-
23 lenges to the Department’s principal strategic
24 priorities of competing effectively with strategic
25 competitors; and

1 (B) be made available in unclassified and
2 publicly accessible form.

3 (2) The term “strategic competitors” means a
4 country labeled as a strategic competitor in the
5 “Summary of the 2018 National Defense Strategy of
6 the United States of America: Sharpening the Amer-
7 ican Military’s Competitive Edge” issued by the De-
8 partment of Defense pursuant to section 113 of title
9 10, United States Code.

10 **Subtitle G—Studies and Reports**

11 **SEC. 1061. REPORT ON TRANSFERS OF EQUIPMENT TO PRO-** 12 **HIBITED ENTITIES.**

13 (a) ANNUAL REPORT TO CONGRESS.—

14 (1) IN GENERAL.—Subchapter VIII of chapter 16
15 of title 10, United States Code, is amended by adding
16 at the end the following new section:

17 **“§ 387. Annual report on transfers of equipment to** 18 **prohibited entities**

19 “(a) REPORT REQUIRED.—Not later than March 1,
20 2021, and each subsequent year, the Secretary of Defense,
21 in coordination with the Secretary of State, shall submit
22 to the appropriate committees of Congress a report on the
23 transfer of defense articles during the year preceding the
24 year during which the report is submitted to—

1 “(1) *any unit committing a gross violation of*
2 *human rights; or*

3 “(2) *any group or organization prohibited from*
4 *receiving assistance from the United States.*

5 “(b) *MATTERS TO BE INCLUDED.—Each report re-*
6 *quired by subsection (a) shall include the following for the*
7 *year covered by the report:*

8 “(1) *A description of any confirmed instance in*
9 *which the government of a foreign state that has re-*
10 *ceived defense articles pursuant to a Department of*
11 *Defense assistance authority has subsequently trans-*
12 *ferred the equipment to a unit of that foreign state*
13 *that is prohibited from receiving assistance from the*
14 *United States by reason of a determination by the*
15 *Secretary of State that there is credible evidence that*
16 *such unit has committed a gross violation of human*
17 *rights.*

18 “(2) *A description of any instance, confirmed or*
19 *under investigation, in which the government of a for-*
20 *foreign state that has received defense articles pursuant*
21 *to a Department of Defense assistance authority has*
22 *subsequently transferred the equipment to a group or*
23 *organization that is prohibited from receiving assist-*
24 *ance from the United States.*

1 “(c) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
 2 *FINED.*—*In this section, the term ‘appropriate committees*
 3 *of Congress’ means—*

4 “(1) *the Committee on Armed Services and the*
 5 *Committee on 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 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
 10 *tions at the beginning of such chapter is amended by*
 11 *inserting after the item relating to section 386 the fol-*
 12 *lowing new item:*

“387. *Annual report on transfers of equipment to prohibited entities.”.*

13 (b) *REPORT TO CONGRESS.*—

14 (1) *REPORT REQUIRED.*—*Not later than March*
 15 *1, 2020, the Secretary of Defense shall submit to the*
 16 *appropriate committees of Congress (as such term is*
 17 *defined in section 387 of title 10, United States Code,*
 18 *as added by subsection (a)), a report on the transfer*
 19 *of defense articles during the period beginning on*
 20 *January 1, 2015, and ending on the date of the enact-*
 21 *ment of this Act to—*

22 (A) *any unit committing a gross violation*
 23 *of human rights; or*

24 (B) *any group or organization prohibited*
 25 *from receiving assistance from the United States.*

(2) *MATTERS FOR INCLUSION.*—Such report shall include, for such period, each of the following:

(A) *A description of any confirmed instance in which the government of a foreign state that has received defense articles pursuant to a Department of Defense assistance authority has subsequently transferred the equipment to a unit of that foreign state that is prohibited from receiving assistance from the United States by reason of a determination by the Secretary of State that there is credible evidence that such unit has committed a gross violation of human rights.*

(B) *A description of any instance, confirmed or under investigation, in which the government of a foreign state that has received defense articles pursuant to a Department of Defense assistance authority has subsequently transferred the equipment to a group or organization that is prohibited from receiving assistance from the United States.*

SEC. 1062. ELIMINATION OF REQUIREMENT TO SUBMIT REPORTS TO CONGRESS IN PAPER FORMAT.

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

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

1 (2) *by redesignating subsection (c) as subsection*
 2 *(d); and*

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

5 “(c) *ELIMINATION OF PAPER SUBMISSION REQUIRE-*
 6 *MENT.—Whenever the Secretary (or other official) provides*
 7 *a report to Congress (or any committee of either House of*
 8 *Congress) in an electronic medium under subsection (a), the*
 9 *Secretary (or other official) shall not be required to submit*
 10 *an additional copy of the report in a paper format.”.*

11 **SEC. 1063. MODIFICATION OF ANNUAL REPORT ON CIVIL-**
 12 **IAN CASUALTIES IN CONNECTION WITH**
 13 **UNITED STATES MILITARY OPERATIONS.**

14 (a) *ADDITIONAL ELEMENT FOR REPORT.—Subsection*
 15 *(b) of section 1057 of the National Defense Authorization*
 16 *Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat.*
 17 *1572), as amended by section 1062 of the John S. McCain*
 18 *National Defense Authorization Act for Fiscal Year 2019*
 19 *(Public Law 115–232), is amended—*

20 (1) *by redesignating paragraphs (5) and (6) as*
 21 *paragraphs (8) and (9), respectively; and*

22 (2) *by inserting after paragraph (4) the fol-*
 23 *lowing new paragraphs:*

1 “(5) *A description of any allegations of civilian*
 2 *casualties made by public or non-governmental*
 3 *sources investigated by the Department of Defense.*

4 “(6) *An evaluation of the general reasons for any*
 5 *discrepancies between the assessments of the United*
 6 *States and reporting from nongovernmental organiza-*
 7 *tions regarding non-combatant deaths resulting from*
 8 *strikes and operations undertaken by the United*
 9 *States.*

10 “(7) *The definitions of ‘combatant’ and ‘non-*
 11 *combatant’ used in the preparation of the report.”.*

12 **(b) DEFINITION OF NON-COMBATANT.**—*Such section is*
 13 *further amended—*

14 *(1) by redesignating subsection (e) as subsection*
 15 *(f); and*

16 *(2) by inserting after subsection (d) the following*
 17 *new subsection (e):*

18 “(e) **DEFINITION OF NON-COMBATANT.**—*For purposes*
 19 *of the preparation of a report under this section, the Sec-*
 20 *retary of Defense shall define the term ‘non-combatant’.*
 21 *Such definition shall—*

22 “(1) *be consistent with the laws of war; and*

23 “(2) *provide that a male of military age shall*
 24 *not be determined to be a combatant solely on the*

1 *basis of proximity to a strike or nonstrike kinetic op-*
 2 *eration, or the intended target of such an operation.”.*

3 (c) *EXTENSION.*—Subsection (f) of such section, as so
 4 redesignated, is amended by striking “five years” and in-
 5 serting “ten years”.

6 (d) *CLASSIFICATION.*—The Law Revision Counsel is
 7 directed to place this section in a note following section 113
 8 of title 10, United States Code.

9 **SEC. 1064. INCLUSION OF CERTAIN INDIVIDUALS INVES-**
 10 **TIGATED BY INSPECTORS GENERAL IN THE**
 11 **SEMIANNUAL REPORT.**

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

14 (1) in paragraph (21), by striking “; and” at the
 15 end and inserting a semicolon;

16 (2) in paragraph (22), by striking the period at
 17 the end and inserting “; and”; and

18 (3) by inserting after paragraph (22) the fol-
 19 lowing new paragraph:

20 “(23) the name of each individual who is the
 21 subject of an investigation if the individual was an
 22 officer in the grade of O–7 and above, including offi-
 23 cers who have been selected for promotion to O–7, or
 24 a civilian member of the Senior Executive Service.”.

1 **SEC. 1065. ANNUAL REPORT ON JOINT MILITARY INFORMA-**
2 **TION SUPPORT OPERATIONS WEB OPER-**
3 **ATIONS CENTER.**

4 (a) *IN GENERAL.*—Not later than March 1 of 2020,
5 and each subsequent year until the termination date speci-
6 fied in subsection (c), the Commander of United States Spe-
7 cial Operations Command shall submit to the congressional
8 defense committees a report on the activities of the Joint
9 Military Information Support Operations Web Operations
10 Center (hereinafter referred to as the “JMWC”) during the
11 most recently concluded fiscal year.

12 (b) *CONTENTS OF REPORT.*—The report required by
13 subsection (a) shall include each of the following, for the
14 fiscal year covered by the report:

15 (1) *Definitions of initial operating capability*
16 *and full operational capability as such terms relate to*
17 *the JMWC.*

18 (2) *A detailed description of all activities con-*
19 *ducted toward achieving initial operating capability*
20 *and full operational capability of the JMWC.*

21 (3) *A list of all associated funding requested for*
22 *each program element for achieving initial operating*
23 *capability and full operational capability.*

24 (4) *A detailed description of validated doctrine,*
25 *organization, training, materiel, leadership and edu-*

1 *cation, personnel, facilities, and policy requirements*
2 *relating to establishment of the JMWC.*

3 (5) *A description of current JMWC capabilities,*
4 *including information technology infrastructure and*
5 *contractual arrangements.*

6 (6) *A list of all physical locations hosting JMWC*
7 *capabilities.*

8 (7) *The number of military, contractor, and ci-*
9 *vilian personnel associated with the JMWC and any*
10 *affiliated agency, service, or other Department of De-*
11 *fense entity.*

12 (8) *A description of the JMWC personnel organi-*
13 *zational structure.*

14 (9) *An identification of inherently governmental*
15 *functions relating to administration of the JMWC*
16 *and execution of Military Information Support Oper-*
17 *ations (hereinafter referred to as “MISO)” programs*
18 *hosted by the JMWC.*

19 (10) *A detailed description of frameworks,*
20 *metrics, and capabilities established to measure the ef-*
21 *fectiveness of MISO programs hosted by the JMWC.*

22 (11) *A list of all associated funding requested by*
23 *program element from each of the geographic combat-*
24 *ant commanders for MISO programs hosted by the*
25 *JMWC and a description of such MISO activities.*

1 (12) *An assessment of the effectiveness of MISO*
2 *programs hosted by the JMWC.*

3 (13) *A description of efforts and activities con-*
4 *ducted to share best practices and leverage lessons*
5 *learned across the Department of Defense relating to*
6 *MISO programs hosted by the JMWC, as well as a*
7 *description of such best practices and lessons learned.*

8 (14) *An identification of liaisons and detailees to*
9 *the JMWC from agencies and elements of the Depart-*
10 *ment of Defense.*

11 (15) *Activities and efforts conducted to syn-*
12 *chronize and deconflict MISO programs within the*
13 *Department of Defense and with interagency and*
14 *international partners related to strategic commu-*
15 *nications, as appropriate.*

16 (16) *Such other information as the Commander*
17 *determines appropriate.*

18 (c) *TERMINATION.*—*The requirement to submit a re-*
19 *port under this section shall terminate on January 1, 2025.*

20 **SEC. 1066. MOBILITY CAPABILITY REQUIREMENTS STUDY.**

21 (a) *IN GENERAL.*—*The Commander of the United*
22 *States Transportation Command, in coordination with the*
23 *Chairman of the Joint Chiefs of Staff and the Secretaries*
24 *of the military departments, shall conduct a study of the*
25 *end-to-end, full-spectrum mobility requirements to fulfill the*

1 *national defense strategy required by section 113(g) of title*
2 *10, United States Code, for 2018. Such study shall be com-*
3 *pleted not later than January 1, 2021.*

4 *(b) ELEMENTS OF STUDY.—The study required under*
5 *subsection (a) shall include each of the following:*

6 *(1) An assessment of the ability of the pro-*
7 *grammed airlift aircraft, tanker aircraft, sealift ships,*
8 *and key mobility enablers to meet the integrated mo-*
9 *bility requirements in expected strategic environ-*
10 *ments, as defined by the guidance in such national*
11 *defense strategy.*

12 *(2) An identification, quantification, and de-*
13 *scription of the associated risk-to-mission (as defined*
14 *by Chairman of the Joint Chiefs of Staff Manual*
15 *3105.01, Joint Risk Analysis) required to fulfill such*
16 *strategy, including—*

17 *(A) as assessment of risk-to-mission associ-*
18 *ated with achieving strategic and operational ob-*
19 *jectives using the programmed airlift aircraft,*
20 *tanker aircraft, sealift ships, and key mobility*
21 *enablers; and*

22 *(B) a description of the combinations of*
23 *airlift aircraft, tanker aircraft, sealift ships, and*
24 *key mobility enabler requirements and capabili-*
25 *ties that provide low, moderate, significant, and*

1 *high levels of risk-to-mission to fulfill such strat-*
 2 *egy.*

3 *(3) An identification of any mobility capability*
 4 *gaps, shortfalls, overlaps, or excesses, including—*

5 *(A) an assessment of associated risks with*
 6 *respect to the ability to conduct operations; and*

7 *(B) recommended mitigation strategies*
 8 *where possible.*

9 *(4) The articulation of all key assumptions and*
 10 *decisions made and excursions examined in con-*
 11 *ducting the study with respect to—*

12 *(A) risk;*

13 *(B) programmed forces and infrastructure;*

14 *(C) the availability of commercial airlift*
 15 *and sealift capabilities and resources, when ap-*
 16 *plicable;*

17 *(D) aircraft usage rates, aircraft mission*
 18 *availability rates, aircraft mission capability*
 19 *rates, aircrew ratios, aircrew production, and*
 20 *aircrew readiness rates;*

21 *(E) readiness, crewing, and activation rates*
 22 *for sealift ships;*

23 *(F) prepositioning, forward stationing,*
 24 *seabasing, engineering, and infrastructure;*

1 (G) demand signals used to represent mis-
2 sions described in the national defense strategy
3 for 2018, in competition and wartime;

4 (H) concurrency and global integration of
5 demand signals;

6 (I) integrated global presence and basing
7 strategy;

8 (J) host nation or third-country support;

9 (K) adversary actions to degrade and dis-
10 rupt United States mobility operations;

11 (L) adversary actions that threaten freedom
12 of navigation on international waterways, in-
13 cluding attacks on foreign ships and crews;

14 (M) aircraft being used for training or un-
15 dergoing depot maintenance or modernization or
16 ships undergoing depot maintenance;

17 (N) mobility enabling forces availability,
18 readiness, and use;

19 (O) logistics concept of operations, includ-
20 ing any support concepts, methods, combat sup-
21 port forces, and combat service support forces
22 that are required to enable the projection and en-
23 during support to forces both deployed and in
24 combat for each analytic scenario;

1 (P) anticipated attrition rates for the as-
2 sessed force structure; and

3 (Q) such other matters as the Commander
4 determines appropriate.

5 (5) Such other elements as the Commander deter-
6 mines appropriate.

7 (c) *REPORTS AND BRIEFINGS.*—

8 (1) *INTERIM REPORT AND BRIEFING.*—Not later
9 than June 1, 2020, the Commander of the United
10 States Transportation Command, in coordination
11 with the Chairman of the Joint Chiefs of Staff and
12 the Secretaries of the military departments, shall—

13 (A) submit to the Committee on Armed
14 Services of the House of Representatives an in-
15 terim report on the study; and

16 (B) provide to such Committee a briefing on
17 the report.

18 (2) *FINAL REPORT AND BRIEFING.*—Not later
19 than January 1, 2021, the Commander of the United
20 States Transportation Command, in coordination
21 with the Chairman of the Joint Chiefs of Staff and
22 the Secretaries of the military departments, shall—

23 (A) submit to the Committee on Armed
24 Services of the House of Representatives a final
25 report on the study; and

1 (B) provide to such Committee a briefing on
2 the report.

3 (3) *FORM OF REPORTS.*—The reports required by
4 paragraphs (1) and (2) shall be submitted in unclas-
5 sified form, but may include a classified annex.

6 (d) *DEFINITION OF SEALIFT SHIP.*—In this section,
7 the term “sealift ship” includes surge sealift vessels, tanker
8 vessels, and non-governmental vessels incorporated as part
9 of the maritime logistics enterprise.

10 **SEC. 1067. ASSESSMENT OF SPECIAL OPERATIONS FORCE**
11 **STRUCTURE.**

12 (a) *ASSESSMENT.*—

13 (1) *IN GENERAL.*—The Secretary of Defense shall
14 enter into an agreement with a federally funded re-
15 search and development center for the conduct of an
16 independent assessment of the force structure and
17 roles and responsibilities of special operations forces.

18 (2) *SUBMISSION TO CONGRESS.*—Not later than
19 July 1, 2020, the Secretary shall submit to the con-
20 gressional defense committees the results of the assess-
21 ment required under paragraph (1).

22 (3) *FORM.*—The assessment required under para-
23 graph (1) shall be submitted in unclassified form, but
24 may contain a classified annex.

1 (b) *MATTERS TO BE CONSIDERED.*—*In performing the*
2 *assessment under this section, the federally funded research*
3 *and development center shall consider the following matters:*

4 (1) *The most recent national defense strategy*
5 *under section 113(g) of title 10, United States Code.*

6 (2) *Special operations activities, as described in*
7 *section 167(k) of title 10, United States Code.*

8 (3) *Potential future national security threats to*
9 *the United States.*

10 (4) *Ongoing counterterrorism and contingency*
11 *operations of the United States.*

12 (5) *The demand for special operations forces by*
13 *geographic combatant commanders for security co-*
14 *operation, exercises, and other missions that could be*
15 *executed by conventional forces.*

16 (6) *Other government and non-government anal-*
17 *yses that would contribute to the assessment through*
18 *variations in study assumptions or potential sce-*
19 *narios.*

20 (7) *The role of emerging technology on special*
21 *operations forces.*

22 (8) *Opportunities for reduced operation and*
23 *sustainment costs of special operations.*

24 (9) *Current and projected capabilities of other*
25 *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 Special*
4 *Operations Command determines force size and struc-*
5 *ture.*

6 (11) *The readiness of special operations forces for*
7 *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, United*
11 *States Code.*

12 (13) *Any other matters deemed relevant.*

13 (c) *ASSESSMENT RESULTS.*—*The results of the assess-*
14 *ment under this section shall include each of the following:*

15 (1) *Considerations and recommendations for im-*
16 *proving the readiness of special operations forces and*
17 *alternative force structure options.*

18 (2) *Legislative recommendations with respect to*
19 *section 167 of title 10, United States Code, and other*
20 *relevant provisions of law.*

21 (3) *The views of United States Special Oper-*
22 *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 Army*
7 *aviation, which shall be designed to—*

8 (A) *ensure the alignment between require-*
9 *ments, both current and future, and Army budg-*
10 *et submissions to meet such requirements; and*

11 (B) *inform the preparation of future defense*
12 *program and budget requests by the Secretary,*
13 *and the consideration of such requests by Con-*
14 *gress.*

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

17 (A) *An assessment of all missions for Army*
18 *aviation, both current missions and those mis-*
19 *sions necessary to support the national defense*
20 *strategy and the U.S. Army in Multi-Domain*
21 *Operations 2028 concept.*

22 (B) *An analysis of platforms, capabilities,*
23 *and capacities necessary to fulfill such current*
24 *and future Army aviation missions.*

25 (C) *The required life cycle budget associated*
26 *with each platform, capability, and capacity re-*

1 *quirement for both current and future require-*
 2 *ments.*

3 *(D) An analysis showing operational, budg-*
 4 *et, and schedule trade-offs between sustainment*
 5 *of currently fielded capabilities, modernization of*
 6 *currently fielded capabilities, and development*
 7 *and production of new capabilities.*

8 *(b) REPORT TO CONGRESS.—Not later than March 30,*
 9 *2020, the Secretary of the Army shall submit to the congres-*
 10 *sional defense committees a report containing—*

11 *(1) the comprehensive strategic plan required by*
 12 *subsection (a); and*

13 *(2) a sustainment and modernization plan for*
 14 *carrying out such strategic plan through fiscal year*
 15 *2028.*

16 **SEC. 1069. REPORT ON GROUND-BASED LONG-RANGE AR-**
 17 **TILLERY TO COUNTER LAND AND MARITIME**
 18 **THREATS.**

19 *(a) IN GENERAL.—Not later than March 1, 2020, the*
 20 *Secretary of Defense shall submit to the Committees on*
 21 *Armed Services of the Senate and House of Representatives*
 22 *a report on the efforts by the Army and Marine Corps to*
 23 *develop and deploy ground-based long-range rocket and*
 24 *cannon artillery to counter land and maritime threats.*

1 (b) *ELEMENTS.*—The report required by subsection (a)
2 shall include each of the following:

3 (1) *An assessment of ongoing and future Army*
4 *and Marine Corps efforts to develop and deploy*
5 *ground-based long-range rocket and cannon artillery*
6 *to counter land and maritime fires in the areas of op-*
7 *erations of United States Indo-Pacific Command and*
8 *United States European Command.*

9 (2) *An assessment of and recommendations for*
10 *how the Department of Defense can improve the devel-*
11 *opment and deployment of such artillery.*

12 (3) *An analysis and assessment of how such ar-*
13 *tillery employed in support of the Armed Forces of the*
14 *United States and allied forces would be deployed, po-*
15 *sitioned, and controlled to operate effectively against*
16 *potential adversaries throughout the depth of their*
17 *tactical, operational, and strategic formations, in-*
18 *cluding any recommendations of the Secretary re-*
19 *garding how such support could be enhanced.*

20 (c) *FORM OF REPORT.*—The report required by sub-
21 section (a) shall be submitted in unclassified form, but may
22 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 Defense,
5 in coordination with the Secretary of each of the military
6 departments, shall enter into a contract with a federally
7 funded research and development center for the conduct of
8 an independent review of the transportation working-cap-
9 ital fund (hereinafter referred to as the “TWCF”) of the
10 United States Transportation Command.

11 (b) *MATTERS FOR INCLUSION.*—The review conducted
12 under subsection (a) shall include each of the following:

13 (1) *The viability of the TWCF as it is structured*
14 *as of the date of the enactment of this Act.*

15 (2) *An assessment of any instances in which ex-*
16 *cess TWCF funds were used for procurement or mod-*
17 *ernization efforts that would not otherwise have been*
18 *funded using amounts made available for operation*
19 *and maintenance.*

20 (3) *Recommendations for how the TWCF could*
21 *be restructured in order to make the fund more effec-*
22 *tive and efficient.*

23 (4) *Potential alternative funding mechanisms for*
24 *certain components of the TWCF, including the chan-*
25 *nel system.*

1 (5) *Any other matters the Secretaries jointly de-*
 2 *termine appropriate.*

3 (c) *REPORT.*—*Not later than March 1, 2021, the Sec-*
 4 *retary of Defense and the Secretary of each of the military*
 5 *departments shall jointly submit the to the congressional*
 6 *defense committees a copy of the review conducted under*
 7 *subsection (a).*

8 **SEC. 1071. GEOGRAPHIC COMMAND RISK ASSESSMENT OF**
 9 **PROPOSED USE OF CERTAIN AIRCRAFT CAPA-**
 10 **BILITIES.**

11 (a) *IN GENERAL.*—*Not later than March 31, 2020,*
 12 *each commander of a geographic combatant command shall*
 13 *submit to the congressional defense committees a report con-*
 14 *taining an assessment of the level of operational risk to that*
 15 *command posed by the plans of the Department of the Navy*
 16 *and Department of the Air Force to provide a mix of fifth*
 17 *generation and advanced fourth generation tactical aircraft*
 18 *capabilities to meet contingency and steady-state oper-*
 19 *ational requirements against adversaries in support of the*
 20 *objectives of the 2018 national defense strategy.*

21 (b) *ASSESSMENT OF RISK.*—*In assessing levels of oper-*
 22 *ational risk under subsection (a), a commander shall use*
 23 *the military risk matrix of the Chairman of the Joint Chiefs*
 24 *of Staff, as described in CJCS Instruction 3401.01E.*

1 (c) *GEOGRAPHIC COMBATANT COMMAND.*—*In this sec-*
 2 *tion, the term “geographic combatant command” means*
 3 *each of the following:*

- 4 (1) *United States European Command.*
- 5 (2) *United States Indo-Pacific Command.*
- 6 (3) *United States Africa Command.*
- 7 (4) *United States Southern Command.*
- 8 (5) *United States Northern Command.*
- 9 (6) *United States Central Command.*

10 ***SEC. 1072. ANNUAL REPORT ON STRIKES UNDERTAKEN BY***
 11 ***THE UNITED STATES AGAINST TERRORIST***
 12 ***TARGETS OUTSIDE AREAS OF ACTIVE HOS-***
 13 ***TILITIES.***

14 (a) *ANNUAL REPORT.*—*Not later than May 1 of each*
 15 *year, the Director of National Intelligence shall submit to*
 16 *Congress a report on the number of strikes undertaken by*
 17 *the United States against terrorist targets outside areas of*
 18 *active hostilities during the preceding calendar year, as well*
 19 *as assessments of combatant and non-combatant deaths re-*
 20 *sulting from those strikes.*

21 (b) *CONTENTS OF REPORT.*—*The report required by*
 22 *subsection (a) shall include—*

- 23 (1) *information obtained from relevant agencies*
 24 *regarding the general sources of information and*

1 *methodology used to conduct the assessments of com-*
 2 *batant and non-combatant deaths;*

3 *(2) to the extent feasible and appropriate, the*
 4 *general reasons for discrepancies between post-strike*
 5 *assessments from the United States and credible re-*
 6 *porting from nongovernmental organizations regard-*
 7 *ing non-combatant deaths resulting from strikes un-*
 8 *dertaken by the United States against terrorist targets*
 9 *outside areas of active hostilities.*

10 *(c) REVIEW OF POST-STRIKE REPORTING.—In pre-*
 11 *paring a report under this section, the Director shall review*
 12 *relevant and credible post-strike all-source reporting, in-*
 13 *cluding such information from nongovernmental sources,*
 14 *for the purpose of ensuring that this reporting is available*
 15 *to and considered by relevant agencies in their assessment*
 16 *of deaths.*

17 *(d) FORM OF REPORT.—The report required under*
 18 *subsection (a) shall be submitted in unclassified form, but*
 19 *may include a classified annex.*

20 **SEC. 1073. TERMINATION OF REQUIREMENT FOR SUB-**
 21 **MITTAL TO CONGRESS OF CERTAIN RECUR-**
 22 **RING REPORTS.**

23 *(a) TERMINATION.—Effective on December 30, 2021,*
 24 *each report described in subsection (b) that is still required*

1 *to be submitted to Congress as of such effective date shall*
 2 *no longer be required to be submitted to Congress.*

3 (b) *COVERED REPORTS.*—*A report described in this*
 4 *subsection is a recurring report that is required to be sub-*
 5 *mitted to Congress by the Department of Defense, or by any*
 6 *officer, official, component, or element of the Department,*
 7 *by any annual national defense authorization Act enacted*
 8 *on or after December 30, 2016.*

9 **SEC. 1074. REPORT ON OPERATIONAL CONCEPTS AND**
 10 **PLANS REGARDING STRATEGIC COMPETI-**
 11 **TORS.**

12 *Not later than February 1, 2020, and then biannually*
 13 *thereafter, the Secretary of Defense shall submit to the con-*
 14 *gressional defense committees a report on the Department*
 15 *of Defense’s operational concepts and plans regarding stra-*
 16 *tegic competitors, including on strategically significant*
 17 *matters identified in the National Defense Strategy, that*
 18 *also addresses each of the following:*

19 (1) *Ways of employing the force in peace time to*
 20 *effectively deter strategic competitors below the thresh-*
 21 *old of war while ensuring readiness for potential con-*
 22 *flict.*

23 (2) *Ways of adapting innovative, operational*
 24 *concepts needed for strategically significant and plau-*
 25 *sible scenarios related to strategic competitors.*

1 (3) *Ways of addressing operational challenges re-*
 2 *lated to achieving the strategic advantage against*
 3 *strategic competitors related to nuclear, space, cyber,*
 4 *conventional, and unconventional means in*
 5 *warfighting doctrine.*

6 (4) *The technologies, force developments, posture*
 7 *and capabilities, readiness, infrastructure, organiza-*
 8 *tion, personnel, and other elements of the defense pro-*
 9 *gram necessary to enable these operational concepts*
 10 *and its implementation listed in paragraphs (1)*
 11 *through (3).*

12 (5) *The ability of the National Security Innova-*
 13 *tion Base to support the operational concepts listed in*
 14 *paragraphs (1) through (3).*

15 (6) *The resources and defense investments nec-*
 16 *essary to support the operational concepts and its im-*
 17 *plementation, including budget recommendations.*

18 (7) *The risks associated with the operational*
 19 *concepts, including the relationship and tradeoffs be-*
 20 *tween missions, risks, and resources.*

21 (8) *Measures and metrics to track the effective-*
 22 *ness of the operational concepts and plans.*

23 **SEC. 1075. SENSE OF CONGRESS REGARDING MODULAR AIR-**
 24 **BORNE FIRE FIGHTING SYSTEM; REPORT.**

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

1 (1) Congress established the Modular Airborne
2 *Fire Fighting System* (in this section referred to as
3 “MAFFS”) after civilian fire fighting tanker fleets
4 were overwhelmed by the 1970 Laguna Fire that
5 killed eight individuals and destroyed 382 homes.

6 (2) Air National Guard C-130 aircraft equipped
7 with the MAFFS provide emergency capability to
8 supplement existing commercial tanker support on
9 wildland fires.

10 (3) A MAFFS II unit can discharge its load of
11 3,000 gallons of flame retardant in less than five sec-
12 onds, covering an area one-quarter of a mile long and
13 60 feet wide.

14 (4) Air National Guard and Air Force Reserve
15 units equipped with MAFFS II have provided critical
16 support in fire fighting response efforts in recent
17 years, including the Camp and Woolsey Fires in No-
18 vember 2018.

19 (5) The National Guard Bureau is currently de-
20 veloping a replacement system to the current, aging
21 fleet of MAFFS II systems.

22 (6) The current MAFFS II system requires sig-
23 nificant maintenance and repair, including deterio-
24 rating compression systems, that could reduce
25 MAFFS capability in as soon as two years.

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

3 (1) *MAFFS provides a necessary capability to*
4 *support national, State, and local fire fighting re-*
5 *sponse efforts;*

6 (2) *fire fighting response would be severely af-*
7 *fected if MAFFS II or replacement MAFFS systems*
8 *were not available, including reducing the number of*
9 *sorties and drops planes can fly during emergencies;*
10 *and*

11 (3) *the Department of Defense should use fund-*
12 *ing provided under the National Guard and Reserve*
13 *Equipment Account to develop, sustain and maintain*
14 *continued MAFFS capability, including IMAFFS*
15 *systems to replace the current fleet.*

16 (c) *REPORT.*—*Not later than 90 days after the date*
17 *of the enactment of this Act, the Secretary of Defense shall*
18 *submit a report to the congressional defense committees re-*
19 *garding plans of the Secretary to fund long-term*
20 *sustainment and operation and maintenance of MAFFS ca-*
21 *pabilities, including plans for the National Guard Bureau*
22 *to submit program objective memoranda for funding for*
23 *lifetime costs to the Department of Defense to be included*
24 *in future Department of Defense Budget Requests, including*
25 *the feasibility of establishing a dedicated program-of-record.*

1 **SEC. 1076. REPORT ON BACKLOG OF PERSONNEL SECURITY**

2 **CLEARANCE ADJUDICATIONS.**

3 (a) *IN GENERAL.*—Not later than 120 days after the
4 date of the enactment of this Act, and quarterly thereafter
5 for five years, the Suitability Executive Agent, shall submit
6 to Congress a report on the backlog of personnel security
7 clearance adjudications. Such report shall include—

8 (1) *the size of the backlog of personnel security*
9 *clearance adjudications, by agency, for the fiscal*
10 *quarter preceding the quarter during which the report*
11 *is submitted;*

12 (2) *the average length of time, for each security*
13 *clearance sensitivity level, to carry out an initial ad-*
14 *judication and an adjudication following a periodic*
15 *reinvestigation, by agency;*

16 (3) *the number of cases referred to the Consoli-*
17 *dated Adjudication Facility of the Department of De-*
18 *fense;*

19 (4) *the number of cases adjudicated by the Con-*
20 *solidated Adjudication Facility of the Department of*
21 *Defense compared to the number of cases deferred to*
22 *continuous evaluation or vetting;*

23 (5) *the number of adjudicators by agency; and*

24 (6) *a backlog mitigation plan, which shall in-*
25 *clude—*

1 (A) the identification of the cause of, and
2 recommendations to remedy, the adjudication
3 backlog at Federal agencies; and

4 (B) the steps the Suitability Executive
5 Agency shall take to reduce the adjudication
6 backlog.

7 (b) *PUBLIC AVAILABILITY.*—The report required under
8 subsection (a) shall be made publicly available.

9 **SEC. 1077. REPORT ON POLICIES RELATING TO SMALL**
10 **FARMS.**

11 Not later than 90 days after the date of the enactment
12 of this Act, the Defense Logistics Agency and the Defense
13 Commissary Agency shall submit to the congressional de-
14 fense committees a report on the programs, policies, and
15 practices of the Defense Logistics Agency and Defense Com-
16 missary Agency, respectively, relating to small farms, farms
17 owned by new and beginning farmers, and farmers who are
18 veterans or minorities, including a description of opportu-
19 nities and barriers to expanding the use of such programs,
20 policies, or practices.

21 **SEC. 1078. REPORT ON ARTIFICIAL INTELLIGENCE.**

22 (a) *IN GENERAL.*—Not later than one year after the
23 date of the enactment of this Act, the Secretary of Defense,
24 in consultation with head of the Joint Artificial Intelligence
25 Center, shall submit to the appropriate congressional com-

1 *mittees a report on the artificial intelligence strategy of the*
2 *Department of Defense.*

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

5 (1) *Analysis of the increasing use of artificial*
6 *intelligence technology by the Department of Defense*
7 *and the effects of such technology on the Department.*

8 (2) *Identification of the data necessary for the*
9 *Secretary to properly conduct the analysis under*
10 *paragraph (1), including identification of any gaps*
11 *in the availability of such data.*

12 (3) *The plan of the Secretary to protect systems*
13 *that use artificial intelligence from bad actors and*
14 *any attempts by individuals to misrepresent or alter*
15 *information used or provided by artificial intel-*
16 *ligence.*

17 (4) *Analysis of the expected benefits of artificial*
18 *intelligence for the operation of the Armed Forces over*
19 *the period of 20 years following the year in which the*
20 *report is submitted.*

21 (5) *Analysis of the potential of artificial intel-*
22 *ligence to improve multi-domain operations across the*
23 *Armed Forces.*

1 (6) *Identification of any ethical guidelines appli-*
 2 *cable to the use of artificial intelligence by the De-*
 3 *partment.*

4 (7) *The plan of the Secretary to ensure collabora-*
 5 *tion among the Department, industry, academia, and*
 6 *national laboratories on matters relating to the re-*
 7 *search, development, test, and evaluation, contracting,*
 8 *acquisition, and onboarding of artificial intelligence*
 9 *technology.*

10 (c) *COLLABORATION.*—*In preparing the report under*
 11 *subsection (a), the Secretary of Defense may collaborate,*
 12 *through a series of meetings, roundtables, or by other means,*
 13 *with—*

14 (1) *a broad range of industrial stakeholders in*
 15 *the technology, manufacturing, and service sectors, in-*
 16 *cluding large and small companies, think tanks, and*
 17 *industry organizations; and*

18 (2) *the heads of any other Federal agencies the*
 19 *Secretary determines to be appropriate.*

20 (d) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
 21 *FINED.*—*In this section, the term “appropriate congres-*
 22 *sional committees” means—*

23 (1) *the Committees on Armed Services of the*
 24 *Senate and the House of Representatives;*

1 (2) *the Committee on Science, Space, and Tech-*
 2 *nology of the House of Representatives;*

3 (3) *the Committee on Commerce, Science, and*
 4 *Transportation of the Senate;*

5 (4) *the Permanent Select Committee on Intel-*
 6 *ligence of the House of Representatives; and*

7 (5) *the Select Committee on Intelligence of the*
 8 *Senate.*

9 **SEC. 1079. REPORT ON FINANCIAL COSTS OF OVERSEAS**

10 **UNITED STATES MILITARY POSTURE AND OP-**
 11 **ERATIONS.**

12 *Not later than March 1, 2020, the Secretary of Defense*
 13 *shall submit to the congressional defense committees a re-*
 14 *port on the financial costs and national security benefits*
 15 *of each of the following for fiscal year 2019:*

16 (1) *Operating, improving, and maintaining*
 17 *overseas military infrastructure at installations in-*
 18 *cluded on the enduring location master list, including*
 19 *adjustments that take into account direct or in-kind*
 20 *contributions made by the host nations of such endur-*
 21 *ing locations.*

22 (2) *Operating, improving, and maintaining*
 23 *overseas military infrastructure supporting forward-*
 24 *deployed forces at overseas contingency locations, in-*
 25 *cluding adjustments that take into account direct or*

1 *in-kind contributions made by the host nations of*
 2 *such enduring locations.*

3 *(3) Overseas military operations, including sup-*
 4 *port to contingency operations, rotational deploy-*
 5 *ments, and training exercises.*

6 **SEC. 1080. HUMAN RIGHTS IN BRAZIL.**

7 *No later than 180 days after enactment of the Act, the*
 8 *Secretary of Defense and the Secretary of State shall jointly*
 9 *submit a report to the Committees on Armed Services of*
 10 *the House of Representatives and the Senate, the Committee*
 11 *on Foreign Affairs of the House of Representatives, and the*
 12 *Committee on Foreign Relations of the Senate, including—*

13 *(1) an assessment of the human rights climate in*
 14 *Brazil and the commitment to human rights by the*
 15 *security forces of Brazil, including military and civil-*
 16 *ian forces;*

17 *(2) an assessment of whether Brazilian security-*
 18 *force units that are found to be engaged in human*
 19 *rights abuses may have received or purchased United*
 20 *States equipment and training; and*

21 *(3) if warranted, a strategy to address any found*
 22 *human rights abuses by the security forces of Brazil,*
 23 *including in the context of Brazil's newly conferred*
 24 *Major Non-NATO Ally status.*

1 **SEC. 1080A. REPORT ON COMBATING TRAFFICKING IN PER-**
 2 **SONS INITIATIVE.**

3 *Not later than 180 days after the date of the enactment*
 4 *of this Act, the Secretary of Defense shall submit to the con-*
 5 *gressional defense committees a report containing an anal-*
 6 *ysis of the progress of the Department of Defense in imple-*
 7 *menting the Combating Trafficking in Persons Initiative,*
 8 *published in 2007 and as revised on June 21, 2019.*

9 **SEC. 1080B. PUBLIC AVAILABILITY OF CHIEF MANAGEMENT**
 10 **OFFICE ANNUAL BUDGET REPORTS.**

11 *Section 132a(c)(1)(B) of title 10, United States Code,*
 12 *is amended—*

13 *(1) by striking “The Chief Management Officer”*
 14 *and inserting “(i) The Chief Management Officer”;*
 15 *and*

16 *(2) by adding at the end the following new*
 17 *clause:*

18 *“(i) Each report required under clause (i) shall be*
 19 *made publicly available on an internet website in a search-*
 20 *able format.”.*

21 **SEC. 1080C. REPORT REGARDING OUTSTANDING GAO REC-**
 22 **OMMENDATIONS.**

23 *Not later than September 30, 2020, the Secretary of*
 24 *Defense shall submit a report to Congress regarding—*

25 *(1) each of the 91 priority recommendations of*
 26 *the Comptroller General regarding matters of Depart-*

1 *ment of Defense in report GAO–19–366SP, dated*
 2 *March 2019, that the Secretary has not implemented*
 3 *by that date;*

4 *(2) an explanation for why the Secretary has not*
 5 *implemented such recommendations;*

6 *(3) if a reason under paragraph (2) is funding,*
 7 *the estimated cost for such implementation.*

8 **SEC. 1080D. PLAN TO INCREASE AND EXPAND COLD WEATH-**
 9 **ER TRAINING.**

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

11 *(1) The strategic importance of the Arctic con-*
 12 *tinues to increase as the United States and other*
 13 *countries recognize the military and economic impor-*
 14 *tance of the region. However, the operational capa-*
 15 *bilities of the United States Armed Forces in extreme*
 16 *cold weather or Arctic environments have atrophied*
 17 *when compared to regional adversaries.*

18 *(2) The 2018 national defense strategy stated*
 19 *“The central challenge to U.S. prosperity and security*
 20 *is the reemergence of long-term, strategic competition*
 21 *by what the National Security Strategy classifies as*
 22 *revisionist powers.”.*

23 *(3) The Government of the Russian Federation—*
 24 *(A) has made significant military invest-*
 25 *ments in the Arctic, including the creation of an*

1 *Arctic Command, the Northern Fleet Joint Stra-*
2 *tegic Command;*

3 *(B) has emplaced an Air Defense Missile*
4 *Regiment throughout the Arctic;*

5 *(C) has invested in the construction or re-*
6 *furbishment of 16 deepwater ports and 14 air-*
7 *fields in the region and has conducted significant*
8 *military exercises.*

9 *(b) SENSE OF CONGRESS.—It is the sense of Congress*
10 *that the Arctic is a region of strategic importance to the*
11 *national security interests of the United States and the De-*
12 *partment of the Army must increase and expand its cold*
13 *weather training capabilities to ensure that United States*
14 *Armed Forces can operate in Arctic conditions necessary*
15 *to compete against a near peer adversary and to execute*
16 *the national defense strategy of the United States.*

17 *(c) ASSESSMENT REQUIRED.—The Secretary of the*
18 *Army shall—*

19 *(1) conduct an assessment of cold weather train-*
20 *ing requirements in light of increased operations and*
21 *vulnerability to great power competition in the Arc-*
22 *tic; and*

23 *(2) develop a plan to increase and expand cold*
24 *weather training opportunities.*

1 (d) *ELEMENTS.*—*In conducting the assessment and de-*
2 *veloping the plan as required under subsection (c), the Sec-*
3 *retary shall—*

4 (1) *assess all existing cold weather training re-*
5 *quirements to include requirements for extreme cold,*
6 *or Arctic conditions;*

7 (2) *identify capability gaps in confronting ad-*
8 *versaries in the Arctic that can be addressed by in-*
9 *creased and improved training;*

10 (3) *make recommendations for strengthening and*
11 *improving those training requirements and mitiga-*
12 *tion measures needed to address the capabilities gaps*
13 *necessary to confront adversaries;*

14 (4) *assess existing cold weather training sites;*

15 (5) *consider steps necessary to increase student*
16 *capacity at such sites;*

17 (6) *consider manpower and supply requirements,*
18 *including cadre needed to support increased student*
19 *capacity; and*

20 (7) *address any other matters the Secretary of*
21 *the Army considers relevant.*

22 (e) *SUBMITTAL TO CONGRESS.*—*Not later than 180*
23 *days after the date of the enactment of this Act, the Sec-*
24 *retary of the Army shall submit to the Committees on*

1 *Armed Services of the Senate and the House of Representa-*
 2 *tives the plan required by subsection (c).*

3 **SEC. 1080E. COMPTROLLER GENERAL REVIEW OF DEPART-**
 4 **MENT OF DEFENSE SUPPORT FOR THE DE-**
 5 **PARTMENT OF HOMELAND SECURITY OPER-**
 6 **ATIONS ON THE SOUTHWEST BORDER OF THE**
 7 **UNITED STATES.**

8 *(a) REVIEW REQUIRED.—The Comptroller General of*
 9 *the United States shall conduct a review of ongoing and*
 10 *planned future Department of Defense support for Depart-*
 11 *ment of Homeland Security operations to secure the south-*
 12 *west border of the United States.*

13 *(b) REPORT AND BRIEFING.—*

14 *(1) BRIEFING.—Not later than 180 days after*
 15 *beginning to conduct the review required under sub-*
 16 *section (a), the Comptroller General shall provide to*
 17 *the Committees on Armed Services and Homeland Se-*
 18 *curity and Governmental Affairs of the Senate and*
 19 *the Committees on Armed Services and Homeland Se-*
 20 *curity of the House of Representatives a briefing on*
 21 *the review.*

22 *(2) REPORT.—Subsequent to providing the brief-*
 23 *ing under paragraph (1), the Comptroller General*
 24 *shall submit to the Committees on Armed Services*
 25 *and Homeland Security and Governmental Affairs of*

1 *the Senate and the Committees on Armed Services*
 2 *and Homeland Security of the House of Representa-*
 3 *tives a report on the review.*

4 ***Subtitle H—Other Matters***

5 **SEC. 1081. TECHNICAL, CONFORMING, AND CLERICAL**
 6 **AMENDMENTS.**

7 (a) *TITLE 10, UNITED STATES CODE.—Title 10,*
 8 *United States Code, is amended as follows:*

9 (1) *The table of chapters at the beginning of sub-*
 10 *title A, and at the beginning of part I of such subtitle,*
 11 *are each amended by striking the item relating to*
 12 *chapter 9A and inserting the following:*

“9A. Audit 240a”.

13 (2) *The table of chapters at the beginning of sub-*
 14 *title A, and at the beginning of part I of such subtitle,*
 15 *are each amended by striking the item relating to*
 16 *chapter 112 and inserting the following:*

“112. Cyber Scholarship Program 2200”.

17 (3) *Section 113(j)(1) is amended by inserting*
 18 *“the” before “congressional defense committees”.*

19 (4) *Section 119a is amended in each of the sub-*
 20 *section headings for subsections (a) and (b) by strik-*
 21 *ing “AACMS” and inserting “ACCMS”.*

22 (5) *Section 127(c)(1) is amended by inserting*
 23 *“the” before “congressional defense committees”.*

24 (6) *Section 130i is amended—*

1 (A) in subsection (i)(1), by inserting “(C)”
 2 after “(j)(3)”; and

3 (B) in subsection (j)(6), by striking
 4 “40101” and inserting “44802”.

5 (7) Section 131(b)(8) is amended by redesign-
 6 ating subparagraph (I) as subparagraph (F).

7 (8) Section 132 is amended by redesignating
 8 subsection (e) as subsection (d).

9 (9) The item relating to section 169 in the table
 10 of sections at the beginning of chapter 6 is amended
 11 by inserting a period after “Command”.

12 (10) The item relating to section 183a in the
 13 table of sections at the beginning of chapter 7 is
 14 amended to read as follows:

“183a. Military Aviation and Installation Assurance Clearinghouse for review of
 mission obstructions.”.

15 (11) Section 222a(d)(3)(A) is amended by insert-
 16 ing “had” before “been”.

17 (12) Section 222b(a) is amended by striking
 18 “United States Code,”.

19 (13) Section 284 is amended—

20 (A) by striking “section 376” both places it
 21 appears and inserting “section 276”;

22 (B) in subsection (f), by inserting “)” after
 23 “Stat. 1564”;

1 (C) in subsection (g)(2), by striking “section
2 375” and inserting “section 275”; and

3 (D) in subsection (h)(1)(A)(vi)(VI) by strik-
4 ing “section 1004 of the National Defense Au-
5 thorization Act for Fiscal Year 1991 (10 U.S.C.
6 374 note) and”.

7 (14) Section 240b(b)(1)(B)(i) is amended by
8 striking “section 253a” and inserting “section 240c”.

9 (15) The table of sections at the beginning of sub-
10 chapter V of chapter 16 is amended by striking “Sec.”
11 after the item relating to section 350.

12 (16) Section 341(e)(2)(A) is amended by adding
13 a period at the end.

14 (17) Section 526(k) is amended by inserting
15 “the” before “number of general officers”.

16 (18) Section 649j is amended by striking “(a) IN
17 GENERAL.—The” and inserting “The”.

18 (19) Section 651(a) is amended by inserting
19 “shall serve” after “(50 U.S.C. 3806(d)(1))”.

20 (20) The heading of section 928b (article 128b of
21 the Uniform Code of Military Justice) is amended to
22 read as follows:

1 **“§ 928b. Art. 128b. Domestic violence”.**

2 (21) Section 1034(b)(1)(B)(ii) is amended by
3 striking “subsection (i)” and inserting “subsection
4 (j)”;

5 (22) Section 1073c(a) is amended by redesignig-
6 nating the second paragraph (4) as paragraph (6).

7 (23) Section 1074g(b) is amended by striking
8 “under subsection (h)” and inserting “under sub-
9 section (i)”.

10 (24) Section 1075(d)(1) is amended in the table
11 by striking “25% of out of network” and inserting
12 “25% out of network”.

13 (25) Section 1076d(d)(1) is amended by striking
14 “section 1075 of this section” and inserting “section
15 1075 of this title”.

16 (26) Section 1076e(d)(1) is amended by striking
17 “section 1075 of this section” and inserting “section
18 1075 of this title”.

19 (27) Section 1142(c)(3) is amended by striking
20 “paragraph (2)(B)” and inserting “paragraph
21 (2)(C)”.

22 (28) Section 1762(c) is amended by striking “in
23 at any one time” and inserting “at any one time in”.

24 (29) Section 1788a is amended in subsection
25 (d)(1) by striking “Not later than March 1, 2019, and

1 *each March 1 thereafter” and inserting “Not later*
 2 *than March 1 each year”.*

3 *(30) Section 2208(u) is amended by inserting “of*
 4 *this title” after “2805” each place it appears.*

5 *(31) Section 2216(b)(1) is amended by striking*
 6 *“subsection (c)(1)(B)(iii)” and inserting “subsection*
 7 *(c)(1)(B)(ii)”.*

8 *(32) Section 2222(i)(11) is amended by striking*
 9 *“subsection (a)(6)(A)” and inserting “subsection*
 10 *(e)(6)(A)”.*

11 *(33) Section 2228(a)(2) is amended by striking*
 12 *the second period at the end.*

13 *(34) The item relating to section 2229b in the*
 14 *table of sections at the beginning of chapter 131 is*
 15 *amended to read as follows:*

“2229b. Comptroller General assessment of acquisition programs and initiatives.”.

16 *(35) Section 2273(b)(1) is amended by inserting*
 17 *a semicolon at the end.*

18 *(36) The heading for section 2279d is amended*
 19 *by striking the period at the end.*

20 *(37) The heading of section 2284, as added by*
 21 *section 311(a) of the John S. McCain National De-*
 22 *fense Authorization Act for Fiscal Year 2019 (Public*
 23 *Law 115–232; 132 Stat. 1708), is amended to read as*
 24 *follows:*

1 **“§2284. Explosive ordnance disposal defense pro-**
 2 **gram”.**

3 (38) Section 2304(f)(1)(B) is amended—

4 (A) in clause (ii), by striking “paragraph
 5 (6)(A)” and inserting “paragraph (5)(A)”; and

6 (B) in clause (iii), by striking “paragraph
 7 (6)(B)” and inserting “paragraph (5)(B)”.

8 (39) Section 2305a(d)(1) is amended by striking
 9 “a indefinite” and inserting “an indefinite”.

10 (40)(A) Section 2304e is amended by striking the
 11 last four words of the section heading.

12 (B) Section 2323a is amended—

13 (i) in the section heading, by striking the
 14 last six words; and

15 (ii) in subsection (e)—

16 (I) in paragraph (1), by striking “102
 17 Stat. 2468;”;

18 (II) in paragraph (2), by striking “(25
 19 U.S.C. 450b(d))” and inserting “(25 U.S.C.
 20 5304(d))”; and

21 (III) in paragraph (3), by striking
 22 “(25 U.S.C. 450b(e))” and inserting “(25
 23 U.S.C. 5304(e))”.

24 (C) The table of sections at the beginning of
 25 chapter 137 is amended by striking the last four

1 *words of the item relating to section 2304e and the*
 2 *last six words of the item relating to section 2323a.*

3 (41) *Section 2307(a) is amended by striking*
 4 *“may” and inserting “may—”.*

5 (42) *Section 2313b(d) is amended by striking*
 6 *“an task order” both places it appears and inserting*
 7 *“a task order”.*

8 (43) *Section 2329(g)(1) is amended by striking*
 9 *“bridge contact” and inserting “bridge contract”.*

10 (44) *Section 2339a(e)(5) is amended by striking*
 11 *“section 3542(b)” and inserting “section 3552(b)(6)”.*

12 (45) *Section 2366a(c)(1)(F) is amended by strik-*
 13 *ing “section 2366a(b)(6) of this title” and inserting*
 14 *“subsection (b)(6)”.*

15 (46) *Section 2371b(d)(1)(C) is amended by strik-*
 16 *ing “other than” after “sources”.*

17 (47) *Section 2380B is amended—*

18 (A) *by inserting “section” before “2376(1)*
 19 *of this title”; and*

20 (B) *by striking “purposed of” and inserting*
 21 *“purposes of”.*

22 (48) *Section 2401(e)(2) is amended by striking*
 23 *“subsection (f)” and inserting “subsection (g)”.*

24 (49) *Section 2417(a)(2) is amended by striking*
 25 *“of eligible entities” and all that follows through “for*

1 *meetings” and inserting the following: “of eligible en-*
 2 *tities—*

3 *“(A) for meetings”.*

4 (50) *The item relating to section 2439 in the*
 5 *table of sections at the beginning of chapter 144 is*
 6 *amended to read as follows:*

*“2439. Negotiation of price for technical data before development, production, or
 sustainment of major weapon systems.”.*

7 (51) *The item relating to subchapter II in the*
 8 *table of subchapters for chapter 144B is amended to*
 9 *read as follows:*

***“II. Development, Prototyping, and Deployment of Weap-
 on System Components or Technology2447a”.***

10 (52) *Section 2447a(a) is amended by striking*
 11 *“after fiscal year 2017”.*

12 (53) *Section 2547(b)(2) is amended—*

13 *(A) by striking “material” and inserting*
 14 *“materiel”; and*

15 *(B) by striking “Material” both places it*
 16 *appears and inserting “Materiel”.*

17 (54) *Section 2802(e)(1) is amended by striking*
 18 *“shall comply with” and inserting “shall—*

19 *“(A) comply with”.*

20 (55) *Section 2804(b) is amended—*

21 *(A) in the second sentence—*

22 *(i) by striking “(1)” and “(2)”; and*

1 (ii) by striking “project and” and in-
 2 serting “project,”; and

3 (B) in the third sentence, by striking “;
 4 and”.

5 (56) Section 2805(d)(1)(B) is amended by insert-
 6 ing “under” after “made available”.

7 (57) Section 2835a(c) is amended by striking
 8 “(1) The Secretary” and inserting “The Secretary”.

9 (58) Section 2879(a)(2)(A) is amended by strik-
 10 ing the comma after “2017”.

11 (59) Section 2913(c) is amended by striking
 12 “government a gas or electric utility” and inserting
 13 “government gas or electric utility”.

14 (60) The item relating to section 2914 in the
 15 table of sections at the beginning of chapter 173 is
 16 amended to read as follows:

“2914. Energy resilience and conservation construction projects.”.

17 (61)(A) The heading of section 8749, as amended
 18 by section 1114(b)(2) and redesignated by section
 19 807(d)(6) of the John S. McCain National Defense
 20 Authorization Act for Fiscal Year 2019 (Public Law
 21 115–232), is amended by capitalizing the initial let-
 22 ter of the fifth, sixth, and seventh words and the ini-
 23 tial letter of the last two words.

24 (B) The heading of section 8749a, as added by
 25 section 1114(a) and redesignated by section 8(d)(6) of

1 *the John S. McCain National Defense Authorization*
 2 *Act for Fiscal Year 2019 (Public Law 115–232), is*
 3 *amended by capitalizing the initial letter of the fifth,*
 4 *sixth, and seventh words.*

5 (62) *Section 9069(a) is amended by striking*
 6 *“are” and inserting “is”.*

7 (63) *Section 10217(e)(4) is amended by striking*
 8 *“shall an individual” and inserting “shall be an in-*
 9 *dividual”.*

10 (64) *The item relating to section 2568a in the*
 11 *table of sections at the beginning of chapter 152 is*
 12 *amended to read as follows:*

*“2568a. Damaged personal protective equipment: award to members separating
 from the armed forces and veterans.”.*

13 (b) *NDAA FOR FISCAL YEAR 2019.—Effective as of*
 14 *August 13, 2018, and as if included therein as enacted, the*
 15 *John S. McCain National Defense Authorization Act for*
 16 *Fiscal Year 2019 (Public Law 115–232) is amended as fol-*
 17 *lows:*

18 (1) *Section 331(g)(2) (132 Stat. 1724) is amend-*
 19 *ed by inserting “of such title” after “chapter 2”.*

20 (2) *Section 844(b) (132 Stat. 1881) is amended*
 21 *by striking “This section and the amendments made*
 22 *by this section” and inserting “The amendment made*
 23 *by subsection (a)”.*

1 (3) Section 1246(1)(B) (132 Stat. 2049) is
 2 amended by adding at the end before the semicolon
 3 the following: “and transferring it to appear after
 4 paragraph (15)”.

5 (4) Section 2805(c) (132 Stat. 2262; 10 U.S.C.
 6 2864 note) is amended by striking “United Facilities
 7 Criteria” and inserting “Unified Facilities Criteria”.

8 (c) NDAA FOR FISCAL YEAR 2018.—Effective as of
 9 December 12, 2017, and as if included therein as enacted,
 10 section 1609(b)(3) of the National Defense Authorization
 11 Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat.
 12 1728; 10 U.S.C. 2273 note) is amended by striking “, and,”
 13 and inserting “, and”.

14 (d) NDAA FOR FISCAL YEAR 2012.—Effective as of
 15 December 31, 2011, and as if included therein as enacted,
 16 section 315 of the National Defense Authorization Act for
 17 Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1358; 10
 18 U.S.C. 2911 note) is amended by redesignating subsections
 19 (d), (e), and (f) as subsections (c), (d), and (e), respectively.

20 (e) COORDINATION WITH OTHER AMENDMENTS MADE
 21 BY THIS ACT.—For purposes of applying amendments
 22 made by provisions of this Act other than this section, the
 23 amendments made by this section shall be treated as having
 24 been enacted immediately before any such amendments by
 25 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 States
 4 Code, is amended by adding at the end the following new
 5 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 com-
 9 mand issues an execute order, the Secretary of Defense shall
 10 provide to the chairman and ranking member of each of
 11 the congressional defense committees, and their designated
 12 staff with the appropriate security clearance, a copy of the
 13 execute order.”.

14 (b) *CLERICAL AMENDMENT.*—The table of sections at
 15 the beginning of such chapter is amended by adding at the
 16 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 appropriate
 22 security clearance, copies of each execute order issued by
 23 the Secretary or by a commander of a combatant command
 24 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 Defense*
4 *Authorization Act for Fiscal Year 2019 (Public Law 115–*
5 *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 (Pub-*
15 *lic Law 115–232) is amended by striking “March 1, 2020”*
16 *an inserting “December 1, 2020”.*

17 *(b) SECRETARY OF DEFENSE REPORT.—Such section*
18 *is further amended by adding at the end the following new*
19 *subsection:*

20 *“(l) REPORT TO CONGRESS.—Not later than 120 days*
21 *after the date of the submittal of the report under subsection*
22 *(h)(2), the Secretary of Defense, in coordination with the*
23 *Secretary of each of the military departments, shall submit*
24 *to the Committees on Armed Services of the Senate and*
25 *House of Representatives a report that includes each of the*
26 *following:*

3 “(2) *The plan of the Secretaries for imple-*
4 *menting the recommendations of the Commission.*”

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.*”.

9 (c) *AUTHORIZATION OF APPROPRIATIONS.*—In addi-
10 tion to any other amounts authorized to be appropriated
11 for the National Commission on Military Aviation Safety
12 established under section 1087 of the John S. McCain Na-
13 tional Defense Authorization Act for Fiscal Year 2019 (Pub-
14 lic Law 115–232), of the amounts authorized to be appro-
15 priated for Operation and Maintenance, Defense-wide for
16 fiscal year 2020, as specified in the funding table in section
17 4301, \$3,000,000 shall be available for the National Com-
18 mission 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 establish
6 and submit to the congressional defense committees proc-
7 esses and procedures for providing notifications to the com-
8 mittees regarding members of special operations forces, as
9 identified in section 167(j) of title 10, United States Code.

10 (b) *PROCESSES AND PROCEDURES.*—The processes and
11 procedures established under subsection (a) shall—

12 (1) *clarify the roles and responsibilities of the*
13 *Secretaries of the military departments, the Assistant*
14 *Secretary of Defense for Special Operations and Low*
15 *Intensity Conflict, and the Commander of United*
16 *States Special Operations Command;*

17 (2) *provide guidance relating to the types of*
18 *matters that would warrant congressional notifica-*
19 *tion, including awards, reprimands, incidents, and*
20 *any other matters the Secretary determines necessary;*

21 (3) *be consistent with the national security of the*
22 *United States;*

23 (4) *be designed to protect sensitive information*
24 *during an ongoing investigation;*

25 (5) *account for the privacy of members of the*
26 *Armed Forces; and*

1 (6) *take in to account existing processes and pro-*
2 *cedures for notifications to the congressional defense*
3 *committees regarding members of the conventional*
4 *Armed Forces.*

5 **SEC. 1087. ASSESSMENT OF STANDARDS, PROCESSES, PRO-**
6 **CEDURES, AND POLICY RELATING TO CIVIL-**
7 **IAN CASUALTIES.**

8 (a) *ASSESSMENT REQUIRED.*—*The Secretary of De-*
9 *fense shall enter into an agreement with a federally funded*
10 *research and development center for the conduct of an inde-*
11 *pendent assessment of the sufficiency of Department of De-*
12 *fense standards, processes, procedures, and policy relating*
13 *to civilian casualties resulting from United States military*
14 *operations.*

15 (b) *MATTERS TO BE CONSIDERED.*—*In conducting the*
16 *assessment under this section, the federally funded research*
17 *and development center shall consider the following matters:*

18 (1) *Department of Defense policy relating to ci-*
19 *vilian casualties resulting from United States mili-*
20 *tary operations.*

21 (2) *Standards, processes, and procedures for in-*
22 *ternal assessments and investigations of civilian cas-*
23 *ualties resulting from United States military oper-*
24 *ations.*

1 (3) *Standards, processes, and procedures for*
2 *identifying, assessing, investigating, and responding*
3 *to reports of civilian casualties resulting from United*
4 *States military operations from the public and non-*
5 *governmental entities and sources, including the con-*
6 *sideration of relevant information from all available*
7 *sources.*

8 (4) *Combatant command organizational con-*
9 *structs for assessing and investigating civilian casual-*
10 *ties resulting from United States military operations.*

11 (5) *Mechanisms for public and non-governmental*
12 *entities to report civilian casualties that have resulted*
13 *from United States military operations to the Depart-*
14 *ment of Defense.*

15 (6) *Enterprise-wide mechanisms for accurately*
16 *recording kinetic strikes, including raids, strikes, and*
17 *other missions, and civilian casualties resulting from*
18 *United States military operations.*

19 (7) *An analysis of reasons for any disparity be-*
20 *tween third party public estimates and official*
21 *United States Government estimates of civilian cas-*
22 *ualties resulting from United States or joint oper-*
23 *ations, including with respect to each specific mis-*
24 *sion, strike, engagement, raid, or incident.*

1 (8) *A comparison of a representative sample of*
2 *pre-strike collateral damage estimates and confirmed*
3 *civilian casualty incidents for the purposes of devel-*
4 *oping possible explanations for any gaps between the*
5 *two and assessing how to reduce such gaps.*

6 (9) *Standards, processes, procedures, and policy*
7 *for reducing the likelihood of civilian casualties from*
8 *United States military operations.*

9 (10) *The institutionalization of lessons learned*
10 *and best practices for reducing the likelihood of civil-*
11 *ian casualties and relating to civilian casualties re-*
12 *sulting from United States military operations, in-*
13 *cluding an analysis of the principal and secondary*
14 *causes of civilian casualties in a suitably representa-*
15 *tive sample of air operations that includes both*
16 *planned and dynamic strikes.*

17 (11) *Any other matters the Secretary of Defense*
18 *determines appropriate.*

19 (c) *ASSESSMENT RESULTS.*—*The results of the assess-*
20 *ment under this section shall—*

21 (1) *present considerations for improving stand-*
22 *ards, processes, procedures, policy, and organizational*
23 *constructs relating to civilian casualties resulting*
24 *from military operations;*

1 (2) *provide for the presentation of Department of*
 2 *Defense views on the assessment; and*

3 (3) *provide for the presentation of the views of*
 4 *non-governmental organizations on the assessment.*

5 *(d) REPORT TO CONGRESS.—*

6 (1) *IN GENERAL.—Not later than March 1, 2020,*
 7 *the Secretary of Defense shall submit to the congres-*
 8 *sional defense committees and the Committee on For-*
 9 *oreign Relations of the Senate and the Committee on*
 10 *Foreign Affairs of the House of Representatives a re-*
 11 *port containing the results of the assessment con-*
 12 *ducted under this section.*

13 (2) *FORM OF REPORT.—The report under para-*
 14 *graph (1) shall be submitted in unclassified form, but*
 15 *may contain a classified annex.*

16 (3) *PUBLIC AVAILABILITY.—The Secretary shall*
 17 *make the report under paragraph (1) publicly avail-*
 18 *able.*

19 **SEC. 1088. DISPOSAL OF IPV4 ADDRESSES.**

20 *(a) DISPOSAL REQUIRED.—*

21 (1) *IN GENERAL.—Not later than 10 years after*
 22 *the date of the enactment of this Act, the Secretary of*
 23 *Defense shall sell all of the IPv4 addresses described*
 24 *in subsection (b) at fair market value. The net pro-*

1 *ceeds collected from a sale under this section shall be*
 2 *deposited in the General Fund of the Treasury.*

3 (2) *DEADLINES FOR CERTAIN BLOCKS.*—*Of the*
 4 *IPv4 addresses described in subsection (b), the Sec-*
 5 *retary of Defense shall sell in accordance with para-*
 6 *graph (1)—*

7 (A) *one block referred to in such subsection,*
 8 *or an equivalent number of IPv4 addresses, by*
 9 *not later than two years after the date of the en-*
 10 *actment of this Act; and*

11 (B) *one additional such block, or an equiva-*
 12 *lent number of IPv4 addresses, by not later than*
 13 *three years after the date of the enactment of this*
 14 *Act.*

15 (b) *IPv4 ADDRESSES.*—*The IPv4 addresses described*
 16 *in this subsection are all IPv4 addresses assigned to any*
 17 *agency or entity of the Department of Defense, including*
 18 *all addresses contained in blocks 6.0.0.0/8, 7.0.0.0/8,*
 19 *11.0.0.0/8, 21.0.0.0/8, 22.0.0.0/8, 26.0.0.0/8, 28.0.0.0/8,*
 20 *29.0.0.0/8, 30.0.0.0/8, 33.0.0.0/8, 55.0.0.0/8, 214.0.0.0/8,*
 21 *and 215.0.0.0/8.*

22 (c) *REPORT TO CONGRESS.*—

23 (1) *IN GENERAL.*—*Not later than 180 days after*
 24 *the date of the enactment of this Act, the Secretary*

1 *shall submit to the congressional defense committees a*
2 *report that includes each of the following:*

3 *(A) A description of the measures taken by*
4 *the Secretary regarding the disposal of the IPv4*
5 *addresses described in subsection (b).*

6 *(B) An accounting of the total IPv4 address*
7 *holdings of the Department of Defense, as of the*
8 *date of the submittal of the report.*

9 *(C) A description of any legacy systems of*
10 *the Department that are dependent on the IPv4*
11 *addresses described in subsection (b).*

12 *(D) The plan of the Secretary to transition*
13 *all Department addresses to IPv6.*

14 *(E) Such other information as the Secretary*
15 *determines appropriate.*

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

19 *(d) LIMITATION ON USE OF FUNDS.—Of the funds au-*
20 *thorized to be appropriated by this Act or otherwise made*
21 *available for fiscal year 2020 for Operation and Mainte-*
22 *nance, Defense-wide, Office of the Secretary of Defense, for*
23 *Travel of Persons (OP 32 Line 308), not more than 70 per-*
24 *cent may be obligated or expended until the date on which*
25 *the Secretary of Defense submits to the Committees on*

1 *Armed Services of the Senate and the House of Representa-*
 2 *tives the report required under subsection (c).*

3 **SEC. 1089. SECURING AMERICAN SCIENCE AND TECH-**
 4 **NOLOGY.**

5 *(a) INTERAGENCY WORKING GROUP.—*

6 *(1) IN GENERAL.—The Director of the Office of*
 7 *Science and Technology Policy, acting through the*
 8 *National Science and Technology Council, in con-*
 9 *sultation with the National Security Advisor, shall es-*
 10 *tablish an interagency working group to coordinate*
 11 *activities to protect federally funded research and de-*
 12 *velopment from foreign interference, cyberattacks,*
 13 *theft, or espionage and to develop common definitions*
 14 *and best practices for Federal science agencies and*
 15 *grantees, while accounting for the importance of the*
 16 *open exchange of ideas and international talent re-*
 17 *quired for scientific progress and American leadership*
 18 *in science and technology.*

19 *(2) MEMBERSHIP.—*

20 *(A) IN GENERAL.—The working group shall*
 21 *include a representative of—*

22 *(i) the National Science Foundation;*

23 *(ii) the Department of Energy;*

24 *(iii) the National Aeronautics and*
 25 *Space Administration;*

1 (iv) the National Institute of Stand-
2 ards and Technology;

3 (v) the Department of Commerce;

4 (vi) the National Institutes of Health;

5 (vii) the Department of Defense;

6 (viii) the Department of Agriculture;

7 (ix) the Department of Education;

8 (x) the Department of State;

9 (xi) the Department of the Treasury;

10 (xii) the Department of Justice;

11 (xiii) the Department of Homeland Se-
12 curity;

13 (xiv) the Central Intelligence Agency;

14 (xv) the Federal Bureau of Investiga-
15 tion;

16 (xvi) the Office of the Director of Na-
17 tional Intelligence;

18 (xvii) the Office of Management and
19 Budget;

20 (xviii) the National Economic Council;
21 and

22 (xix) such other Federal department or
23 agency as the President considers appro-
24 priate.

1 (B) CHAIR.—*The working group shall be*
 2 *chaired by the Director of the Office of Science*
 3 *and Technology Policy (or the Director’s des-*
 4 *ignee).*

5 (3) RESPONSIBILITIES OF THE WORKING
 6 GROUP.—*The working group established under para-*
 7 *graph (1) shall—*

8 (A) *identify known and potential cyber,*
 9 *physical, and human intelligence threats and*
 10 *vulnerabilities within the United States sci-*
 11 *entific and technological enterprise;*

12 (B) *coordinate efforts among agencies to*
 13 *share and update important information, in-*
 14 *cluding specific examples of foreign interference,*
 15 *cyberattacks, theft, or espionage directed at feder-*
 16 *ally funded research and development or the in-*
 17 *tegrity of the United States scientific enterprise;*

18 (C) *identify and assess existing mechanisms*
 19 *for protection of federally funded research and*
 20 *development;*

21 (D) *develop an inventory of—*

22 (i) *terms and definitions used across*
 23 *Federal science agencies to delineate areas*
 24 *that may require additional protection; and*

1 (ii) policies and procedures at Federal
2 science agencies regarding protection of fed-
3 erally funded research; and

4 (E) develop and periodically update unclas-
5 sified policy guidance to assist Federal science
6 agencies and grantees in defending against
7 threats to federally funded research and develop-
8 ment and the integrity of the United States sci-
9 entific enterprise that—

10 (i) includes—

11 (I) descriptions of known and po-
12 tential threats to federally funded re-
13 search and development and the integ-
14 rity of the United States scientific en-
15 terprise;

16 (II) common definitions and ter-
17 minology for categorization of research
18 and technologies that are protected;

19 (III) identified areas of research
20 or technology that might require addi-
21 tional protection;

22 (IV) recommendations for how
23 control mechanisms can be utilized to
24 protect federally funded research and
25 development from foreign interference,

1 *cyberattacks, theft or espionage, includ-*
2 *ing any recommendations for updates*
3 *to existing control mechanisms;*

4 (V) *recommendations for best*
5 *practices for Federal science agencies,*
6 *universities, and grantees to defend*
7 *against threats to federally funded re-*
8 *search and development, including co-*
9 *ordination and harmonization of any*
10 *relevant reporting requirements that*
11 *Federal science agencies implement for*
12 *grantees, and by providing such best*
13 *practices with grantees and univer-*
14 *sities at the time of awarding such*
15 *grants or entering into research con-*
16 *tracts;*

17 (VI) *a remediation plan for*
18 *grantees and universities to mitigate*
19 *the risks regarding such threats before*
20 *research grants or contracts are can-*
21 *celled because of such threats;*

22 (VII) *assessments of potential con-*
23 *sequences that any proposed practices*
24 *would have on international collabora-*

tion and United States leadership in
science and technology; and

(VIII) a classified addendum as
necessary to further inform Federal
science agency decisionmaking; and

(ii) accounts for the range of needs
across different sectors of the United States
science and technology enterprise.

(4) *COORDINATION WITH NATIONAL ACADEMIES
ROUNDTABLE.*—The Director of the Office of Science
and Technology Policy shall coordinate with the
Academies to ensure that at least one member of the
interagency working group is also a member of the
roundtable under subsection (b).

(5) *INTERIM REPORT.*—Not later than six
months after the date of enactment of this Act, the Di-
rector of the Office of Science and Technology Policy
shall provide a report to the relevant committees that
includes the inventory required under paragraph
(3)(D), and an update on progress toward developing
the policy guidance required under paragraph (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

1 *years thereafter, the Director of the Office of Science*
 2 *and Technology Policy shall provide a summary re-*
 3 *port to the relevant committees on the activities of the*
 4 *working group and the most current version of the*
 5 *policy guidance required under paragraph (3)(E).*

6 *(b) NATIONAL ACADEMIES SCIENCE, TECHNOLOGY*
 7 *AND SECURITY ROUNDTABLE.—*

8 *(1) IN GENERAL.—The National Science Foun-*
 9 *dation, the Department of Energy, and the Depart-*
 10 *ment of Defense, and any other agencies as deter-*
 11 *mined by the Director of the Office of Science and*
 12 *Technology Policy, shall enter into a joint agreement*
 13 *with the Academies to create a new “National*
 14 *Science, Technology, and Security Roundtable” (here-*
 15 *inafter in this subsection referred to as the “round-*
 16 *table”).*

17 *(2) PARTICIPANTS.—The roundtable shall in-*
 18 *clude senior representatives and practitioners from*
 19 *Federal science, intelligence, and national security*
 20 *agencies, law enforcement, as well as key stakeholders*
 21 *in the United States scientific enterprise including*
 22 *institutions of higher education, Federal research lab-*
 23 *oratories, industry, and non-profit research organiza-*
 24 *tions.*

1 (3) *PURPOSE.*—*The purpose of the roundtable is*
2 *to facilitate among participants—*

3 (A) *exploration of critical issues related to*
4 *protecting United States national and economic*
5 *security while ensuring the open exchange of*
6 *ideas and international talent required for sci-*
7 *entific progress and American leadership in*
8 *science and technology;*

9 (B) *identification and consideration of secu-*
10 *rity threats and risks involving federally funded*
11 *research and development, including foreign in-*
12 *terference, cyberattacks, theft, or espionage;*

13 (C) *identification of effective approaches for*
14 *communicating the threats and risks identified*
15 *in subparagraph (b) to the academic and sci-*
16 *entific community, including through the shar-*
17 *ing of unclassified data and relevant case stud-*
18 *ies;*

19 (D) *sharing of best practices for addressing*
20 *and mitigating the threats and risks identified*
21 *in subparagraph (B); and*

22 (E) *examination of potential near- and*
23 *long-term responses by the government and the*
24 *academic and scientific community to mitigate*

1 *and address the risks associated with foreign*
2 *threats.*

3 (4) *REPORT AND BRIEFING.*—*The joint agree-*
4 *ment under paragraph (1) shall specify that—*

5 (A) *the roundtable shall periodically orga-*
6 *nize workshops and issue publicly available re-*
7 *ports on the topics described in paragraph (3)*
8 *and the activities of the roundtable; and*

9 (B) *not later than March 1, 2020, the Acad-*
10 *emies shall provide a briefing to relevant com-*
11 *mittees on the progress and activities of the*
12 *roundtable.*

13 (5) *AUTHORIZATION OF APPROPRIATIONS.*—
14 *There is authorized to be appropriated \$5,000,000 to*
15 *the Secretary of Defense for fiscal years 2020 to 2024*
16 *to carry out this subsection.*

17 (c) *DEFINITIONS.*—*In this section:*

18 (1) *The term “Academies” means the National*
19 *Academies of Science, Engineering and Medicine.*

20 (2) *The term “Federal science agency” means*
21 *any Federal agency with at least \$100,000,000 in*
22 *basic and applied research obligations in fiscal year*
23 *2018.*

24 (3) *The term “grantee” means an entity that*
25 *is—*

1 (A) a recipient or subrecipient of a Federal
2 grant or cooperative agreement; and

3 (B) an institution of higher education or a
4 non-profit organization.

5 (4) The term “relevant committees” means—

6 (A) the Committee on Science, Space, and
7 Technology of the House of Representatives;

8 (B) the Committee on Commerce, Science,
9 and Transportation of the Senate;

10 (C) the Committee on Armed Services of the
11 House of Representatives; and

12 (D) the Committee on Armed Services of the
13 Senate.

14 **SEC. 1090. STANDARDIZED POLICY GUIDANCE FOR CALCU-**
15 **LATING AIRCRAFT OPERATION AND**
16 **SUSTAINMENT COSTS.**

17 Not later than 270 days after the date of the enactment
18 of this Act, the Under Secretary of Defense for Acquisition
19 and Sustainment, in coordination with the Director of Cost
20 Analysis and Program Evaluation and in consultation
21 with the Secretary of each of the military services, shall de-
22 velop and implement standardized policy guidance for cal-
23 culating aircraft operation and sustainment costs for the
24 Department of Defense. Such guidance shall provide for a
25 standardized calculation of—

- 1 (1) *aircraft cost per flying hour;*
- 2 (2) *aircraft cost per aircraft tail per year; and*
- 3 (3) *total cost of ownership per flying hour for*
- 4 *aircraft systems.*

5 **SEC. 1091. SPECIAL FEDERAL AVIATION REGULATION**
 6 **WORKING GROUP.**

7 (a) *IN GENERAL.*—Not later than 90 days after the
 8 *date of the enactment of this Act, the Secretary of Defense,*
 9 *the Secretary of Transportation, and the Secretary of State,*
 10 *shall jointly establish a Special Federal Aviation Regula-*
 11 *tion (in this section referred to as the “SFAR”) interagency*
 12 *working group to review the current options for the Depart-*
 13 *ment of Defense to use contracted United States civil avia-*
 14 *tion to provide support for Department of Defense missions*
 15 *in areas where a Federal Aviation Administration SFAR*
 16 *is in effect.*

17 (b) *DUTIES.*—The working group shall—

- 18 (1) *analyze all options currently available for*
- 19 *the Department of Defense to use contracted United*
- 20 *States civil aviation to provide support for Depart-*
- 21 *ment of Defense missions in areas where a Federal*
- 22 *Aviation Administration SFAR is in effect;*
- 23 (2) *review existing processes of the Department*
- 24 *of Defense, the Federal Aviation Administration, and*
- 25 *the Department of State, with respect to the Depart-*

1 *ment of Defense's use of contracted United States civil*
2 *aviation in areas where a Federal Aviation Adminis-*
3 *tration SFAR is in effect;*

4 *(3) identify any issues, inefficiencies, or concerns*
5 *with the existing options and processes, including*
6 *safety of flight, legal considerations, mission delivery,*
7 *and security considerations; and*

8 *(4) develop recommendations, if any, to improve*
9 *existing processes or expand the options available for*
10 *the Department of Defense to use contracted United*
11 *States civil aviation to provide support to Depart-*
12 *ment of Defense missions in areas where a Federal*
13 *Aviation Administration SFAR is in effect.*

14 *(c) MEMBERS.—*

15 *(1) APPOINTMENT.—The Secretary of Defense,*
16 *the Secretary of Transportation, and the Secretary of*
17 *State shall each appoint not more than 5 members to*
18 *the working group with expertise in civil aviation*
19 *safety, state aircraft operations, the provision of con-*
20 *tracted aviation support to the Department of De-*
21 *fense, and the coordination of such efforts between the*
22 *Department of Defense, the Department of State, and*
23 *the Federal Aviation Administration. The 5 members*
24 *appointed by the Secretary of Transportation shall*

1 *include at least 3 members from the Federal Aviation*
 2 *Administration.*

3 (2) *QUALIFICATIONS.*—*All working group mem-*
 4 *bers shall be full-time employees of the Federal Gov-*
 5 *ernment with appropriate security clearances to allow*
 6 *discussion of all classified information and materials*
 7 *necessary to fulfill the working group’s duties pursu-*
 8 *ant to subsection (b).*

9 (d) *REPORT.*—*Not later than 1 year after the date it*
 10 *is established, the working group shall submit a report on*
 11 *its findings and any recommendations developed pursuant*
 12 *to subsection (b) to the congressional defense committees, the*
 13 *Committee on Commerce, Science, and Transportation of*
 14 *the Senate, and the Committee on Transportation and In-*
 15 *frastructure of the House of Representatives.*

16 (e) *TERMINATION.*—*The working group shall termi-*
 17 *nate 90 days after the date the report is submitted under*
 18 *subsection (d).*

19 (f) *DEFINITIONS.*—*In this section the following defini-*
 20 *tions apply:*

21 (1) *The term “United States civil aviation”*
 22 *means—*

23 (A) *United States air carriers and United*
 24 *States commercial operators;*

1 (B) persons exercising the privileges of an
 2 airman certificate issued by the FAA, except
 3 such persons operating United States-registered
 4 aircraft for a foreign air carrier; and

5 (C) operators of civil aircraft registered in
 6 the United States, except where the operator of
 7 such aircraft is a foreign air carrier.

8 (2) The term “Federal Aviation Administration
 9 SFAR” means the Special Federal Aviation Regula-
 10 tion included under subpart M of part 91 of title 14,
 11 Code of Federal Regulations.

12 **SEC. 1092. PROHIBITION ON NAMES RELATED TO THE CON-**
 13 **FEDERACY.**

14 (a) *PROHIBITION ON NAMES RELATED TO THE CON-*
 15 *FEDERACY.*—The Secretary of Defense may not give a name
 16 to an asset that refers to, or includes a term referring to,
 17 the Confederate States of America (commonly referred to
 18 as the “Confederacy”), including any name referring to—

19 (1) a person who served or held leadership with-
 20 in the Confederacy; or

21 (2) a city or battlefield significant because of a
 22 Confederate victory.

23 (b) *ASSETS DEFINED.*—In this section, the term “as-
 24 sets” includes any base, installation, facility, aircraft, ship,

1 *equipment, or any other property owned or controlled by*
 2 *the Department of Defense.*

3 **SEC. 1093. PROHIBITION ON DENIAL OF DEPARTMENT OF**
 4 **VETERANS AFFAIRS HOME LOANS FOR VET-**
 5 **ERANS WHO LEGALLY WORK IN THE MARI-**
 6 **JUANA INDUSTRY.**

7 *(a) PROHIBITION.—In the case of a person with docu-*
 8 *mented income that is derived, in whole or in part, from*
 9 *working in the marijuana industry in compliance with the*
 10 *law of the State in which the work takes place, the Secretary*
 11 *of Veterans Affairs may not use the fact that such docu-*
 12 *mented income is derived, in whole or in part, from work-*
 13 *ing in the marijuana industry as a factor in determining*
 14 *whether to guarantee, issue, or make a housing loan under*
 15 *chapter 37 of title 38, United States Code.*

16 *(b) TREATMENT OF CONDUCT.—Conduct of a person*
 17 *described in subsection (a) relating to obtaining a housing*
 18 *loan described in such subsection or conduct relating to*
 19 *guaranteeing, insuring, or making a housing loan described*
 20 *in such subsection for a person described in such subsection*
 21 *shall—*

22 *(1) not be construed to violate section 401 of the*
 23 *Controlled Substances Act (21 U.S.C. 841) or any*
 24 *other provision of law; and*

1 (2) *not constitute the basis for forfeiture of prop-*
 2 *erty under section 511 of the Controlled Substances*
 3 *Act (21 U.S.C. 881) or section 981 of title 18, United*
 4 *States Code.*

5 **SEC. 1094. INCLUSION ON THE VIETNAM VETERANS MEMO-**
 6 **RIAL WALL OF THE NAMES OF THE LOST**
 7 **CREW MEMBERS OF THE U.S.S. FRANK E.**
 8 **EVANS KILLED ON JUNE 3, 1969.**

9 (a) *IN GENERAL.*—*Not later than 1 year after the date*
 10 *of enactment of this Act, the Secretary of Defense shall au-*
 11 *thorize the inclusion on the Vietnam Veterans Memorial*
 12 *Wall in the District of Columbia of the names of the 74*
 13 *crew members of the U.S.S. Frank E. Evans killed on June*
 14 *3, 1969.*

15 (b) *REQUIRED CONSULTATION.*—*The Secretary of De-*
 16 *fense shall consult with the Secretary of the Interior, the*
 17 *American Battlefield Monuments Commission, and other*
 18 *applicable authorities with respect to any adjustments to*
 19 *the nomenclature and placement of names pursuant to sub-*
 20 *section (a) to address any space limitations on the place-*
 21 *ment of additional names on the Vietnam Veterans Memo-*
 22 *rial Wall.*

23 (c) *NONAPPLICABILITY OF COMMEMORATIVE WORKS*
 24 *ACT.*—*Chapter 89 of title 40, United States Code (com-*
 25 *monly known as the “Commemorative Works Act”), shall*

1 *not apply to any activities carried out under subsection (a)*
 2 *or (b).*

3 **SEC. 1095. MILITARY TYPE CERTIFICATION FOR LIGHT AT-**
 4 **TACK EXPERIMENTATION AIRCRAFT.**

5 *The Secretary of the Air Force shall make available*
 6 *and conduct military type certifications for light attack ex-*
 7 *perimentation aircraft as needed, pursuant to the Depart-*
 8 *ment of Defense Directive on Military Type Certificates,*
 9 *5030.61.*

10 **SEC. 1096. MITIGATION OF HELICOPTER NOISE.**

11 *(a) IN GENERAL.—The Secretary of Defense shall de-*
 12 *velop a noise inquiry website, to assist in directing mitiga-*
 13 *tion efforts toward concentrated areas of inquiry, that is*
 14 *based off of the websites of the Ronald Reagan Washington*
 15 *National Airport and the Dulles International Airport.*
 16 *Such website shall—*

17 *(1) provide a form to collect inquiry informa-*
 18 *tion;*

19 *(2) geo-tag the location of the inquiry to an ex-*
 20 *portable map;*

21 *(3) export information to an Excel spreadsheet;*
 22 *and*

23 *(4) send an email response to the individual*
 24 *making the inquiry.*

1 (b) *DEFINITION OF NATIONAL CAPITAL REGION.*—In
 2 this section, the term “National Capital Region” has the
 3 meaning given the term in section 2574 of title 10, United
 4 States Code.

5 **SEC. 1097. REPORT ON EXECUTIVE HELICOPTER FLIGHTS**
 6 **IN THE NATIONAL CAPITAL REGION.**

7 (a) *FINDINGS.*—Congress finds that in the “Report on
 8 the Effects of Military Helicopter Noise on National Capital
 9 Region Communities and Individuals” submitted by the
 10 Department of the Army to Congress on February 15, 2018,
 11 the Department of the Army stated: “The DoD possesses hel-
 12 icopters which operate and train inside the NCR supporting
 13 multiple missions to include continuity of operations, de-
 14 fense support of civil authorities, executive transport, and
 15 other activities as directed.”.

16 (b) *REPORT REQUIRED.*—Not later than 120 days
 17 after the date of the enactment of this Act, the Secretary
 18 of Defense shall submit to Congress a report on the number
 19 of helicopter trips used for executive transport, including
 20 the number of such helicopters from each branch of the
 21 Armed Services, in the National Capital Region during the
 22 period beginning on the date of the enactment of this Act
 23 and ending on the day that is 90 days after the date of
 24 the enactment of this Act.

1 (c) *PUBLIC AVAILABILITY OF REPORT.*—*The Secretary*
 2 *shall make the report required under subsection (b) publicly*
 3 *available.*

4 (d) *EXECUTIVE TRANSPORT DEFINED.*—*In this sec-*
 5 *tion, the term “executive transport” has the meaning given*
 6 *such term in the “Report on the Effects of Military Heli-*
 7 *copter Noise on National Capital Region Communities and*
 8 *Individuals” submitted by the Department of the Army to*
 9 *Congress on February 15, 2018.*

10 **SEC. 1098. REPORTS ON REDUCING THE BACKLOG IN LE-**
 11 **GALLY REQUIRED HISTORICAL DECLAS-**
 12 **SIFICATION OBLIGATIONS.**

13 (a) *REPORT.*—*Not later than 120 days after the date*
 14 *of the enactment of this Act, the Secretary of Defense, the*
 15 *Secretary of State, and the Director of the Central Intel-*
 16 *ligence Agency shall each submit to the appropriate congres-*
 17 *sional committees a report detailing progress made by the*
 18 *Secretary or the Director, as the case may be, toward reduc-*
 19 *ing the backlog in legally required historical declassification*
 20 *obligations.*

21 (b) *ELEMENTS.*—*Each report under subsection (a)*
 22 *shall include the following:*

23 (1) *A plan to achieve legally mandated historical*
 24 *declassification requirements and reduce backlogs.*

1 (2) *A plan to incorporate new technologies, such*
2 *as artificial intelligence, that would increase produc-*
3 *tivity and reduce cost in implementing the plan*
4 *under paragraph (1).*

5 (3) *A detailed assessment of the documents re-*
6 *leased in each of the proceeding three years before the*
7 *date of the report, broken out by program, such as the*
8 *25 and 50 year programs.*

9 (4) *A detailed assessment of the documents*
10 *awaiting review for release and an estimate of how*
11 *many documents will be released in each of the next*
12 *three years.*

13 (5) *Potential policy, resource, and other options*
14 *available to the Secretary or the Director, as the case*
15 *may be, to reduce backlogs.*

16 (6) *The progress and objectives of the Secretary*
17 *or the Director, as the case may be, with respect to*
18 *the release of documents for publication in the For-*
19 *ign Relations of the United States series or to facili-*
20 *tate the public accessibility of such documents at the*
21 *National Archives or presidential libraries, or both.*

22 (c) *FORM AND AVAILABILITY.*—*Each report under sub-*
23 *section (a) shall be submitted in unclassified form, which*
24 *shall be made publicly available, but may include a classi-*
25 *fied annex.*

1 (d) *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 *Permanent Select Committee on Intelligence of the*
 7 *House of Representatives; and*
 8 (3) *the Committee on Foreign Relations and the*
 9 *Select Committee on Intelligence of the Senate.*

10 **SEC. 1099. SENSE OF CONGRESS REGARDING THE PORT**
 11 **CHICAGO 50.**

12 *It is the sense of Congress that—*

- 13 (1) *the American people should recognize the role*
 14 *of racial bias in the prosecution and convictions of*
 15 *the Port Chicago 50 following the deadliest home front*
 16 *disaster in World War II;*
 17 (2) *the military records of each of the Port Chi-*
 18 *cago 50 should reflect such exoneration of any and all*
 19 *charges brought against them in the aftermath of the*
 20 *explosion; and*
 21 (3) *the Secretary of the Navy should upgrade the*
 22 *general and summary discharges of each of the Port*
 23 *Chicago 50 sailors to honorable discharges.*

1 **SEC. 1099A. REVIEW OF FOREIGN CURRENCY EXCHANGE**
 2 **RATES AND ANALYSIS OF FOREIGN CUR-**
 3 **RENCY FLUCTUATIONS APPROPRIATION.**

4 *With respect to a contract for goods and services paid*
 5 *for with foreign currency, the Under Secretary of Defense*
 6 *(Comptroller), in coordination with each Secretary of a*
 7 *military department, shall conduct a review of the exchange*
 8 *rate for such foreign currency used when making a disburse-*
 9 *ment pursuant to such a contract to determine whether cost-*
 10 *savings opportunities exist by more consistently selecting*
 11 *cost-effective rates. Such review shall include an analysis*
 12 *of realized and projected losses to determine the necessary*
 13 *balance of the appropriation “Foreign Currency Fluctua-*
 14 *tions, Defense”. The Secretary of Defense may use the re-*
 15 *sults of such analysis to determine the amount of any trans-*
 16 *fers to the appropriation “Foreign Currency Fluctuations,*
 17 *Defense”.*

18 **SEC. 1099B. CONTRACTS BY THE PRESIDENT OR VICE**
 19 **PRESIDENT.**

20 *(a) AMENDMENT.—Section 431 of title 18, United*
 21 *States Code, is amended—*

22 *(1) in the section heading, by inserting “**the***
 23 ***President, Vice President, Cabinet Mem-***
 24 ***ber, or a**” after “**Contracts by**”; and*

1 (2) *in the first undesignated paragraph, by in-*
 2 *serting “the President, Vice President, or any Cabinet*
 3 *member” after “Whoever, being”.*

4 (b) *TABLE OF SECTIONS AMENDMENT.—The table of*
 5 *sections for chapter 23 of title 18, United States Code, is*
 6 *amended by striking the item relating to section 431 and*
 7 *inserting the following:*

“431. Contracts by the President, Vice President, or a Member of Congress.”.

8 **SEC. 1099C. PAROLE IN PLACE FOR MEMBERS OF THE**
 9 **ARMED FORCES.**

10 (a) *IN GENERAL.—Any alien who is a member of the*
 11 *Armed Forces and each spouse, widow, widower, parent,*
 12 *son, or daughter of that alien shall be eligible for parole*
 13 *in place under section 212(d)(5) of the Immigration and*
 14 *Nationality Act.*

15 (b) *SENSE OF CONGRESS.—It is the sense of Congress*
 16 *that—*

17 (1) *parole in place reinforces family unity;*

18 (2) *disruption to servicemembers must be mini-*
 19 *mized, in order to faithfully execute their objectives;*

20 (3) *separation of military families must be pre-*
 21 *vented;*

22 (4) *military readiness must be the supreme objec-*
 23 *tive;*

1 (5) *servicemembers are given peace of mind, re-*
 2 *lived of the stressful burden worrying about their*
 3 *loved ones; and*

4 (6) *Congress reaffirms parole in place authority*
 5 *for the Secretary of Homeland Security.*

6 **SEC. 1099D. LANDS TO BE TAKEN INTO TRUST AS PART OF**
 7 **THE RESERVATION OF THE LYTTON**
 8 **RANCHERIA.**

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

10 (1) *The Lytton Rancheria of California is a fed-*
 11 *erally recognized Indian tribe that lost its homeland*
 12 *after its relationship to the United States was un-*
 13 *justly and unlawfully terminated in 1958. The Tribe*
 14 *was restored to Federal recognition in 1991, but the*
 15 *conditions of its restoration have prevented it from re-*
 16 *gaining a homeland on its original lands.*

17 (2) *Congress needs to take action to reverse his-*
 18 *toric injustices that befell the Tribe and that have*
 19 *prevented it from regaining a viable homeland for its*
 20 *people.*

21 (3) *Prior to European contact there were as*
 22 *many as 350,000 Indians living in what is now the*
 23 *State of California. By the turn of the 19th century,*
 24 *that number had been reduced to approximately*

1 15,000 individuals, many of them homeless and living
2 in scattered bands and communities.

3 (4) *The Lytton Rancheria's original homeland*
4 *was purchased by the United States in 1926 pursuant*
5 *to congressional authority designed to remedy the*
6 *unique tragedy that befell the Indians of California*
7 *and provide them with reservations called Rancherias*
8 *to be held in trust by the United States.*

9 (5) *After the Lytton Rancheria lands were pur-*
10 *chased by the United States, the Tribe settled on the*
11 *land and sustained itself for several decades by farm-*
12 *ing and ranching.*

13 (6) *By the mid-1950s, Federal Indian policy had*
14 *shifted back towards a policy of terminating the Fed-*
15 *eral relationship with Indian tribes. In 1958, Con-*
16 *gress enacted the Rancheria Act of 1958 (72 Stat.*
17 *619), which slated 41 Rancherias in California, in-*
18 *cluding the Lytton Rancheria, for termination after*
19 *certain conditions were met.*

20 (7) *On August 1, 1961, the Federal Government*
21 *terminated its relationship with the Lytton*
22 *Rancheria. This termination was illegal because the*
23 *conditions for termination under the Rancheria Act*
24 *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 the*
5 *illegal termination of their Rancherias. A Stipulated*
6 *Judgment in the case, Scotts Valley Band of Pomo*
7 *Indians of the Sugar Bowl Rancheria v. United*
8 *States, No. C-86-3660 (N.D.Cal. March 22, 1991), re-*
9 *stored the Lytton Rancheria to its status as a feder-*
10 *ally 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 gov-*
18 *ernments and neighboring landowners, that prohibit*
19 *the Lytton Rancheria from exercising its full Federal*
20 *rights on its original homeland in the Alexander Val-*
21 *ley.*

22 (11) *In 2000, approximately 9.5 acres of land in*
23 *San Pablo, California, was placed in trust status for*
24 *the Lytton Rancheria for economic development pur-*
25 *poses.*

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 trust*
11 *is being used for viniculture, and the Tribe intends to*
12 *develop more of the lands to be taken into trust for*
13 *viniculture. The Tribe's investment in the ongoing*
14 *viniculture operation has reinvigorated the vineyards,*
15 *which are producing high-quality wines. The Tribe is*
16 *operating its vineyards on a sustainable basis and is*
17 *working toward certification of sustainability.*

18 (15) *No gaming shall be conducted on the lands*
19 *to be taken into trust by this section.*

20 (16) *No gaming shall be conducted on any lands*
21 *taken into trust on behalf of the Tribe in Sonoma*
22 *County after the date of the enactment of this Act.*

23 (17) *By directing that these lands be taken into*
24 *trust, the United States will ensure that the Lytton*
25 *Rancheria will finally have a permanently protected*

1 *homeland on which the Tribe can once again live*
 2 *communally and plan for future generations. This ac-*
 3 *tion is necessary to fully restore the Tribe to the sta-*
 4 *tus it had before it was wrongfully terminated in*
 5 *1961.*

6 (18) *The Tribe and County of Sonoma have en-*
 7 *tered into a Memorandum of Agreement as amended*
 8 *in 2018 in which the County agrees to the lands in*
 9 *the County being taken into trust for the benefit of the*
 10 *Tribe in consideration for commitments made by the*
 11 *Tribe.*

12 (b) *DEFINITIONS.—For the purpose of this section, the*
 13 *following definitions apply:*

14 (1) *COUNTY.—The term “County” means*
 15 *Sonoma County, California.*

16 (2) *SECRETARY.—The term “Secretary” means*
 17 *the Secretary of the Interior.*

18 (3) *TRIBE.—The term “Tribe” means the Lytton*
 19 *Rancheria of California.*

20 (c) *LANDS TO BE TAKEN INTO TRUST.—*

21 (1) *IN GENERAL.—The land owned by the Tribe*
 22 *and generally depicted on the map titled “Lytton Fee*
 23 *Owned Property to be Taken into Trust” and dated*
 24 *May 1, 2015, is hereby taken into trust for the benefit*
 25 *of the Tribe, subject to valid existing rights, contracts,*

1 *and management agreements related to easements and*
 2 *rights-of-way.*

3 (2) *LANDS TO BE MADE PART OF THE RESERVA-*
 4 *TION.—Lands taken into trust under paragraph (1)*
 5 *shall be part of the Tribe’s reservation and shall be*
 6 *administered in accordance with the laws and regula-*
 7 *tions generally applicable to property held in trust by*
 8 *the United States for an Indian tribe.*

9 (d) *GAMING.—*

10 (1) *LANDS TAKEN INTO TRUST UNDER THIS SEC-*
 11 *TION.—Lands taken into trust for the benefit of the*
 12 *Tribe under subsection (c) shall not be eligible for*
 13 *gaming under the Indian Gaming Regulatory Act (25*
 14 *U.S.C. 2701 et seq.).*

15 (2) *OTHER LANDS TAKEN INTO TRUST.—Lands*
 16 *taken into trust for the benefit of the Tribe in Sonoma*
 17 *County after the date of the enactment of this Act*
 18 *shall not be eligible for gaming under the Indian*
 19 *Gaming Regulatory Act (25 U.S.C. 2701 et seq.).*

20 (e) *APPLICABILITY OF CERTAIN LAW.—Notwith-*
 21 *standing any other provision of law, the Memorandum of*
 22 *Agreement entered into by the Tribe and the County con-*
 23 *cerning taking land in the County into trust for the benefit*
 24 *of the Tribe, which was approved by the County Board of*
 25 *Supervisors on March 10, 2015, and any addenda and sup-*

1 plement or amendment thereto, is not subject to review or
2 approval of the Secretary in order to be effective, including
3 review or approval under section 2103 of the Revised Stat-
4 utes (25 U.S.C. 81).

5 **SEC. 1099E. INTEROPERABILITY OF COMMUNICATIONS BE-**
6 **TWEEN MILITARY INSTALLATIONS AND ADJA-**
7 **CENT JURISDICTIONS.**

8 *Not later than 12 months after the date of the enact-*
9 *ment of this Act, the Department of Defense Fire and Emer-*
10 *gency Services Working Group shall submit to the congres-*
11 *sional defense committees a report that includes—*

12 *(1) an identification of all military installations*
13 *that provide emergency services to areas outside of*
14 *their installations, make them aware of the Amtrak*
15 *Passenger Train 501 Derailment in DuPont, Wash-*
16 *ington, and determine the effectiveness of the commu-*
17 *nications system between that military installation*
18 *and the adjacent jurisdictions; and*

19 *(2) an implementation plan to address any defi-*
20 *ciencies with interoperability caused by the incom-*
21 *patibility between the Department of Defense commu-*
22 *nications system and that of adjacent civilian agen-*
23 *cies.*

1 **SEC. 1099F. SUPPORT FOR NATIONAL MARITIME HERITAGE**
2 **GRANTS PROGRAM.**

3 *Of the funds authorized to be appropriated by this Act*
4 *for fiscal year 2020 for the Department of Defense, the Sec-*
5 *retary of Defense may contribute up to \$5,000,000 to sup-*
6 *port the National Maritime Heritage Grants Program es-*
7 *tablished under section 308703 of title 54, United States*
8 *Code.*

9 **SEC. 1099G. CHINESE LANGUAGE AND CULTURE STUDIES**
10 **WITHIN THE DEFENSE LANGUAGE AND NA-**
11 **TIONAL SECURITY EDUCATION OFFICE.**

12 (a) *INCREASE.*—*Notwithstanding the amounts set*
13 *forth in the funding tables in division D, the amount au-*
14 *thorized to be appropriated in section 301 for operation and*
15 *maintenance, as specified in the corresponding funding*
16 *table in section 4301, for operation and maintenance, De-*
17 *fense-Wide, Defense Human Resources Activity, line 220 is*
18 *hereby increased by \$13,404,000 (with the amount of such*
19 *increase to be made available for Chinese language and cul-*
20 *ture studies within the Defense Language and National Se-*
21 *curity Education Office).*

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 101 for procurement, as speci-*
25 *fied in the corresponding funding table in section 4101, for*

1 *other procurement, Army, Installation Info Infrastructure*
 2 *MOD Program, line 63 is hereby reduced by \$13,404,000.*

3 **SEC. 1099H. MODIFICATION OF PROHIBITION ON AVAIL-**
 4 **ABILITY OF FUNDS FOR CHINESE LANGUAGE**
 5 **PROGRAMS AT CERTAIN INSTITUTIONS OF**
 6 **HIGHER EDUCATION.**

7 *Section 1091(b) of the John S. McCain National De-*
 8 *fense Authorization Act for Fiscal Year 2019 (Public Law*
 9 *115–232; 132 Stat. 1997) is amended—*

10 *(1) by striking “None of the funds” and insert-*
 11 *ing the following:*

12 *“(1) IN GENERAL.—None of the funds”; and*

13 *(2) by adding at the end the following new para-*
 14 *graph:*

15 *“(2) TRANSITION PLAN .—The Secretary of De-*
 16 *fense shall develop a transition plan for each institu-*
 17 *tion of higher education subject to the limitation*
 18 *under paragraph (1). Under the transition plan, the*
 19 *institution may regain eligibility to receive funds*
 20 *from the Department of Defense for Chinese language*
 21 *training by developing an independent Chinese lan-*
 22 *guage program with no connection to a Confucius In-*
 23 *stitute.”.*

1 **SEC. 1099I. LESSONS LEARNED AND BEST PRACTICES ON**
2 **PROGRESS OF GENDER INTEGRATION IMPLE-**
3 **MENTATION IN THE ARMED FORCES.**

4 *The Secretary of Defense shall direct each component*
5 *of the Armed Forces to share lessons learned and best prac-*
6 *tices on the progress of their gender integration implemen-*
7 *tation plans and to communicate strategically that progress*
8 *with other components of the Armed Forces as well as the*
9 *general public, as recommended by the Defense Advisory*
10 *Committee on Women in the Services.*

11 **SEC. 1099J. STRATEGIES FOR RECRUITMENT AND RETEN-**
12 **TION OF WOMEN IN THE ARMED FORCES.**

13 *The Secretary of each of the military departments*
14 *shall—*

15 *(1) examine successful strategies in use by for-*
16 *ign military services to recruit and retain women;*
17 *and*

18 *(2) consider potential best practices for imple-*
19 *mentation in the United States Armed Forces, as rec-*
20 *ommended by the Defense Advisory Committee on*
21 *Women in the Services.*

22 **SEC. 1099K. DEFINITION OF CURRENT MONTHLY INCOME**
23 **FOR PURPOSES OF BANKRUPTCY LAWS.**

24 *Section 101(10A) of title 11, United States Code, is*
25 *amended by striking subparagraph (B) and inserting the*
26 *following:*

1 “(B)(i) includes any amount paid by any
2 entity other than the debtor (or in a joint case
3 the debtor and the debtor’s spouse), on a regular
4 basis for the household expenses of the debtor or
5 the debtor’s dependents (and in a joint case the
6 debtor’s spouse if not otherwise a dependent);
7 and

8 “(ii) excludes—

9 “(I) benefits received under the
10 Social Security Act (42 U.S.C. 301 et
11 seq.);

12 “(II) payments to victims of war
13 crimes or crimes against humanity on
14 account of their status as victims of
15 such crimes;

16 “(III) payments to victims of
17 international terrorism or domestic
18 terrorism, as those terms are defined in
19 section 2331 of title 18, on account of
20 their status as victims of such ter-
21 rorism; and

22 “(IV) any monthly compensation,
23 pension, pay, annuity, or allowance
24 paid under title 10, 37, or 38 in con-
25 nection with a disability, combat-re-

1 *lated injury or disability, or death of*
 2 *a member of the uniformed services, ex-*
 3 *cept that any retired pay excluded*
 4 *under this subclause shall include re-*
 5 *tired pay paid under chapter 61 of*
 6 *title 10 only to the extent that such re-*
 7 *tired pay exceeds the amount of retired*
 8 *pay to which the debtor would other-*
 9 *wise be entitled if retired under any*
 10 *provision of title 10 other than chapter*
 11 *61 of that title.”.*

12 **SEC. 1099L. HONORING LAST SURVIVING MEDAL OF HONOR**
 13 **RECIPIENT OF SECOND WORLD WAR.**

14 (a) *USE OF ROTUNDA.*—*At the election of the indi-*
 15 *vidual (or next of kin of the individual), the last individual*
 16 *to die who was awarded the Medal of Honor for acts per-*
 17 *formed during World War II shall be permitted to lie in*
 18 *honor in the rotunda of the Capitol upon death.*

19 (b) *IMPLEMENTATION.*—*The Architect of the Capitol,*
 20 *under the direction and supervision of the President pro*
 21 *tempore of the Senate and the Speaker of the House of Rep-*
 22 *resentatives, shall take the necessary steps to implement*
 23 *subsection (a) upon the death of the individual described*
 24 *in such subsection.*

1 **SEC. 1099M. CREDIT MONITORING.**

2 *Section 605A(k) of the Fair Credit Reporting Act (15*
3 *U.S.C. 1681c–1(k)) is amended by striking paragraph (4).*

4 **SEC. 1099N. WORLD LANGUAGE ADVANCEMENT AND READI-**
5 **NESS GRANTS.**

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

7 *(1) The national security of the United States*
8 *continues to depend on language readiness, in par-*
9 *ticular among the seventeen agencies of the Intel-*
10 *ligence Community.*

11 *(2) The levels of language proficiency required*
12 *for national security necessitate long sequences of lan-*
13 *guage training for personnel in the Intelligence Com-*
14 *munity and the Department of Defense.*

15 *(3) The future national security and economic*
16 *well-being of the United States will depend substan-*
17 *tially on the ability of its citizens to communicate*
18 *and compete by knowing the languages and cultures*
19 *of other countries.*

20 *(4) The Federal Government has an interest in*
21 *ensuring that the employees of its departments and*
22 *agencies with national security responsibilities are*
23 *prepared to meet the challenges of this changing inter-*
24 *national environment.*

25 *(5) The Federal Government also has an interest*
26 *in taking actions to alleviate the problem of American*

1 *students being inadequately prepared to meet the*
2 *challenges posed by increasing global interaction*
3 *among nations.*

4 (6) *American elementary schools, secondary*
5 *schools, colleges, and universities must place a new*
6 *emphasis on improving the teaching of foreign lan-*
7 *guages, area studies, counterproliferation studies, and*
8 *other international fields to help meet those chal-*
9 *lenges.*

10 (b) *GRANTS AUTHORIZED.—*

11 (1) *PROGRAM AUTHORITY.—The Secretary of De-*
12 *fense, in consultation with the Director of National*
13 *Intelligence and the Secretary of Education, may*
14 *carry out a program under which the Secretary of*
15 *Defense makes grants, on a competitive basis, to eligi-*
16 *ble entities to carry out innovative model programs*
17 *providing for the establishment, improvement, or ex-*
18 *pansion of world language study for elementary*
19 *school and secondary school students.*

20 (2) *DURATION.—Each grant under this section*
21 *shall be awarded for a period of 3 years.*

22 (3) *GEOGRAPHIC DISTRIBUTION.—The Secretary*
23 *of Defense shall ensure the equitable geographic dis-*
24 *tribution of grants under this section.*

1 (4) *MATCHING REQUIREMENT FOR LOCAL EDU-*
2 *CATIONAL AGENCIES.—*

3 (A) *IN GENERAL.—Except as provided in*
4 *subparagraph (B), each local educational agency*
5 *that receives a grant under this section shall pro-*
6 *vide, from non-Federal sources, an amount equal*
7 *to the amount of the grant (which may be pro-*
8 *vided in cash or in kind) to carry out the activi-*
9 *ties supported by the grant.*

10 (B) *EXCEPTION.—The Secretary of Defense*
11 *may reduce the matching requirement under sub-*
12 *paragraph (A) for any local educational agency*
13 *that the Secretary determines does not have ade-*
14 *quate resources to meet such requirement.*

15 (5) *SPECIAL REQUIREMENTS FOR LOCAL EDU-*
16 *CATIONAL AGENCIES.—In awarding a grant under*
17 *paragraph (1) to an eligible entity that is a local edu-*
18 *cational agency, the Secretary of Defense shall sup-*
19 *port programs that—*

20 (A) *show the promise of being continued be-*
21 *yond the grant period;*

22 (B) *demonstrate approaches that can be dis-*
23 *seminated to and duplicated in other local edu-*
24 *cational agencies; and*

1 (C) may include a professional development
2 component.

3 (6) *ALLOCATION OF FUNDS.*—

4 (A) Not less than 75 percent of the funds
5 made available to carry out this section for a fis-
6 cal year shall be used for the expansion of world
7 language learning in elementary schools.

8 (B) Not less than 75 percent of the funds
9 made available to carry out this section for a fis-
10 cal year shall be used to support instruction in
11 world languages determined by the Secretary of
12 Defense to be critical to the national security in-
13 terests of the United States.

14 (C) The Secretary of Defense may reserve
15 not more than 5 percent of funds made available
16 to carry out this section for a fiscal year to
17 evaluate the efficacy of programs that receive
18 grants under paragraph (1).

19 (7) *APPLICATIONS.*—

20 (A) *IN GENERAL.*—To be considered for a
21 grant under paragraph (1), an eligible entity
22 shall submit an application to the Secretary of
23 Defense at such time, in such manner, and con-
24 taining such information and assurances as the
25 Secretary may require.

1 (B) *SPECIAL CONSIDERATION.*—*The Sec-*
 2 *retary of Defense shall give special consideration*
 3 *to applications describing programs that—*

4 (i) *include intensive summer world*
 5 *language programs for professional develop-*
 6 *ment of world language teachers;*

7 (ii) *link nonnative English speakers in*
 8 *the community with the schools in order to*
 9 *promote two-way language learning;*

10 (iii) *promote the sequential study of a*
 11 *world language for students, beginning in*
 12 *elementary schools;*

13 (iv) *make effective use of technology,*
 14 *such as computer-assisted instruction, lan-*
 15 *guage laboratories, or distance learning, to*
 16 *promote world language study;*

17 (v) *promote innovative activities, such*
 18 *as dual language immersion, partial world*
 19 *language immersion, or content-based in-*
 20 *struction; and*

21 (vi) *are carried out through a consor-*
 22 *tium comprised of the eligible entity receiv-*
 23 *ing the grant, an elementary school or sec-*
 24 *ondary school, and an institution of higher*
 25 *education (as that term is defined in section*

1 *101 of the Higher Education Act of 1965*
2 *(20 U.S.C. 1001)).*

3 *(c) DEFINITIONS.—In this section:*

4 *(1) ELIGIBLE ENTITY.—The term “eligible enti-*
5 *ty” means the following:*

6 *(A) A local educational agency that hosts a*
7 *unit of the Junior Reserve Officers’ Training*
8 *Corps.*

9 *(B) A school operated by the Department of*
10 *Defense Education Activity.*

11 *(2) ESEA TERMS.—The terms “elementary*
12 *school”, “local educational agency” and “secondary*
13 *school” have the meanings given the terms in section*
14 *8101 of the Elementary and Secondary Education*
15 *Act of 1965 (20 U.S.C. 7801).*

16 *(3) WORLD LANGUAGE.—The term “world lan-*
17 *guage” means—*

18 *(A) any natural language other than*
19 *English, including—*

20 *(i) languages determined by the Sec-*
21 *retary of Defense to be critical to the na-*
22 *tional security interests of the United*
23 *States;*

24 *(ii) classical languages;*

25 *(iii) American sign language; and*

1 (iv) *Native American languages; and*
 2 (B) *any language described in subpara-*
 3 *graph (A) that is taught in combination with*
 4 *English as part of a dual language or immersion*
 5 *learning program.*

6 **SEC. 1099O. INCLUSION OF CERTAIN NAMES ON THE VIET-**
 7 **NAM VETERANS MEMORIAL.**

8 *The Secretary of Defense shall provide for the inclusion*
 9 *on the Vietnam Veterans Memorial in the District of Co-*
 10 *lumbia the names of the seventy-four crew members of the*
 11 *USS Frank E. Evans killed on June 3, 1969.*

12 **SEC. 1099P. SENSE OF CONGRESS REGARDING ARMY CON-**
 13 **TRACTING COMMAND—NEW JERSEY.**

14 *It is the Sense of Congress that—*

15 (1) *Army Contracting Command—New Jersey*
 16 *(referred to in this section as “ACC-NJ”) plays a*
 17 *vital role in planning, directing, controlling, man-*
 18 *aging, and executing the full spectrum of contracting,*
 19 *acquisition support, and business advisory services*
 20 *that support major weapons, armaments, ammuni-*
 21 *tion systems, information technology, and enterprise*
 22 *systems for the Army and other Department of De-*
 23 *fense customers;*

24 (2) *ACC-NJ has unique expertise executing*
 25 *grants, cooperative agreements, and other transaction*

1 *agreements central to the work at Picatinny Arsenal;*
2 *and*

3 *(3) the workforce of ACC-NJ has the unmatched*
4 *experience and expertise to support innovative and*
5 *rapid contracting necessary to accelerate acquisition*
6 *and enhance readiness for a modernizing the United*
7 *States Armed Forces.*

8 **SEC. 1099Q. REVIEW AND REPORT ON EXPERIMENTATION**
9 **WITH TICKS AND INSECTS.**

10 *(a) REVIEW.—The Inspector General of the Depart-*
11 *ment of Defense shall conduct a review of whether the De-*
12 *partment of Defense experimented with ticks and other in-*
13 *sects regarding use as a biological weapon between the years*
14 *of 1950 and 1975.*

15 *(b) REPORT.—If the Inspector General finds that any*
16 *experiment described under subsection (a) occurred, the In-*
17 *spector General shall submit to the Committees on Armed*
18 *Services of the House of Representatives and the Senate a*
19 *report on—*

20 *(1) the scope of such experiment; and*

21 *(2) whether any ticks or insects used in such ex-*
22 *periment were released outside of any laboratory by*
23 *accident or experiment design.*

1 **SEC. 1099R. PILOT PROGRAM TO PROVIDE BROADBAND AC-**
2 **CESS TO MILITARY FAMILIES AND MEDICAL**
3 **FACILITIES ON REMOTE AND ISOLATED**
4 **BASES.**

5 (a) *PILOT PROGRAM.*—

6 (1) *PURPOSE.*—*In order to extend residential*
7 *broadband internet access to the thousands of mili-*
8 *tary families on military installations within the*
9 *United States located in unserved rural areas, the*
10 *Secretary of Defense, in coordination with the Federal*
11 *Communication Commission, shall carry out a pilot*
12 *program under which the Secretary enters into an*
13 *agreement with a broadband internet provider or pro-*
14 *viders to—*

15 (A) *provide broadband internet access to*
16 *military families on installations within the*
17 *United States located in unserved rural areas;*

18 (B) *ensure broadband internet is accessible*
19 *in military hospitals and clinics to facilitate the*
20 *expeditious use of telehealth services and elec-*
21 *tronic military records integration; and*

22 (C) *enhance broadband internet access that*
23 *can support of military spouse employment,*
24 *transition assistance for members of the Armed*
25 *Forces, and workforce development.*

1 (2) *LOCATIONS.*—*The Secretary shall carry out*
2 *the pilot program at no fewer than three military in-*
3 *stallations located in unserved rural areas.*

4 (3) *SERVICE PROVIDER REQUIREMENTS.*—*The*
5 *Secretary shall ensure that broadband internet service*
6 *providers considered for participation in the pilot*
7 *program—*

8 (A) *use low-cost broadband technologies,*
9 *such as fixed wireless technologies, which are*
10 *suitable for lower population density unserved*
11 *and underserved rural areas; and*

12 (B) *possess the capability to expeditiously*
13 *install and connect broadband internet capabili-*
14 *ties on remote and isolated bases.*

15 (4) *FIFTH GENERATION INFORMATION AND COM-*
16 *MUNICATIONS TECHNOLOGIES.*—*The pilot program*
17 *under this section shall be carried out in accordance*
18 *with the strategy and implementation plan required*
19 *under section 233 of this Act.*

20 (b) *REPORT REQUIRED.*—

21 (1) *IN GENERAL.*—*Not later than 270 days after*
22 *the date of the enactment of this Act, the Secretary of*
23 *Defense shall submit to the Committee on Armed*
24 *Services and the Committee on Commerce, Science,*
25 *and Transportation of the Senate and the Committee*

1 *on Armed Services and the Committee on Energy and*
 2 *Commerce of the House of Representatives a report on*
 3 *the implementation of the pilot program under sub-*
 4 *section (a).*

5 (2) *ELEMENTS.—The report required under*
 6 *paragraph (1) shall include—*

7 (A) *a list of the remote and isolated bases*
 8 *selected by the Secretary for purposes of the pilot*
 9 *program;*

10 (B) *an analysis of the success of the pilot*
 11 *program on improving access to broadband for*
 12 *families living on base, telehealth medicine serv-*
 13 *ices, and the processing of electronic health*
 14 *records;*

15 (C) *recommendations by the Secretary for*
 16 *improving, expanding, or modifying the pro-*
 17 *gram;*

18 (D) *recommendations from the Secretary,*
 19 *the Secretary of Commerce, and the Chairman of*
 20 *the Federal Communication Commission on*
 21 *aligning the pilot program with Federal rural*
 22 *broadband strategy and deployment efforts; and*

23 (E) *any other matters the Secretary deter-*
 24 *mines to be appropriate.*

25 (c) *DEFINITIONS.—In this section:*

1 (1) *The term “broadband” means internet access*
 2 *providing throughput speeds of at least 25 Mbps*
 3 *downstream and at least 3 Mbps upstream and hav-*
 4 *ing no data consumption caps.*

5 (2) *The term “unserved rural areas” means those*
 6 *rural census blocks reported by broadband providers*
 7 *as lacking access to broadband on the Federal Com-*
 8 *munications Commission’s Form 477.*

9 **SEC. 1099S. SENSE OF CONGRESS REGARDING MILITARY**
 10 **WORKING DOGS AND SOLDIER HANDLERS.**

11 (a) *CONGRESSIONAL FINDINGS.—The Congress finds*
 12 *that—*

13 (1) *the 341st Training Squadron, 37th Training*
 14 *Wing at Lackland Air Force Base provides highly*
 15 *trained military working dogs to the Department of*
 16 *Defense and other government agencies;*

17 (2) *in 2010, the operational needs of the Army*
 18 *for military working dogs increased without an in-*
 19 *crease in resources to train a sufficient number of*
 20 *dogs for the detection of improvised explosive devices*
 21 *at the 341st Training Squadron;*

22 (3) *the Army initiated the tactical explosive de-*
 23 *tection dog program in August 2010 as a nontradi-*
 24 *tional military working dog program to train and*
 25 *field improvised explosive device detection dogs for use*

1 *in Afghanistan as part of Operation Enduring Free-*
2 *dom;*

3 (4) *the tactical explosive detection dog program*
4 *was created to reduce casualties from improvised ex-*
5 *plosive devices in response to an increase in the use*
6 *of asymmetric weapons by the enemy;*

7 (5) *the tactical explosive detection dogs were a*
8 *unique subset of military working dogs because the*
9 *Army selected and trained soldiers from deploying*
10 *units to serve as temporary handlers for only the du-*
11 *ration of deployment to Operation Enduring Free-*
12 *dom;*

13 (6) *the tactical explosive detection dogs and their*
14 *soldier handlers, like other military working dog and*
15 *handler teams, formed strong bonds while training for*
16 *combat and performing extremely dangerous impro-*
17 *vised explosive device detection missions in service to*
18 *the United States;*

19 (7) *the tactical explosive detection dog program*
20 *was a nontraditional military working dog program*
21 *that terminated in February 2014;*

22 (8) *at the termination of the tactical explosive*
23 *detection dog program in February 2014, neither*
24 *United States law nor Department of Defense policy*
25 *established an adoption order priority, and Depart-*

1 *ment of Defense policy only provided that military*
2 *working dogs be adopted by former handlers, law en-*
3 *forcement agencies, and other persons capable of hu-*
4 *manely caring for the animals;*

5 *(9) an August 2016 report to Congress by the Air*
6 *Force entitled “Tactical Explosive Detector Dog*
7 *(TEDD) Adoption Report” concluded that the Army*
8 *had a limited transition window for the disposition*
9 *of tactical explosive detection dogs and the lack of a*
10 *formal comprehensive plan contributed to the disorga-*
11 *nized disposition process for the tactical explosive de-*
12 *tection dogs;*

13 *(10) the August 2016 report stated that, in 2014,*
14 *the Army disposed of 229 tactical explosive detection*
15 *dogs;*

16 *(11) 40 tactical explosive detection dogs were*
17 *adopted by handlers, 47 dogs were adopted by private*
18 *individuals, 70 dogs were transferred to Army units,*
19 *17 dogs were transferred to other government agen-*
20 *cies, 46 dogs were transferred to law enforcement*
21 *agencies, and 9 dogs were deceased;*

22 *(12) the disposition of tactical explosive detection*
23 *dogs was poorly executed, proper procedures outlined*
24 *in Department of Defense policy were ignored, and,*
25 *as a result, the former soldier handlers were not pro-*

1 *vided the opportunity to adopt their tactical explosive*
2 *detection dogs;*

3 *(13) the Army should have deliberately planned*
4 *for the disposition of the tactical explosive detection*
5 *dogs and provided appropriate time to review and*
6 *consider adoption applications to mitigate handler*
7 *and civilian adoption issues;*

8 *(14) section 342(b) of the National Defense Au-*
9 *thorization Act for Fiscal Year 2016 (Public Law*
10 *114–92; 129 Stat. 793) amended section 2583(c) of*
11 *title 10, United States Code, to modify the list of per-*
12 *sons authorized to adopt a military animal and*
13 *prioritize the list with preference, respectively, to*
14 *former handlers, other persons capable of humanely*
15 *caring for the animal, and law enforcement agencies;*

16 *(15) since 2000, Congress has passed legislation*
17 *that protects military working dogs, promotes their*
18 *welfare, and recognizes the needs of their veteran han-*
19 *dlers;*

20 *(16) Congress continues to provide oversight of*
21 *military working dogs to prevent a reoccurrence of the*
22 *disposition issues that affected tactical explosive detec-*
23 *tion dogs;*

24 *(17) former soldier handlers should be reunited*
25 *with their tactical explosive detection dogs;*

1 (18) congressional recognition of the military
2 service of tactical explosive detection dogs and their
3 former soldier handlers is a small measure of grati-
4 tude this legislative body can convey;

5 (19) over 4 years have passed since the termi-
6 nation of the tactical explosive detection dog program;

7 (20) Congressman Walter B. Jones has been a
8 long-time advocate for military working dogs and
9 their handlers;

10 (21) Congressman Walter B. Jones has worked to
11 ensure that handlers are given priority when their
12 military working dogs reach retirement;

13 (22) Congressman Walter B. Jones was a strong
14 proponent of the Wounded Warrior Service Dog pro-
15 gram, which is a valuable program that helps wound-
16 ed members of the Armed Forces manage and recover
17 from post-traumatic stress;

18 (23) the advocacy of Congressman Walter B.
19 Jones for military working dogs is well known
20 throughout the nonprofit community that supports
21 military working dogs;

22 (24) Congressman Walter B. Jones worked with
23 the Department of Defense and the Senate to update
24 the language in the Air Force Manual on Military
25 Working Dogs to clarify that military working dogs

1 are not equipment and to indicates the true level of
2 appreciation and respect the Department of Defense
3 has for these valuable members of the military team;

4 (25) Congressman Walter B. Jones was the chief
5 legislative sponsor of the Military Working Dog
6 Teams Monument, which was built with no taxpayer
7 dollars but through corporate and private donations;
8 and

9 (26) with the support of Congressman Walter B.
10 Jones, the National Defense Authorization Act for
11 Fiscal Year 2008 (Public Law 110–181) authorized
12 the Burnam Foundation to design, fund, build, and
13 maintain the Military Working Dog Teams National
14 Monument.

15 (b) *SENSE OF CONGRESS.*—It is the sense of Congress
16 to—

17 (1) recognize the efforts of Congressman Walter
18 B. Jones to promote military working dogs as unsung
19 heroes on the battlefield and in helping wounded war-
20 riors recover from physical and mental injuries;

21 (2) recognize the service of military working dogs
22 and soldier handlers from the tactical explosive detec-
23 tion dog program;

1 (3) *acknowledge that not all tactical explosive de-*
 2 *tection dogs were adopted by their former soldier han-*
 3 *dlers;*

4 (4) *encourage the Army and other government*
 5 *agencies, including law enforcement agencies, with*
 6 *former tactical explosive detection dogs to prioritize*
 7 *adoption to former tactical explosive detection dog*
 8 *handlers; and*

9 (5) *honor the sacrifices made by tactical explo-*
 10 *sive detection dogs and their soldier handlers in com-*
 11 *bat.*

12 **SEC. 1099T. DESIGNATION OF DEPARTMENT OF DEFENSE**
 13 **STRATEGIC ARCTIC PORTS.**

14 (a) *SENSE OF CONGRESS.—It is the sense of Congress*
 15 *that—*

16 (1) *the Arctic is a region of strategic importance*
 17 *to the national security interests of the United States*
 18 *and the Department of Defense must better align its*
 19 *presence, force posture, and capabilities to meet the*
 20 *growing array of challenges in the region; and*

21 (2) *although much progress has been made to in-*
 22 *crease awareness of Arctic issues and to promote in-*
 23 *creased presence in the region, additional measures,*
 24 *including the designation of one or more strategic*
 25 *Arctic ports, are needed to show the commitment of*

1 *the United States to this emerging strategic choke*
2 *point of future great power competition.*

3 ***(b) REPORT REQUIRED.—***

4 ***(1) IN GENERAL.—****Not later than 180 days after*
5 *the date of the enactment of this Act, the Secretary of*
6 *Defense, in consultation with the Chairman of the*
7 *Joint Chiefs of Staff, the Commanding General of the*
8 *United States Army Corps of Engineers, the Com-*
9 *mandant of the Coast Guard, and the Administrator*
10 *of the Maritime Administration, shall submit to the*
11 *congressional defense committees a report evaluating*
12 *potential sites for one or more strategic ports in the*
13 *Arctic.*

14 ***(2) ELEMENTS.—****Consistent with the updated*
15 *military strategy for the protection of United States*
16 *national security interests in the Arctic region set*
17 *forth in the report required under section 1071 of the*
18 *National Defense Authorization Act for Fiscal Year*
19 *2019 (Public Law 114–92; 129 Stat. 992), the report*
20 *required under paragraph (1) shall include—*

21 ***(A)*** *an evaluation of the amount of suffi-*
22 *cient and suitable space needed to create capac-*
23 *ity for port and other necessary infrastructure*
24 *for at least one of each of type of Navy or Coast*
25 *Guard vessel, including an Arleigh Burke class*

1 *destroyer of the Navy, a national security cutter,*
 2 *and a heavy polar ice breaker of the Coast*
 3 *Guard;*

4 *(B) an evaluation of the amount of suffi-*
 5 *cient and suitable space needed to create capac-*
 6 *ity for equipment and fuel storage, technological*
 7 *infrastructure, and civil infrastructure to sup-*
 8 *port military and civilian operations, includ-*
 9 *ing—*

10 *(i) aerospace warning;*

11 *(ii) maritime surface and subsurface*
 12 *warning;*

13 *(iii) maritime control and defense;*

14 *(iv) maritime domain awareness;*

15 *(v) homeland defense;*

16 *(vi) defense support to civil authorities;*

17 *(vii) humanitarian relief;*

18 *(viii) search and rescue;*

19 *(ix) disaster relief;*

20 *(x) oil spill response;*

21 *(xi) medical stabilization and evacu-*
 22 *ation; and*

23 *(xii) meteorological measurements and*
 24 *forecasting;*

1 (C) an identification of proximity and road
2 access required to an airport designated as a
3 commercial service airport by the Federal Avia-
4 tion Administration that is capable of sup-
5 porting military and civilian aircraft for oper-
6 ations designated in subparagraph (B);

7 (D) a description of the requirements, to in-
8 clude infrastructure and installations, commu-
9 nications, and logistics necessary to improve re-
10 sponse effectiveness to support military and ci-
11 vilian operations described in subparagraph (B);

12 (E) an identification of the sites that the
13 Secretary recommends as potential sites for des-
14 ignation as Department of Defense Strategic
15 Arctic Ports;

16 (F) the estimated cost of sufficient construc-
17 tion necessary to initiate and sustain expected
18 operations at such sites; and

19 (G) such other information as the Secretary
20 deems relevant.

21 (c) *DESIGNATION OF STRATEGIC ARCTIC PORTS.*—Not
22 later than 90 days after the date on which the report re-
23 quired under subsection (b) is submitted, the Secretary of
24 Defense, in consultation with the Chairman of the Joint
25 Chiefs of Staff, the Commanding General of the United

1 *States Army Corps of Engineers, the Commandant of the*
 2 *Coast Guard, and the Administrator of the Maritime Ad-*
 3 *ministration, may designate one or more ports as Depart-*
 4 *ment of Defense Strategic Arctic Ports from the sites identi-*
 5 *fied under subsection (b)(2)(E).*

6 (d) *RULE OF CONSTRUCTION.*—*Nothing in this section*
 7 *may be construed to authorize any additional appropri-*
 8 *ations for the Department of Defense for the establishment*
 9 *of any port designated pursuant to this section.*

10 (e) *ARCTIC DEFINED.*—*In this section, the term “Arc-*
 11 *tic” has the meaning given that term in section 112 of the*
 12 *Arctic Research and Policy Act of 1984 (15 U.S.C. 4111).*

13 **SEC. 1099U. FUNDING LIMITATION FOR THE ERIE**
 14 **CANALWAY NATIONAL HERITAGE CORRIDOR.**

15 *Section 810(a)(1) of the Erie Canalway National Her-*
 16 *itage Corridor Act (Public Law 106–554; 114 Stat. 2763A–*
 17 *303) is amended, in the second sentence, by striking*
 18 *“\$12,000,000” and inserting “\$14,000,000”.*

19 **SEC. 1099V. INSPECTION OF FACILITIES USED TO HOUSE,**
 20 **DETAIN, SCREEN, AND REVIEW MIGRANTS**
 21 **AND REFUGEES.**

22 *The Secretary of Defense, in coordination with the*
 23 *Comptroller General of the United States and the Secretary*
 24 *of Health and Human Services shall establish a process*
 25 *under which the Comptroller General and the Inspector*

1 *General of Health and Human Services, as appropriate,*
 2 *may be provided with access to Government-owned or De-*
 3 *partment of Defense-owned installations where there are fa-*
 4 *cilities used to house, detain, screen, or review migrants,*
 5 *refugees, or other persons recently arriving in the United*
 6 *States for purposes of conducting surprise inspections of*
 7 *such facilities.*

8 **SEC. 1099W. SENSE OF CONGRESS REGARDING THE 2001 AU-**
 9 **THORIZATION FOR USE OF MILITARY FORCE.**

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

11 (1) *The Authorization for Use of Military Force*
 12 *(referred to in this section as the “2001 AUMF”)*
 13 *(Public Law 107–40; 50 U.S.C. 1541 note) was*
 14 *passed by Congress in 2001 after the terrorist attacks*
 15 *of September 11, 2001, to authorize the use of force*
 16 *against those responsible for the attacks of September*
 17 *11, 2001.*

18 (2) *The 2001 AUMF is one of the only modern*
 19 *authorizations for the use of force in the history of the*
 20 *United States that included no limitation in time, ge-*
 21 *ography, operations, or a named enemy.*

22 (3) *The 2001 AUMF has been cited 41 times as*
 23 *the legal basis for the use of force in 19 countries.*

1 (4) *Article 1, Section 8 of the Constitution pro-*
2 *vides Congress with the sole authority to “declare*
3 *war”.*

4 (b) *SENSE OF CONGRESS.—It is the sense of Congress*
5 *that—*

6 (1) *the use of the 2001 AUMF has been well be-*
7 *yond the scope that Congress initially intended when*
8 *it was passed on September 14, 2001;*

9 (2) *nearly 18 years after the passage of the 2001*
10 *AUMF, it has served as a blank check for any Presi-*
11 *dent to wage war at any time and at any place; and*

12 (3) *any new authorization for the use of military*
13 *force that replaces the 2001 AUMF should include—*

14 (A) *a sunset clause and timeframe within*
15 *which Congress should revisit the authority pro-*
16 *vided in the new authorization for use of mili-*
17 *tary force;*

18 (B) *a clear and specific expression of mis-*
19 *sion objectives, targets, and geographic scope;*
20 *and*

21 (C) *reporting requirements to increase*
22 *transparency and ensure proper Congressional*
23 *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 may
 8 not issue any license, and shall suspend any license or other
 9 approval that was issued before the date of the enactment
 10 of this Act, for the export to the Government of Saudi Ara-
 11 bia or the Government of the United Arab Emirates of any
 12 air to ground munitions, related components and parts of
 13 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 or
 16 suspension that shall result in a cost to the Federal Govern-
 17 ment.

18 **SEC. 1099Y. INDEPENDENT STUDIES REGARDING POTEN-**
 19 **TIAL COST SAVINGS WITH RESPECT TO THE**
 20 **NUCLEAR SECURITY ENTERPRISE AND FORCE**
 21 **STRUCTURE.**

22 (a) *COMPTROLLER GENERAL REPORT.*—

23 (1) *REQUIREMENT.*—Not later than December 1,
 24 2020, the Comptroller General of the United States
 25 shall submit to the congressional defense committees a

1 *report containing cost analyses with respect to each*
2 *of the following:*

3 *(A) Options for reducing the nuclear secu-*
4 *rity enterprise (as defined by section 4002 of the*
5 *Atomic Energy Defense Act (50 U.S.C. 2501)).*

6 *(B) Options for reductions in service con-*
7 *tracts.*

8 *(C) Options for rebalancing force structure,*
9 *including reductions in special operations forces,*
10 *the ancillary effects of such options, and the im-*
11 *pacts of changing the force mix between active*
12 *and reserve components.*

13 *(D) Options for reducing or realigning over-*
14 *seas military presence.*

15 *(E) Options for the use of pre-award audits*
16 *to negotiate better prices for weapon systems and*
17 *services.*

18 *(F) Options for replacing some military*
19 *personnel with civilian employees.*

20 *(2) FORM.—The report under paragraph (1)*
21 *shall be submitted in unclassified form, but may con-*
22 *tain a classified annex with respect to the matters*
23 *specified in subparagraphs (A) and (C) of such para-*
24 *graph.*

25 *(b) FFRDC STUDIES.—*

1 (1) *REQUIREMENT.*—*The Secretary of Defense*
2 *shall seek to enter into agreements with federally*
3 *funded research and development centers to conduct*
4 *the following studies:*

5 (A) *A study of the cost savings resulting*
6 *from changes in force structure, active and re-*
7 *serve component balance, basing, and other im-*
8 *pacts resulting from potential challenges to*
9 *foundational planning assumptions.*

10 (B) *A study of the cost savings resulting*
11 *from the adoption of alternatives to the current*
12 *nuclear deterrence posture of the United States.*

13 (C) *A study of the cost savings of alter-*
14 *natives to current force structures.*

15 (2) *DETAIL REQUIRED.*—*The Secretary shall en-*
16 *sure that each study under paragraph (1) has a level*
17 *of detail sufficient to allow the Director of the Con-*
18 *gressional Budget Office to analyze the costs described*
19 *in such studies.*

20 (3) *SUBMISSION.*—*Not later than December 1,*
21 *2020, the Secretary shall submit to the congressional*
22 *defense committees each study under paragraph (1).*

23 (4) *FORM.*—*The studies under paragraph (1),*
24 *and the report under paragraph (3), shall be sub-*

1 mitted in unclassified form, but may contain a classi-
 2 fied annex.

3 (c) *INDEPENDENT STUDY.*—

4 (1) *REQUIREMENT.*—The Secretary shall seek to
 5 enter into an agreement with an appropriate non-
 6 partisan nongovernmental entity to conduct a study
 7 on possible alternatives to the current defense and de-
 8 terrence posture of the United States, including chal-
 9 lenges to foundational assumptions, and the impact of
 10 such postures on planning assumptions and require-
 11 ments, basing, and force structure requirements.

12 (2) *SUBMISSION.*—Not later than December 1,
 13 2020, the Secretary shall submit to the congressional
 14 defense committees the study under paragraph (1).

15 ***Subtitle I—North Korea Nuclear***
 16 ***Sanctions***

17 ***SEC. 1099Z–1. SHORT TITLE.***

18 This subtitle may be cited as the “Otto Warmbier
 19 North Korea Nuclear Sanctions Act of 2019”.

20 ***SEC. 1099Z–2. FINDINGS.***

21 The Congress finds the following:

22 (1) On June 1, 2016, the Department of the
 23 Treasury’s Financial Crimes Enforcement Network
 24 announced a Notice of Finding that the Democratic
 25 People’s Republic of Korea is a jurisdiction of pri-

1 *mary money laundering concern due to its use of*
2 *state-controlled financial institutions and front com-*
3 *panies to support the proliferation and development*
4 *of weapons of mass destruction (WMD) and ballistic*
5 *missiles.*

6 *(2) The Financial Action Task Force (FATF)*
7 *has expressed serious concerns with the threat posed*
8 *by North Korea's proliferation and financing of*
9 *WMD, and has called on FATF members to apply ef-*
10 *fective counter-measures to protect their financial sec-*
11 *tors from North Korean money laundering, WMD*
12 *proliferation financing, and the financing of ter-*
13 *rorism.*

14 *(3) In its February 2017 report, the U.N. Panel*
15 *of Experts concluded that—*

16 *(A) North Korea continued to access the*
17 *international financial system in support of il-*
18 *licit activities despite sanctions imposed by U.N.*
19 *Security Council Resolutions 2270 (2016) and*
20 *2321 (2016);*

21 *(B) during the reporting period, no member*
22 *state had reported taking actions to freeze North*
23 *Korean assets; and*

24 *(C) sanctions evasion by North Korea, com-*
25 *bined with inadequate compliance by member*

1 *states, had significantly negated the impact of*
2 *U.N. Security Council resolutions.*

3 *(4) In its September 2017 report, the U.N. Panel*
4 *of Experts found that—*

5 *(A) North Korea continued to violate finan-*
6 *cial sanctions by using agents acting abroad on*
7 *the country's behalf;*

8 *(B) foreign financial institutions provided*
9 *correspondent banking services to North Korean*
10 *persons and front companies for illicit purposes;*

11 *(C) foreign companies violated sanctions by*
12 *maintaining links with North Korean financial*
13 *institutions; and*

14 *(D) North Korea generated at least \$270*
15 *million during the reporting period through the*
16 *violation of sectoral sanctions.*

17 *(5) North Korean entities engage in significant*
18 *financial transactions through foreign bank accounts*
19 *that are maintained by non-North Korean nationals,*
20 *thereby masking account users' identity in order to*
21 *access financial services.*

22 *(6) North Korea's sixth nuclear test on Sep-*
23 *tember 3, 2017, demonstrated an estimated explosive*
24 *power more than 100 times greater than that gen-*
25 *erated by its first nuclear test in 2006.*

1 (7) *On February 23, 2018 the Department of the*
2 *Treasury announced its largest-ever set of North*
3 *Korea-related sanctions, with a particular focus on*
4 *shipping and trading companies, and issued a mari-*
5 *time advisory to highlight North Korea's sanctions*
6 *evasion tactics. On May 9, 2019, the United States*
7 *seized a North Korean ship, the Wise Honest, which*
8 *had previously been detained by Indonesia for car-*
9 *rying coal in violation of United Nations sanctions.*

10 (8) *According to the March 2019 Final Report of*
11 *the U.N. Panel of Experts, "The nuclear and ballistic*
12 *missile programmes of the Democratic People's Re-*
13 *public of Korea remain intact and the country con-*
14 *tinues to defy Security Council resolutions through a*
15 *massive increase in illegal ship-to-ship transfers of*
16 *petroleum products and coal. These violations render*
17 *the latest United Nations sanctions ineffective by*
18 *flouting the caps on the import of petroleum products*
19 *and crude oil by the Democratic People's Republic of*
20 *Korea as well as the coal ban, imposed in 2017 by*
21 *the Security Council in response to the country's un-*
22 *precedented nuclear and ballistic missile testing."*

23 (9) *The U.N. Panel of Experts further concluded:*
24 *"Financial sanctions remain some of the most poorly*
25 *implemented and actively evaded measures of the*

1 *sanctions regime. Individuals empowered to act as ex-*
 2 *tensions of financial institutions of the Democratic*
 3 *People's Republic of Korea operate in at least five*
 4 *countries with seeming impunity.”.*

5 *(10) North Korea has successfully tested short-*
 6 *range, submarine-launched, and intercontinental bal-*
 7 *listic missiles, and is rapidly progressing in its devel-*
 8 *opment of a nuclear-armed missile that is capable of*
 9 *reaching United States territory.*

10 **SEC. 1099Z-3. CONDITIONS WITH RESPECT TO CERTAIN AC-**
 11 **COUNTS AND TRANSACTIONS AT UNITED**
 12 **STATES FINANCIAL INSTITUTIONS.**

13 *(a) CORRESPONDENT AND PAYABLE-THROUGH AC-*
 14 *COUNTS HELD BY FOREIGN FINANCIAL INSTITUTIONS.—*

15 *(1) IN GENERAL.—Not later than 180 days after*
 16 *the date of the enactment of this Act, the Secretary of*
 17 *the Treasury shall prescribe regulations to prohibit,*
 18 *or impose strict conditions on, the opening or main-*
 19 *taining in the United States of a correspondent ac-*
 20 *count or a payable-through account by a foreign fi-*
 21 *nancial institution that the Secretary finds know-*
 22 *ingly facilitates a significant transaction or provides*
 23 *significant financial services for a covered person.*

24 *(2) PENALTIES.—*

1 (A) *CIVIL PENALTY.*—A person who violates,
 2 attempts to violate, conspires to violate, or causes
 3 a violation of regulations prescribed under this
 4 subsection shall be subject to a civil penalty in
 5 an amount not to exceed the greater of—

6 (i) \$250,000; or

7 (ii) an amount that is twice the
 8 amount of the transaction that is the basis
 9 of the violation with respect to which the
 10 penalty is imposed.

11 (B) *CRIMINAL PENALTY.*—A person who
 12 willfully commits, willfully attempts to commit,
 13 or willfully conspires to commit, or aids or abets
 14 in the commission of, a violation of regulations
 15 prescribed under this subsection shall, upon con-
 16 viction, be fined not more than \$1,000,000, or if
 17 a natural person, may be imprisoned for not
 18 more than 20 years, or both.

19 (b) *RESTRICTIONS ON CERTAIN TRANSACTIONS BY*
 20 *UNITED STATES FINANCIAL INSTITUTIONS.*—

21 (1) *IN GENERAL.*—Not later than 180 days after
 22 the date of the enactment of this Act, the Secretary of
 23 the Treasury shall prescribe regulations to prohibit a
 24 United States financial institution, and any person
 25 owned or controlled by a United States financial in-

1 stitution, from knowingly engaging in a significant
 2 transaction with or benefitting any person that the
 3 Secretary finds to be a covered person.

4 (2) *CIVIL PENALTY.*—A person who violates, at-
 5 tempts to violate, conspires to violate, or causes a vio-
 6 lation of regulations prescribed under this subsection
 7 shall be subject to a civil penalty in an amount not
 8 to exceed the greater of—

9 (A) \$250,000; or

10 (B) an amount that is twice the amount of
 11 the transaction that is the basis of the violation
 12 with respect to which the penalty is imposed.

13 **SEC. 1099Z-4. OPPOSITION TO ASSISTANCE BY THE INTER-**
 14 **NATIONAL FINANCIAL INSTITUTIONS AND**
 15 **THE EXPORT-IMPORT BANK.**

16 (a) *INTERNATIONAL FINANCIAL INSTITUTIONS.*—The
 17 Bretton Woods Agreements Act (22 U.S.C. 286 *et seq.*) is
 18 amended by adding at the end the following:

19 **“SEC. 73. OPPOSITION TO ASSISTANCE FOR ANY GOVERN-**
 20 **MENT THAT FAILS TO IMPLEMENT SANC-**
 21 **TIONS ON NORTH KOREA.**

22 “(a) *IN GENERAL.*—The Secretary of the Treasury
 23 shall instruct the United States Executive Director at the
 24 international financial institutions (as defined under sec-
 25 tion 1701(c) of the International Financial Institutions

1 *Act) to use the voice and vote of the United States to oppose*
 2 *the provision of financial assistance to a foreign govern-*
 3 *ment, other than assistance to support basic human needs,*
 4 *if the President determines that, in the year preceding con-*
 5 *sideration of approval of such assistance, the government*
 6 *has knowingly failed to prevent the provision of financial*
 7 *services to, or freeze the funds, financial assets, and eco-*
 8 *nomie resources of, a person described under subparagraphs*
 9 *(A) through (E) of section 7(2) of the Otto Warmbier North*
 10 *Korea Nuclear Sanctions Act of 2019.*

11 “(b) *WAIVER.—The President may waive subsection*
 12 *(a) for up to 180 days at a time with respect to a foreign*
 13 *government if the President reports to Congress that—*

14 “(1) *the foreign government’s failure described*
 15 *under (a) is due exclusively to a lack of foreign gov-*
 16 *ernment capacity;*

17 “(2) *the foreign government is taking effective*
 18 *steps to prevent recurrence of such failure; or*

19 “(3) *such waiver is vital to the national security*
 20 *interests of the United States.”.*

21 (b) *EXPORT-IMPORT BANK.—Section 2(b) of the Ex-*
 22 *port-Import Bank Act of 1945 (12 U.S.C. 635(b)) is amend-*
 23 *ed by adding at the end the following:*

24 “(14) *PROHIBITION ON SUPPORT INVOLVING PER-*
 25 *SONS CONNECTED WITH NORTH KOREA.—The Bank*

1 *may not guarantee, insure, or extend credit, or par-*
 2 *ticipate in the extension of credit in connection with*
 3 *the export of a good or service to a covered person (as*
 4 *defined under section 7 of the Otto Warmbier North*
 5 *Korea Nuclear Sanctions Act of 2019).”.*

6 **SEC. 1099Z-5. TREASURY REPORTS ON COMPLIANCE, PEN-**
 7 **ALTIES, AND TECHNICAL ASSISTANCE.**

8 *(a) SEMIANNUAL REPORT.—*

9 *(1) IN GENERAL.—Not later than 120 days fol-*
 10 *lowing the date of the enactment of this Act, and*
 11 *every 180 days thereafter, the Secretary of the Treas-*
 12 *ury shall submit a report to the Committee on Finan-*
 13 *cial Services of the House of Representatives and the*
 14 *Committee on Banking, Housing, and Urban Affairs*
 15 *of the Senate that includes—*

16 *(A) a list of financial institutions that, in*
 17 *the period since the preceding report, knowingly*
 18 *facilitated a significant transaction or trans-*
 19 *actions or provided significant financial services*
 20 *for a covered person;*

21 *(B) a list of any penalties imposed under*
 22 *section 3 in the period since the preceding re-*
 23 *port; and*

24 *(C) a description of efforts by the Depart-*
 25 *ment of the Treasury in the period since the pre-*

1 *ceding report, through consultations, technical*
2 *assistance, or other appropriate activities, to*
3 *strengthen the capacity of financial institutions*
4 *and foreign governments to prevent the provision*
5 *of financial services benefitting any covered per-*
6 *son.*

7 *(2) FORM OF REPORT; PUBLIC AVAILABILITY.—*

8 *(A) FORM.—The report required under*
9 *paragraph (1) shall be submitted in unclassified*
10 *form but may contain a classified annex.*

11 *(B) PUBLIC AVAILABILITY.—The unclassi-*
12 *fied portion of such report shall be made avail-*
13 *able to the public and posted on the website of*
14 *the Department of the Treasury.*

15 *(3) SUNSET.—The report requirement under this*
16 *subsection shall terminate after the end of the 5-year*
17 *period beginning on the date of enactment of this Act.*

18 *(b) TESTIMONY REQUIRED.—Upon request of the Com-*
19 *mittee on Financial Services of the House of Representa-*
20 *tives or the Committee on Banking, Housing, and Urban*
21 *Affairs of the Senate, the Under Secretary of the Treasury*
22 *for Terrorism and Financial Intelligence shall testify to ex-*
23 *plain the effects of this Act, and the amendments made by*
24 *this Act, on North Korea's access to illicit finance channels.*

1 (c) *INTERNATIONAL MONETARY FUND*.—Title XVI of
 2 the *International Financial Institutions Act* (22 U.S.C.
 3 262p et seq.) is amended by adding at the end the following:

4 **“SEC. 1629. SUPPORT FOR CAPACITY OF THE INTER-**
 5 **NATIONAL MONETARY FUND TO PREVENT**
 6 **MONEY LAUNDERING AND FINANCING OF**
 7 **TERRORISM.**

8 *“The Secretary of the Treasury shall instruct the*
 9 *United States Executive Director at the International Mon-*
 10 *etary Fund to support the increased use of the administra-*
 11 *tive budget of the Fund for technical assistance that*
 12 *strengthens the capacity of Fund members to prevent money*
 13 *laundering and the financing of terrorism.”.*

14 (d) *NATIONAL ADVISORY COUNCIL REPORT TO CON-*
 15 *GRESS*.—The Chairman of the National Advisory Council
 16 on International Monetary and Financial Policies shall in-
 17 clude in the report required by section 1701 of the Inter-
 18 national Financial Institutions Act (22 U.S.C. 262r) a de-
 19 scription of—

20 (1) *the activities of the International Monetary*
 21 *Fund in the most recently completed fiscal year to*
 22 *provide technical assistance that strengthens the ca-*
 23 *capacity of Fund members to prevent money laundering*
 24 *and the financing of terrorism, and the effectiveness*
 25 *of the assistance; and*

1 (2) *the efficacy of efforts by the United States to*
 2 *support such technical assistance through the use of*
 3 *the Fund's administrative budget, and the level of*
 4 *such support.*

5 (e) *SUNSET.—Effective on the date that is the end of*
 6 *the 4-year period beginning on the date of enactment of this*
 7 *Act, section 1629 of the International Financial Institu-*
 8 *tions Act, as added by subsection (c), is repealed.*

9 **SEC. 1099Z-6. SUSPENSION AND TERMINATION OF PROHIBI-**
 10 **TIONS AND PENALTIES.**

11 (a) *SUSPENSION.—Except for any provision of section*
 12 *1099Z-7, the President may suspend, on a case-by-case*
 13 *basis, the application of any provision of this subtitle, or*
 14 *provision in an amendment made by this subtitle, with re-*
 15 *spect to an entity, individual, or transaction, for a period*
 16 *of not more than 180 days at a time if the President cer-*
 17 *tifies to Congress that—*

18 (1) *the Government of North Korea has—*

19 (A) *committed to the verifiable suspension*
 20 *of North Korea's proliferation and testing of*
 21 *WMD, including systems designed in whole or in*
 22 *part for the delivery of such weapons; and*

23 (B) *has agreed to multilateral talks includ-*
 24 *ing the Government of the United States, with*
 25 *the goal of permanently and verifiably limiting*

1 *North Korea's WMD and ballistic missile pro-*
 2 *grams; or*

3 *(2) such suspension is vital to the national secu-*
 4 *urity interests of the United States, with an expla-*
 5 *nation of the reasons therefor.*

6 *(b) TERMINATION.—*

7 *(1) IN GENERAL.—On the date that is 30 days*
 8 *after the date on which the President makes the cer-*
 9 *tification described under paragraph (2)—*

10 *(A) subsection (a), section 1099Z–3, and*
 11 *subsections (a) and (b) of section 1099Z–5 shall*
 12 *cease to have any force or effect;*

13 *(B) section 73 of the Bretton Woods Agree-*
 14 *ments Act, as added by section 4(a), shall be re-*
 15 *pealed; and*

16 *(C) section 2(b)(14) of the Export-Import*
 17 *Bank Act of 1945, as added by section 4(b), shall*
 18 *be repealed.*

19 *(2) CERTIFICATION.—The certification described*
 20 *under this paragraph is a certification by the Presi-*
 21 *dent to the Congress that—*

22 *(A) the Government of North Korea—*

23 *(i) has ceased to pose a significant*
 24 *threat to national security, with an expla-*
 25 *nation of the reasons therefor; or*

1 (ii) is committed to, and is taking ef-
 2 fective steps to achieving, the goal of perma-
 3 nently and verifiably limiting North Ko-
 4 rea's WMD and ballistic missile programs;
 5 or

6 (B) such termination is vital to the na-
 7 tional security interests of the United States,
 8 with an explanation of the reasons therefor.

9 **SEC. 1099Z-7. EXCEPTION RELATING TO IMPORTATION OF**
 10 **GOODS.**

11 (a) *IN GENERAL.*—The authorities and requirements
 12 to impose sanctions authorized under this subtitle shall not
 13 include the authority or requirement to impose sanctions
 14 on the importation of goods.

15 (b) *GOOD DEFINED.*—In this section, the term “good”
 16 means any article, natural or man-made substance, mate-
 17 rial, supply or manufactured product, including inspection
 18 and test equipment, and excluding technical data.

19 **SEC. 1099Z-8. DEFINITIONS.**

20 For purposes of this subtitle:

21 (1) *TERMS RELATED TO NORTH KOREA.*—The
 22 terms “applicable Executive order”, “Government of
 23 North Korea”, “North Korea”, “North Korean per-
 24 son”, and “significant activities undermining cyber-
 25 security” have the meanings given those terms, respec-

1 *tively, in section 3 of the North Korea Sanctions and*
2 *Policy Enhancement Act of 2016 (22 U.S.C. 9202).*

3 (2) *COVERED PERSON.*—*The term “covered per-*
4 *son” means the following:*

5 (A) *Any North Korean person designated*
6 *under an applicable Executive order.*

7 (B) *Any North Korean person that know-*
8 *ingly facilitates the transfer of bulk cash or cov-*
9 *ered goods (as defined under section 1027.100 of*
10 *title 31, Code of Federal Regulations).*

11 (C) *Any North Korean financial institu-*
12 *tion.*

13 (D) *Any North Korean person employed*
14 *outside of North Korea, except that the Secretary*
15 *of the Treasury may waive the application of*
16 *this subparagraph for a North Korean person*
17 *that is not otherwise a covered person and—*

18 (i) *has been granted asylum or refugee*
19 *status by the country of employment; or*

20 (ii) *is employed as essential diplomatic*
21 *personnel for the Government of North*
22 *Korea.*

23 (E) *Any person acting on behalf of, or at*
24 *the direction of, a person described under sub-*
25 *paragraphs (A) through (D).*

1 (F) Any person that knowingly employs a
2 person described under subparagraph (D).

3 (G) Any person that knowingly facilitates
4 the import of goods, services, technology, or nat-
5 ural resources, including energy imports and
6 minerals, or their derivatives, from North Korea.

7 (H) Any person that knowingly facilitates
8 the export of goods, services, technology, or nat-
9 ural resources, including energy exports and
10 minerals, or their derivatives, to North Korea,
11 except for food, medicine, or medical supplies re-
12 quired for civilian humanitarian needs.

13 (I) Any person that knowingly invests in,
14 or participates in a joint venture with, an entity
15 in which the Government of North Korea partici-
16 pates or an entity that is created or organized
17 under North Korean law.

18 (J) Any person that knowingly provides fi-
19 nancial services, including through a subsidiary
20 or joint venture, in North Korea.

21 (K) Any person that knowingly insures,
22 registers, facilitates the registration of, or main-
23 tains insurance or a registration for, a vessel
24 owned, controlled, commanded, or operated by a
25 North Korean person.

1 (L) *Any person knowingly providing spe-*
 2 *cialized teaching, training, or information or*
 3 *providing material or technological support to a*
 4 *North Korean person that—*

5 (i) *may contribute to North Korea’s de-*
 6 *velopment and proliferation of WMD, in-*
 7 *cluding systems designed in whole or in*
 8 *part for the delivery of such weapons; or*

9 (ii) *may contribute to significant ac-*
 10 *tivities undermining cybersecurity.*

11 (3) *FINANCIAL INSTITUTION DEFINITIONS.—*

12 (A) *FINANCIAL INSTITUTION.—The term “fi-*
 13 *nancial institution” means a United States fi-*
 14 *nancial institution or a foreign financial insti-*
 15 *tution.*

16 (B) *FOREIGN FINANCIAL INSTITUTION.—The*
 17 *term “foreign financial institution” has the*
 18 *meaning given that term under section 1010.605*
 19 *of title 31, Code of Federal Regulations.*

20 (C) *NORTH KOREAN FINANCIAL INSTITU-*
 21 *TION.—The term “North Korean financial insti-*
 22 *tution” includes—*

23 (i) *any North Korean financial insti-*
 24 *tution, as defined in section 3 of the North*

*Korea Sanctions and Policy Enhancement
Act of 2016 (22 U.S.C. 9202);*

*(ii) any financial agency, as defined
in section 5312 of title 31, United States
Code, that is owned or controlled by the
Government of North Korea;*

*(iii) any money transmitting business,
as defined in section 5330(d) of title 31,
United States Code, that is owned or con-
trolled by the Government of North Korea;*

*(iv) any financial institution that is a
joint venture between any person and the
Government of North Korea; and*

*(v) any joint venture involving a North
Korean financial institution.*

*(D) UNITED STATES FINANCIAL INSTITU-
TION.—The term “United States financial insti-
tution” has the meaning given the term “U.S. fi-
nancial institution” under section 510.310 of
title 31, Code of Federal Regulations.*

*(4) KNOWINGLY.—The term “knowingly” with
respect to conduct, a circumstance, or a result, means
that a person has actual knowledge, or should have
known, of the conduct, the circumstance, or the result.*

1 ***TITLE XI—CIVILIAN PERSONNEL***
 2 ***MATTERS***

3 ***Subtitle A—Personnel Management***

4 ***SEC. 1101. DEFENSE ADVANCED RESEARCH PROJECTS***
 5 ***AGENCY PERSONNEL MANAGEMENT AUTHOR-***
 6 ***ITY.***

7 *Section 1599h(b)(1)(B) of title 10, United States Code,*
 8 *is amended by striking “100 positions” and inserting “140*
 9 *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 extended*
 20 *by the Secretary concerned at the discretion of such Sec-*
 21 *retary.”; 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 “ex-
4 cept as provided in section 1599e of title 10,”.

5 (c) *APPLICATION.*—The amendments made by this sec-
6 tion shall apply to any covered employee (as that term is
7 defined in paragraph (1) of section 1599e(b) of title 10,
8 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 amend-
13 ed—

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 any
21 fiscal year shall not be subject to any”; and

22 (ii) by striking “shall be developed”
23 and all that follows through “changed cir-
24 cumstances”; and

25 (2) in subsection (c)(2)—

1 (A) in each of subparagraphs (A) and (B),
 2 by inserting “and associated costs” after each in-
 3 stance of “projected size”; and

4 (B) in subparagraph (B), by striking “that
 5 have been taken” and all that follows through the
 6 period and inserting “to reduce the overall costs
 7 of the total force of military, civilian, and con-
 8 tract workforces.”.

9 **SEC. 1104. ONE-YEAR EXTENSION OF TEMPORARY AUTHOR-**
 10 **ITY TO GRANT ALLOWANCES, BENEFITS, AND**
 11 **GRATUITIES TO CIVILIAN PERSONNEL ON OF-**
 12 **FICIAL DUTY IN A COMBAT ZONE.**

13 Paragraph (2) of section 1603(a) of the Emergency
 14 Supplemental Appropriations Act for Defense, the Global
 15 War on Terror, and Hurricane Recovery, 2006 (Public Law
 16 109–234; 120 Stat. 443), as added by section 1102 of the
 17 Duncan Hunter National Defense Authorization Act for
 18 Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4616)
 19 and as most recently amended by section 1115 of the John
 20 S. McCain National Defense Authorization Act for Fiscal
 21 Year 2019 (Public Law 115–232), is further amended by
 22 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 for
 8 Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4615),
 9 as most recently amended by section 1104 of the John S.
 10 McCain National Defense Authorization Act for Fiscal Year
 11 2019 (Public Law 115–232), is further amended by striking
 12 “through 2019” and inserting “through 2020”.

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

15 **SEC. 1106. PERFORMANCE OF CIVILIAN FUNCTIONS BY**
 16 **MILITARY PERSONNEL.**

17 Subparagraph (B) of paragraph (1) of subsection (g)
 18 of section 129a of title 10, United States Code, is amended
 19 to read as follows:

20 “(B) such functions may be performed by
 21 military personnel for a period that does not ex-
 22 ceed one year if the Secretary of the military de-
 23 partment concerned determines that—

24 “(i) the performance of such functions
 25 by military personnel is required to address
 26 critical staffing needs resulting from a re-

1 *duction in personnel or budgetary resources*
 2 *by reason of an Act of Congress; and*
 3 *“(ii) the military department con-*
 4 *cerned is in compliance with the policies,*
 5 *procedures, and analysis required by this*
 6 *section and section 129 of this title.”.*

7 **SEC. 1107. EXTENSION OF DIRECT HIRE AUTHORITY FOR**
 8 **DOMESTIC INDUSTRIAL BASE FACILITIES**
 9 **AND MAJOR RANGE AND TEST FACILITIES**
 10 **BASE.**

11 *(a) IN GENERAL.—Subsection (a) of section 1125 of*
 12 *the National Defense Authorization Act for Fiscal Year*
 13 *2017 (Public Law 114–328), as amended by subsection (a)*
 14 *of section 1102 of the National Defense Authorization Act*
 15 *for Fiscal Year 2018 (Public Law 115–91), is further*
 16 *amended by striking “through 2021,” and inserting*
 17 *“through 2025,”.*

18 *(b) BRIEFING.—Subsection (b) of such section 1102 is*
 19 *amended by striking “fiscal years 2019 and 2021” and in-*
 20 *serting “fiscal years 2019 through 2025”.*

21 **SEC. 1108. AUTHORITY TO PROVIDE ADDITIONAL ALLOW-**
 22 **ANCES AND BENEFITS FOR CERTAIN DE-**
 23 **FENSE CLANDESTINE SERVICE EMPLOYEES.**

24 *Section 1603 of title 10, United States Code, is amend-*
 25 *ed by adding at the end the following new subsection:*

1 “(c) *ADDITIONAL ALLOWANCES AND BENEFITS FOR*
2 *CERTAIN EMPLOYEES OF THE DEFENSE CLANDESTINE*
3 *SERVICE.*—(1) *Beginning on the date on which the Sec-*
4 *retary of Defense submits the report under paragraph*
5 *(3)(A), in addition to the authority to provide compensa-*
6 *tion under subsection (a), the Secretary may provide a cov-*
7 *ered employee allowances and benefits under paragraph (1)*
8 *of section 9904 of title 5 without regard to the limitations*
9 *in that section—*

10 “(A) *that the employee be assigned to activities*
11 *outside the United States; or*

12 “(B) *that the activities to which the employee is*
13 *assigned be in support of Department of Defense ac-*
14 *tivities abroad.*

15 “(2) *The Secretary may not provide allowances and*
16 *benefits under paragraph (1) to more than 125 covered em-*
17 *ployees per year.*

18 “(3)(A) *The Secretary shall submit to the appropriate*
19 *congressional committees a report containing a strategy ad-*
20 *dressing the mission of the Defense Clandestine Service dur-*
21 *ing the period covered by the most recent future-years de-*
22 *fense program submitted under section 221 of this title, in-*
23 *cluding—*

24 “(i) *how such mission will evolve during such*
25 *period;*

1 “(ii) how the authority provided by paragraph
2 (1) will assist the Secretary in carrying out such mis-
3 sion; and

4 “(iii) an implementation plan for carrying out
5 paragraph (1), including a projection of how much
6 the amount of the allowances and benefits provided
7 under such paragraph compare with the amount of
8 the allowances and benefits provided before the date of
9 the report.

10 “(B) Not later than December 31, 2020, and each year
11 thereafter, the Secretary shall submit to the appropriate
12 congressional committees a report, with respect to the fiscal
13 year preceding the date on which the report is submitted—

14 “(i) identifying the number of covered employees
15 for whom the Secretary provided allowances and ben-
16 efits under paragraph (1); and

17 “(ii) evaluating the efficacy of such allowances
18 and benefits in enabling the execution of the objectives
19 of the Defense Intelligence Agency.

20 “(C) The reports under subparagraphs (A) and (B)
21 may be submitted in classified form.

22 “(4) In this subsection:

23 “(A) The term ‘appropriate congressional com-
24 mittees’ means—

1 “(i) the congressional defense committees;
2 and

3 “(ii) the Permanent Select Committee on
4 Intelligence of the House of Representatives and
5 the Select Committee on Intelligence of the Sen-
6 ate.

7 “(B) The term ‘covered employee’ means an em-
8 ployee in a defense intelligence position who is as-
9 signed to the Defense Clandestine Service at a loca-
10 tion in the United States that the Secretary deter-
11 mines has living costs equal to or higher than the Dis-
12 trict of Columbia.”.

13 **SEC. 1109. PROHIBITED PERSONNEL PRACTICES.**

14 (a) *IN GENERAL.*—Section 2302 of title 5, United
15 States Code, is amended by adding at the end the following:

16 “(g)(1) All protections afforded to an employee under
17 subparagraphs (A), (B), and (D) of subsection (b)(1) shall
18 be afforded, in the same manner and to the same extent,
19 to an intern and an applicant for internship.

20 “(2) For purposes of the application of this subsection,
21 a reference to an employee shall be considered a reference
22 to an intern in—

23 “(A) section 717 of the Civil Rights Act of 1964
24 (42 U.S.C. 2000e-16);

6 “(3) In this subsection, the term ‘intern’ means an in-
7 dividual who performs uncompensated voluntary service in
8 an agency to earn credit awarded by an educational insti-
9 tution or to learn a trade or occupation.”.

14 *SEC. 1110. ENHANCEMENT OF ANTIDISCRIMINATION PRO-*
15 *TECTIONS FOR FEDERAL EMPLOYEES.*

19 (1) in paragraph (4), to read as follows:

25 (2) *in paragraph (5)(A)—*

1 (A) by striking “nor is accountability” and
 2 inserting “but accountability is not”; and

3 (B) by inserting “for what by law the agen-
 4 cy is responsible” after “under this Act”.

5 (b) NOTIFICATION OF VIOLATION.—Section 202 of the
 6 *Notification and Federal Employee Antidiscrimination and*
 7 *Retaliation Act of 2002* (5 U.S.C. 2301 note) is amended
 8 by adding at the end the following:

9 “(d) NOTIFICATION OF FINAL AGENCY ACTION.—

10 “(1) Not later than 30 days after a Federal
 11 agency takes final action or the Equal Employment
 12 Opportunity Commission issues an appellate decision
 13 involving a finding of discrimination or retaliation
 14 prohibited by a provision of law covered by para-
 15 graph (1) or (2) of section 201(a), as applicable, the
 16 head of the agency subject to the finding shall provide
 17 notice for at least 1 year on the agency’s internet
 18 website in a clear and prominent location linked di-
 19 rectly from the agency’s internet home page stating
 20 that a finding of discrimination or retaliation has
 21 been made.

22 “(2) The notification shall identify the date the
 23 finding was made, the date or dates on which the dis-
 24 criminatory or retaliatory act or acts occurred, and
 25 the law or laws violated by the discriminatory or re-

1 *taliatory act or acts. The notification shall also ad-*
 2 *vis Federal employees of the rights and protections*
 3 *available under the respective provisions of law cov-*
 4 *ered by paragraph (1) or (2) of section 201(a).”.*

5 *(c) REPORTING REQUIREMENTS.—*

6 *(1) ELECTRONIC FORMAT REQUIREMENT.—*

7 *(A) IN GENERAL.—Section 203(a) of the*
 8 *Notification and Federal Employee Anti-*
 9 *discrimination and Retaliation Act of 2002 (5*
 10 *U.S.C. 2301 note) is amended—*

11 *(i) by inserting “Homeland Security*
 12 *and” before “Governmental Affairs”;*

13 *(ii) by inserting “Oversight and” be-*
 14 *fore “Government Reform”; and*

15 *(iii) by inserting “(in an electronic*
 16 *format prescribed by the Office of Personnel*
 17 *Management)” after “an annual report”.*

18 *(B) EFFECTIVE DATE.—The amendment*
 19 *made by paragraph (1)(C) shall take effect on*
 20 *the date that is 1 year after the date of enact-*
 21 *ment of this Act.*

22 *(C) TRANSITION PERIOD.—Notwithstanding*
 23 *the requirements of section 203(a) of the Notifi-*
 24 *cation and Federal Employee Antidiscrimina-*
 25 *tion and Retaliation Act of 2002 (5 U.S.C. 2301*

note), the report required under such section may be submitted in an electronic format, as prescribed by the Office of Personnel Management, during the period beginning on the date of enactment of this Act and ending on the effective date in paragraph (2).

(2) *REPORTING REQUIREMENT FOR DISCIPLINARY ACTION.*—Section 203 of such Act is amended by adding at the end the following:

“(c) *DISCIPLINARY ACTION REPORT.*—Not later than 60 days after the date on which a Federal agency takes final action or a Federal agency receives an appellate decision issued by the Equal Employment Opportunity Commission involving a finding of discrimination or retaliation in violation of a provision of law covered by paragraph (1) or (2) of section 201(a), as applicable, the employing Federal agency shall submit to the Commission a report stating whether disciplinary action has been initiated against a Federal employee as a result of the violation.”.

(d) *DATA TO BE POSTED BY EMPLOYING FEDERAL AGENCIES.*—Section 301(b) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended—

(1) in paragraph (9)—

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

3 (B) in subparagraph (B)(ii), by striking the
4 period at the end and inserting “, and”; and

5 (C) by adding at the end the following:

6 “(C) for each such finding counted under
7 subparagraph (A), the agency shall specify—

8 “(i) the date of the finding;

9 “(ii) the affected agency;

10 “(iii) the law violated; and

11 “(iv) whether a decision has been made
12 regarding necessary disciplinary action as
13 a result of the finding.”; and

14 (2) by adding at the end the following:

15 “(11) Data regarding each class action com-
16 plaint filed against the agency alleging discrimina-
17 tion or retaliation, including—

18 “(A) information regarding the date on
19 which each complaint was filed;

20 “(B) a general summary of the allegations
21 alleged in the complaint;

22 “(C) an estimate of the total number of
23 plaintiffs joined in the complaint if known;

24 “(D) the current status of the complaint, in-
25 cluding whether the class has been certified; and

1 “(E) the case numbers for the civil actions
2 in which discrimination or retaliation has been
3 found.”.

4 (e) *DATA TO BE POSTED BY THE EQUAL EMPLOYMENT*
5 *OPPORTUNITY COMMISSION.*—Section 302(b) of the Notifi-
6 cation and Federal Employee Antidiscrimination and Re-
7 taliation Act of 2002 (5 U.S.C. 2301 note) is amended by
8 striking “(10)” and inserting “(11)”.

9 (f) *NOTIFICATION AND FEDERAL EMPLOYEE ANTI-*
10 *DISCRIMINATION AND RETALIATION ACT AMENDMENTS.*—

11 (1) *NOTIFICATION REQUIREMENTS.*—The Notifi-
12 cation and Federal Employee Antidiscrimination and
13 Retaliation Act of 2002 (5 U.S.C. 2301 note) is
14 amended by adding after section 206 the following:

15 **“SEC. 207. COMPLAINT TRACKING.**

16 “Not later than 1 year after the date of enactment of
17 the Federal Employee Antidiscrimination Act of 2019, each
18 Federal agency shall establish a system to track each com-
19 plaint of discrimination arising under section 2302(b)(1)
20 of title 5, United States Code, and adjudicated through the
21 Equal Employment Opportunity process from inception to
22 resolution of the complaint, including whether a decision
23 has been made regarding necessary disciplinary action as
24 the result of a finding of discrimination.

1 **“SEC. 208. NOTATION IN PERSONNEL RECORD.**

2 *“If a Federal agency takes an adverse action covered*
 3 *under section 7512 of title 5, United States Code, against*
 4 *a Federal employee for an act of discrimination or retalia-*
 5 *tion prohibited by a provision of law covered by paragraph*
 6 *(1) or (2) of section 201(a), the agency shall, after all ap-*
 7 *peals relating to such action have been exhausted, include*
 8 *a notation of the adverse action and the reason for the ac-*
 9 *tion in the employee’s personnel record.”.*

10 (2) *PROCESSING AND REFERRAL.—The Notifica-*
 11 *tion and Federal Employee Antidiscrimination and*
 12 *Retaliation Act of 2002 (5 U.S.C. 2301 note) is*
 13 *amended by adding at the end the following:*

14 **“TITLE IV—PROCESSING AND**
 15 **REFERRAL**

16 **“SEC. 401. PROCESSING AND RESOLUTION OF COMPLAINTS.**

17 *“Each Federal agency is responsible for the fair, im-*
 18 *partial processing and resolution of complaints of employ-*
 19 *ment discrimination and retaliation arising in the Federal*
 20 *administrative process and shall establish a model Equal*
 21 *Employment Opportunity Program that—*

22 *“(1) is not under the control, either structurally*
 23 *or practically, of a Human Capital or General Coun-*
 24 *sel office;*

1 “(2) is devoid of internal conflicts of interest and
 2 ensures fairness and inclusiveness within the organi-
 3 zation; and

4 “(3) ensures the efficient and fair resolution of
 5 complaints alleging discrimination or retaliation.

6 **“SEC. 402. NO LIMITATION ON HUMAN CAPITAL OR GEN-**
 7 **ERAL COUNSEL ADVICE.**

8 “Nothing in this title shall prevent a Federal agency’s
 9 Human Capital or General Counsel office from providing
 10 advice or counsel to Federal agency personnel on the proc-
 11 essing and resolution of a complaint, including providing
 12 legal representation to a Federal agency in any proceeding.

13 **“SEC. 403. HEAD OF PROGRAM REPORTS TO HEAD OF AGEN-**
 14 **CY.**

15 “The head of each Federal agency’s Equal Employ-
 16 ment Opportunity Program shall report directly to the head
 17 of the agency.

18 **“SEC. 404. REFERRALS OF FINDINGS OF DISCRIMINATION.**

19 “(a) *EEOC FINDINGS OF DISCRIMINATION.*—Not later
 20 than 30 days after the Equal Employment Opportunity
 21 Commission issues an appellate decision involving a find-
 22 ing of discrimination or retaliation within a Federal agen-
 23 cy, the Commission shall refer the matter to the Office of
 24 Special Counsel.

1 “(b) *REFERRALS TO SPECIAL COUNSEL.*—The Office
 2 of Special Counsel shall accept and review a referral from
 3 the Commission under subsection (a) for purposes of seeking
 4 disciplinary action under its authority against a Federal
 5 employee who commits an act of discrimination or retalia-
 6 tion.

7 “(c) *NOTIFICATION.*—The Office of Special Counsel
 8 shall notify the Commission in a case in which the Office
 9 of Special Counsel initiates disciplinary action.

10 “(d) *SPECIAL COUNSEL APPROVAL.*—A Federal agen-
 11 cy may not take disciplinary action against a Federal em-
 12 ployee for an alleged act of discrimination or retaliation
 13 referred by the Commission under this section except in ac-
 14 cordance with the requirements of section 1214(f) of title
 15 5, United States Code.”.

16 (3) *CONFORMING AMENDMENTS.*—The table of
 17 contents in section 1(b) of the Notification and Fed-
 18 eral Employee Antidiscrimination and Retaliation
 19 Act of 2002 (5 U.S.C. 2301 note) is amended—

20 (A) by inserting after the item relating to
 21 section 206 the following:

“Sec. 207. Complaint tracking.

“Sec. 208. Notation in personnel record.”;

22 and

23 (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.”.

1 (g) *NONDISCLOSURE AGREEMENT LIMITATION.—Sec-*
2 *tion 2302(b) of title 5, United States Code, is amended—*

3 (1) *in paragraph (13)—*

4 (A) *by inserting “or the Office of Special*
5 *Counsel” after “Inspector General”;*

6 (B) *by striking “implement” and inserting*
7 *“(A) implement”;* and

8 (C) *by striking the period that follows the*
9 *quoted material and inserting “; or”;* and

10 (2) *by adding after subparagraph (A), as added*
11 *by paragraph (1)(B), and preceding the flush left*
12 *matter that follows paragraph (13), the following:*

13 *“(B) implement or enforce any nondisclo-*
14 *sure policy, form, or agreement, if such policy,*
15 *form, or agreement prohibits or restricts an em-*
16 *ployee from disclosing to Congress, the Office of*
17 *Special Counsel, or an Office of the Inspector*
18 *General any information that relates to any vio-*
19 *lation of any law, rule, or regulation, or mis-*
20 *management, a gross waste of funds, an abuse of*
21 *authority, or a substantial, and specific danger*
22 *to public health or safety, or any other whistle-*
23 *blower protection.”.*

1 **SEC. 1111. MODIFICATION OF DIRECT HIRE AUTHORITIES**
2 **FOR THE DEPARTMENT OF DEFENSE.**

3 (a) *IN GENERAL.*—Section 9905 of title 5, United
4 States Code, is amended—

5 (1) *in subsection (a)*—

6 (A) *by amending paragraph (2) to read as*
7 *follows:*

8 “(2) *Any cyber workforce position.*”; and

9 (B) *by adding after paragraph (4) the fol-*
10 *lowing:*

11 “(5) *Any scientific, technical, engineering, or*
12 *mathematics positions, including technicians, within*
13 *the defense acquisition workforce, or any category of*
14 *acquisition positions within the Department des-*
15 *ignated by the Secretary as a shortage or critical need*
16 *category.*

17 “(6) *Any scientific, technical, engineering, or*
18 *mathematics position, except any such position with-*
19 *in any defense Scientific and Technology Reinvention*
20 *Laboratory, for which a qualified candidate is re-*
21 *quired to possess a bachelor’s degree or an advanced*
22 *degree, or for which a veteran candidate is being con-*
23 *sidered.*

24 “(7) *Any category of medical or health profes-*
25 *sional positions within the Department designated by*

1 *the Secretary as a shortage category or critical need*
 2 *occupation.*

3 *“(8) Any childcare services position for which*
 4 *there is a critical hiring need and a shortage of*
 5 *childcare providers.*

6 *“(9) Any financial management, accounting, au-*
 7 *ditng, actuarial, cost estimation, operational re-*
 8 *search, or business or business administration posi-*
 9 *tion, for which a qualified candidate is required to*
 10 *possess a finance, accounting, management or actu-*
 11 *arial science degree or a related degree, or a related*
 12 *degree equivalent experience.*

13 *“(10) Any position, as determined by the Sec-*
 14 *retary, for the purpose of assisting and facilitating*
 15 *the efforts of the Department in business trans-*
 16 *formation and management innovation.”; and*

17 *(2) by striking subsection (b) and inserting the*
 18 *following:*

19 *“(b) SUNSET.—*

20 *“(1) IN GENERAL.—Except as provided in para-*
 21 *graph (2), effective on September 30, 2025, the au-*
 22 *thority provided under subsection (a) shall expire.*

23 *“(2) EXCEPTION.—Paragraph (1) shall not*
 24 *apply to the authority provided under subsection (a)*

1 to make appointments to positions described under
2 paragraph (5) of such subsection.

3 “(c) *SUSPENSION OF OTHER HIRING AUTHORITIES.*—
4 *During the period beginning on the effective date of the reg-*
5 *ulations issued to carry out the hiring authority with re-*
6 *spect to positions described in paragraphs (5) through (10)*
7 *of subsection (a) and ending on the date described in sub-*
8 *section (b)(1), the Secretary of Defense may not exercise or*
9 *otherwise use any hiring authority provided under the fol-*
10 *lowing provisions of law:*

11 “(1) *Sections 1599c(a)(2) and 1705(h) of title*
12 *10.*

13 “(2) *Sections 1112 and 1113 of the National De-*
14 *fense Authorization Act for Fiscal Year 2016 (Public*
15 *Law 114–92; 129 Stat. 1033).*

16 “(3) *Sections 1110 and 1643(a)(3) of the Na-*
17 *tional Defense Authorization Act for Fiscal Year 2017*
18 *(Public Law 114–328; 130 Stat. 2450 and 2602).*

19 “(4) *Sections 559 and 1101 of the National De-*
20 *fense Authorization Act for Fiscal Year 2018 (Public*
21 *Law 115–91).’’.*

22 (b) *REPORT.*—

23 (1) *IN GENERAL.*—*Not later than February 1,*
24 *2021, the Secretary of Defense, in coordination with*
25 *the Director of the Office of Personnel Management,*

1 *shall contract with a Federally funded research and*
2 *development center to submit a report to the congres-*
3 *sional defense committees and the Committee on Over-*
4 *sight and Reform of the House of Representatives.*

5 (2) *CONTENTS.—The report required under*
6 *paragraph (1) shall—*

7 (A) *assess and identify steps that could be*
8 *taken to improve the competitive hiring process*
9 *at the Department and ensure that direct hiring*
10 *is conducted in a manner consistent with ensur-*
11 *ing a merit based civil service and a diverse*
12 *workforce in the Department and the rest of the*
13 *Federal Government; and*

14 (B) *consider the feasibility and desirability*
15 *of using cohort hiring, or hiring “talent pools”,*
16 *instead of conducting all hiring on a position-*
17 *by-position basis.*

18 (3) *OTHER MATTERS.—The Federally funded re-*
19 *search and development center selected to carry out*
20 *the report under this subsection shall, in preparing*
21 *such report, consult with all stakeholders, public sec-*
22 *tor unions, hiring managers, career agency, and Of-*
23 *fice of Personnel Management personnel specialists,*
24 *and survey public sector employees and job appli-*

1 *cants, when developing its analysis and recommenda-*
2 *tions.*

3 **SEC. 1112. PERMITTED DISCLOSURES BY WHISTLE-**
4 **BLOWERS.**

5 (a) *RECIPIENTS OF WHISTLEBLOWER DISCLO-*
6 *SURES.—Section 2302(b)(8)(B) of title 5, United States*
7 *Code, is amended by striking “or to the Inspector” and all*
8 *that follows through “such disclosures” and inserting “the*
9 *Inspector General of an agency, a supervisor in the employ-*
10 *ee’s direct chain of command up to and including the head*
11 *of the employing agency, or to an employee designated by*
12 *any of the aforementioned individuals for the purpose of*
13 *receiving such disclosures”.*

14 (b) *DETERMINATION OF BUDGETARY EFFECTS.—The*
15 *budgetary effects of this section, for the purpose of com-*
16 *plying with the Statutory Pay-As-You-Go Act of 2010, shall*
17 *be determined by reference to the latest statement titled*
18 *“Budgetary Effects of PAYGO Legislation” for this section,*
19 *submitted for printing in the Congressional Record by the*
20 *Chairman of the House Budget Committee, provided that*
21 *such statement has been submitted prior to the vote on pas-*
22 *sage.*

1 **SEC. 1113. DESIGNATING CERTAIN FEHBP AND FEGLI SERV-**
2 **ICES PROVIDED BY FEDERAL EMPLOYEES AS**
3 **EXCEPTED SERVICES UNDER THE ANTI-DEFI-**
4 **CIENCY ACT.**

5 (a) *FEHBP*.—Section 8905 of title 5, United States
6 Code, is amended by adding at the end the following:

7 “(i) Any services by an officer or employee under this
8 chapter relating to enrolling individuals in a health benefits
9 plan under this chapter, or changing the enrollment of an
10 individual already so enrolled, shall be deemed, for purposes
11 of section 1342 of title 31, services for emergencies involving
12 the safety of human life or the protection of property.”.

13 (b) *FEGLI*.—Section 8702 of title 5, United States
14 Code, is amended by adding at the end the following:

15 “(d) Any services by an officer or employee under this
16 chapter relating to benefits under this chapter shall be
17 deemed, for purposes of section 1342 of title 31, services for
18 emergencies involving the safety of human life or the protec-
19 tion of property.”.

20 (c) *REGULATIONS*.—

21 (1) *IN GENERAL*.—Not later than 90 days after
22 the date of the enactment of this Act, the Office of
23 Personnel Management shall prescribe regulations to
24 carry out the amendments made by subsections (a)
25 and (b).

1 (2) *PAY STATUS FOR FURLOUGHED EMPLOY-*
 2 *EES.—The regulations prescribed under paragraph*
 3 *(1) for the amendments made by subsection (a) shall*
 4 *provide that an employee furloughed as result of a*
 5 *lapse in appropriations shall, during such lapse, be*
 6 *deemed to be in a pay status for purposes of enrolling*
 7 *or changing the enrollment (as the case may be) of*
 8 *that employee under chapter 89 of title 5, United*
 9 *States Code.*

10 (d) *APPLICATION.—The amendments made by sub-*
 11 *section (a) and (b) shall apply to any lapse in appropria-*
 12 *tions beginning on or after the date of enactment of this*
 13 *Act.*

14 **SEC. 1114. CONTINUING SUPPLEMENTAL DENTAL AND VI-**
 15 **SION BENEFITS AND LONG-TERM CARE IN-**
 16 **SURANCE COVERAGE DURING A GOVERN-**
 17 **MENT SHUTDOWN.**

18 (a) *IN GENERAL.—Title 5, United States Code, is*
 19 *amended—*

20 (1) *in section 8956, by adding at the end the fol-*
 21 *lowing:*

22 “(d) *Coverage under a dental benefits plan under this*
 23 *chapter for any employee or a covered TRICARE-eligible*
 24 *individual enrolled in such a plan and who, as a result*
 25 *of a lapse in appropriations, is furloughed or excepted from*

1 *furlough and working without pay shall continue during*
 2 *such lapse and may not be cancelled as a result of non-*
 3 *payment of premiums or other periodic charges due to such*
 4 *lapse.”;*

5 (2) *in section 8986, by adding at the end the fol-*
 6 *lowing:*

7 “(d) *Coverage under a vision benefits plan under this*
 8 *chapter for any employee or a covered TRICARE-eligible*
 9 *individual enrolled in such a plan and who, as a result*
 10 *of a lapse in appropriations, is furloughed or excepted from*
 11 *furlough and working without pay shall continue during*
 12 *such lapse and may not be cancelled as a result of non-*
 13 *payment of premiums or other periodic charges due to such*
 14 *lapse.”; and*

15 (3) *in section 9003, by adding at the end the fol-*
 16 *lowing:*

17 “(e) *EFFECT OF GOVERNMENT SHUTDOWN.—Coverage*
 18 *under a master contract under this chapter for long-term*
 19 *care insurance for an employee or member of the uniformed*
 20 *services enrolled under such contract and who, due to a*
 21 *lapse in appropriations, is furloughed or excepted from fur-*
 22 *lough and working without pay shall continue during such*
 23 *lapse and may not be cancelled as a result of nonpayment*
 24 *of premiums or other periodic charges due to such lapse.”.*

25 (b) *REGULATIONS.—*

1 (1) *IN GENERAL.*—Consistent with paragraph
2 (2), the Director of the Office of Personnel Manage-
3 ment shall prescribe regulations under which pre-
4 miums for supplemental dental, supplemental vision,
5 or long-term care insurance under chapter 89A, 89B,
6 or 90 (respectively) of title 5, United States Code, (as
7 amended by subsection (a)) that are unpaid by an
8 employee, a covered *TRICARE*-eligible individual, or
9 a member of the uniformed services (as the case may
10 be), as a result of that employee, covered *TRICARE*-
11 eligible individual, or member being furloughed or ex-
12 cepted from furlough and working without pay as a
13 result of a lapse in appropriations, are paid to the
14 applicable carrier from back pay made available to
15 the employee or member as soon as practicable upon
16 the end of such lapse.

17 (2) *LONG-TERM CARE PREMIUMS FROM SOURCE*
18 *OTHER THAN BACKPAY.*—The regulations promulgated
19 under paragraph (1) for the amendments made by
20 subsection (a)(3) may provide, with respect to any in-
21 dividual who elected under section 9004(d) of title 5,
22 United States Code, to pay premiums directly to the
23 carrier, that such individual may continue to pay
24 premiums pursuant to such election instead of from
25 back pay made available to such individual.

1 (c) *APPLICATION.*—*The amendments made by sub-*
 2 *section (a) shall apply to any contract for supplemental*
 3 *dental, supplemental vision, or long-term care insurance*
 4 *under chapter 89A, 89B, or 90 (respectively) of title 5,*
 5 *United States Code, entered into before, on, or after the date*
 6 *of enactment of this Act.*

7 **SEC. 1115. INTERIM STAY AUTHORITY TO PROTECT WHIS-**
 8 **TLEBLOWERS.**

9 (a) *TEMPORARY AUTHORITY FOR MSPB GENERAL*
 10 *COUNSEL TO ISSUE STAYS OF PERSONNEL ACTIONS.*—*Dur-*
 11 *ing the period beginning on the date of the enactment of*
 12 *this Act and ending on the first date after such date of en-*
 13 *actment that an individual is confirmed by the Senate as*
 14 *a member of the Merit Systems Protection Board under sec-*
 15 *tion 1201 of title 5, United States Code, the general counsel*
 16 *of the Board shall carry out the functions and authorities*
 17 *relating to stays of personnel actions provided to a member*
 18 *of the Board under subparagraph (A), or to the Board*
 19 *under subparagraph (B), (C), or (D), of section 1214(b)(1)*
 20 *of such title.*

21 (b) *AUTHORITY FOR MSPB MEMBER TO CARRY OUT*
 22 *DUTIES OF THE BOARD IN THE EVENT OF A LACK OF*
 23 *QUORUM.*—*Section 1214(b)(1) of title 5, United States*
 24 *Code, is amended—*

1 (1) in subparagraph (C), by inserting after “The
 2 Board” the following: “, or, if the Board lacks the
 3 number of members appointed under section 1201 re-
 4 quired to constitute a quorum, any remaining mem-
 5 ber of the Board,”; and

6 (2) in subparagraph (D), in the matter pre-
 7 ceding clause (i), by striking “A stay may be termi-
 8 nated by the Board at any time, except that a stay
 9 may not be terminated by the Board” and inserting
 10 the following: “A stay may be terminated by the
 11 Board, or, if the Board lacks the number of members
 12 appointed under section 1201 required to constitute a
 13 quorum, any remaining member of the Board, at any
 14 time, except that a stay may not be terminated by the
 15 Board or any remaining member of the Board (as the
 16 case may be)”.

17 **SEC. 1116. LIMITATION ON TRANSFER OF OFFICE OF PER-**
 18 **SONNEL MANAGEMENT.**

19 *The President or his designee may not take any action*
 20 *to transfer, transition, merge, or consolidate any functions,*
 21 *responsibilities, programs, authorities, information tech-*
 22 *nology systems, staff, resources, or records of the Office of*
 23 *Personnel to or with the General Services Administration,*
 24 *the Office of Management and Budget, or the Executive Of-*
 25 *fice of the President.*

1 **SEC. 1117. REVIEW OF STANDARD OCCUPATIONAL CLASSI-**
 2 **FICATION SYSTEM.**

3 *The Director of the Office of Management and Budget*
 4 *shall not later than 30 days after the date of the enactment*
 5 *of this Act, categorize public safety telecommunicators as*
 6 *a protective service occupation under the Standard Occupa-*
 7 *tional Classification System.*

8 **SEC. 1118. ASSESSMENT OF ACCELERATED PROMOTION**
 9 **PROGRAM SUSPENSION.**

10 *(a) IN GENERAL.—Not later than 90 days after the*
 11 *date of the enactment of this Act, the Secretary of the Navy*
 12 *shall enter into an agreement with a Federally funded re-*
 13 *search and development center with relevant expertise to*
 14 *conduct an assessment of the impacts resulting from the*
 15 *Navy’s suspension in 2016 of the Accelerated Promotion*
 16 *Program (in this section referred to as the “APP”).*

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

19 *(1) An identification of the employees who were*
 20 *hired at the four public shipyards between January*
 21 *23, 2016, and December 22, 2016, covering the period*
 22 *in which APP was suspended, and who would have*
 23 *otherwise been eligible for APP had the program been*
 24 *in effect at the time they were hired.*

25 *(2) An assessment for each employee identified*
 26 *in paragraph (1) to determine the difference between*

1 wages earned from the date of hire to the date on
2 which the wage data would be collected and the wages
3 which would have been earned during this same pe-
4 riod should that employee have participated in APP
5 from the date of hire and been promoted according to
6 the average promotion timeframe for participants
7 hired in the five-year period prior to the suspension.

8 (3) An assessment for each employee identified
9 in paragraph (1) to determine at what grade and step
10 each effected employee would be at on October 1, 2020,
11 had that employee been promoted according to the av-
12 erage promotion timeframe for participants hired in
13 the five-year period prior to the suspension.

14 (4) An evaluation of existing authorities avail-
15 able to the Secretary to determine whether the Sec-
16 retary can take measures using those authorities to
17 provide the pay difference and corresponding interest,
18 at a rate of the federal short-term interest rate plus
19 3 percent, to each effected employee identified in
20 paragraph (2) and directly promote the employee to
21 the grade and step identified in paragraph (3).

22 (c) *REPORT.*—The Secretary shall submit to the con-
23 gressional defense committees a report on the results of the
24 evaluation by not later than June 1, 2020, and shall pro-
25 vide 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 reloca-
 16 tion”; and

17 (B) in the second sentence, by striking “em-
 18 ployee” and inserting “individual, or the indi-
 19 vidual”; 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.*—The
 2 *table of sections for chapter 57 of title 5, United States*
 3 *Code, is amended by striking the item relating to section*
 4 *5724b and inserting the following:*

“5724b. Taxes on reimbursements for travel, transportation, and relocation ex-
penses”.

5 (c) *EFFECTIVE DATE.*—The amendments made by this
 6 *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 head*
 18 *of an agency may appoint under this section during*
 19 *a fiscal year may not exceed the number equal to 15*
 20 *percent of the number of students that the agency*
 21 *head appointed during the previous fiscal year to a*
 22 *position at the GS–11 level, or an equivalent level, or*
 23 *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 is*
 14 *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 the
8 amount of leave available to an employee under sub-
9 section (a) to a total of not more than 16 administra-
10 tive 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 economically
25 disadvantaged employees and their children; and

1 “(vi) such other factors as the Director con-
2 siders necessary; and

3 “(B) shall prescribe any regulations necessary to
4 carry out this subsection, including the manner in
5 which an employee may designate any day or other
6 period as to which such employee wishes to use leave
7 under subsection (a).”.

8 (b) *EFFECTIVE DATE.*—The amendment made by this
9 section shall not be effective with respect to any birth or
10 placement occurring before October 1, 2020.

11 **SEC. 1123. PAID FAMILY LEAVE FOR CONGRESSIONAL EM-**
12 **PLOYEES.**

13 (a) *AMENDMENTS TO CONGRESSIONAL ACCOUNT-*
14 *ABILITY ACT.*—Section 202 of the Congressional Account-
15 ability Act of 1995 (2 U.S.C. 1312) is amended—

16 (1) in subsection (a)(1), by adding at the end the
17 following: “In applying section 102(a)(1) of such Act
18 to covered employees, subsection (d) shall apply.”;

19 (2) by redesignating subsections (d) and (e) as
20 subsections (e) and (f), respectively; and

21 (3) by inserting after subsection (c) the fol-
22 lowing:

23 “(d) *SPECIAL RULE FOR PAID FAMILY LEAVE FOR*
24 *CONGRESSIONAL EMPLOYEES.*—

1 “(1) *IN GENERAL.*—Any leave taken by a covered
 2 employee under section 102(a)(1) of the Family and
 3 Medical Leave Act of 1993 (29 U.S.C. 2612(a)(1))
 4 shall be paid leave.

5 “(2) *AMOUNT OF PAID LEAVE.*—The paid leave
 6 that is available to a covered employee for purposes
 7 of paragraph (1) is—

8 “(A) the number of weeks of paid family
 9 leave in connection with the birth or placement
 10 involved that correspond to the number of ad-
 11 ministrative workweeks of paid family leave
 12 available to Federal employees under section
 13 6382(d)(3)(A) of title 5, United States Code; and

14 “(B) any additional paid vacation or sick
 15 leave provided by the employing office to such
 16 employee.

17 “(3) *SUBSTITUTION.*—An employee may elect to
 18 substitute for any leave under such section 102(a)(1)
 19 any other paid leave which is available to such em-
 20 ployee for that purpose. The previous sentence shall
 21 not be construed to require that an employee first use
 22 all or any portion of the other paid leave before being
 23 allowed to use the paid family leave described in this
 24 subsection.

1 “(4) *ADDITIONAL RULES.—Paid family leave*
 2 *under this subsection—*

3 “(A) *shall be payable from any appropria-*
 4 *tion or fund available for salaries or expenses for*
 5 *positions within the employing office; and*

6 “(B) *if not used by the covered employee be-*
 7 *fore the end of the 12-month period (as referred*
 8 *to in section 102(a)(1) of the Family and Med-*
 9 *ical Leave Act of 1993 (29 U.S.C. 2612(a)(1)))*
 10 *to which it relates, shall not accumulate for any*
 11 *subsequent use.”.*

12 (b) *EFFECTIVE DATE.—The amendment made by this*
 13 *section shall not be effective with respect to any birth or*
 14 *placement occurring before October 1, 2020.*

15 **SEC. 1124. CONFORMING AMENDMENT TO FAMILY AND**
 16 **MEDICAL LEAVE ACT FOR GAO EMPLOYEES.**

17 (a) *AMENDMENT TO FAMILY AND MEDICAL LEAVE ACT*
 18 *OF 1993.—Section 102(d) of the Family and Medical Leave*
 19 *Act of 1993 (29 U.S.C. 2612(d)) is amended by adding at*
 20 *the end the following:*

21 “(3) *SPECIAL RULE FOR GAO EMPLOYEES.—*

22 “(A) *IN GENERAL.—Any leave under sub-*
 23 *section (a)(1) taken by an employee of the Gov-*
 24 *ernment Accountability Office shall be paid*
 25 *leave.*

1 “(B) *AMOUNT OF PAID LEAVE.*—*The paid*
 2 *leave that is available to such an employee for*
 3 *purposes of subparagraph (A) is—*

4 “(i) *the number of weeks of paid fam-*
 5 *ily leave in connection with the birth or*
 6 *placement involved that correspond to the*
 7 *number of administrative workweeks of*
 8 *paid family leave available to Federal em-*
 9 *ployees under section 6382(d)(3)(A) of title*
 10 *5, United States Code; and*

11 “(ii) *any additional paid vacation or*
 12 *sick leave provided by such employer.*

13 “(C) *SUBSTITUTION.*—*An employee may*
 14 *elect to substitute for any leave under subsection*
 15 *(a)(1) any other paid leave which is available to*
 16 *such employee for that purpose. The previous*
 17 *sentence shall not be construed to require that an*
 18 *employee first use all or any portion of the other*
 19 *paid leave before being allowed to use the paid*
 20 *family leave described in this subsection.*

21 “(D) *ADDITIONAL RULES.*—*Paid family*
 22 *leave under subsection (a)(1)—*

23 “(i) *shall be payable from any appro-*
 24 *priation or fund available for salaries or*

1 *expenses for positions with the Government*
 2 *Accountability Office; and*

3 “(ii) if not used by the employee of
 4 such employer before the end of the 12-
 5 month period (as referred to in subsection
 6 (a)(1)) to which it relates, shall not accu-
 7 mulate for any subsequent use.”.

8 (b) *EFFECTIVE DATE.*—*The amendment made by this*
 9 *section shall not be effective with respect to any birth or*
 10 *placement occurring before October 1, 2020.*

11 **SEC. 1125. CLARIFICATION FOR MEMBERS OF THE NA-**
 12 **TIONAL GUARD AND RESERVES.**

13 (a) *EXECUTIVE BRANCH EMPLOYEES.*—*For purposes*
 14 *of determining the eligibility of an employee who is a mem-*
 15 *ber of the National Guard or Reserves to take leave under*
 16 *section 6382(a) of title 5, United States Code, or to sub-*
 17 *stitute such leave pursuant to paragraph (2) of such section*
 18 *(as added by section 1122), any service by such employee*
 19 *on active duty (as defined in section 6381(7) of such title)*
 20 *shall be counted as service as an employee for purposes of*
 21 *section 6381(1)(B) of such title.*

22 (b) *CONGRESSIONAL EMPLOYEES.*—*For purposes of*
 23 *determining the eligibility of a covered employee (as such*
 24 *term is defined in section 101(3) of the Congressional Ac-*
 25 *countability Act) who is a member of the National Guard*

1 *or Reserves to take leave under section 102(a)(1) of the*
 2 *Family and Medical Leave Act of 1993 (pursuant to section*
 3 *202(a)(1) of the Congressional Accountability Act), or to*
 4 *substitute such leave pursuant to subsection (d) of section*
 5 *202 of such Act (as added by section 1123), any service*
 6 *by such employee on active duty (as defined in section*
 7 *101(14) of the Family and Medical Leave Act of 1993) shall*
 8 *be counted as time during which such employee has been*
 9 *employed in an employing office for purposes of section*
 10 *202(a)(2)(B) of the Congressional Accountability Act.*

11 *(c) GAO EMPLOYEES.—For purposes of determining*
 12 *the eligibility of an employee of the Government Account-*
 13 *ability Office who is a member of the National Guard or*
 14 *Reserves to take leave under section 102(a)(1) of the Family*
 15 *and Medical Leave Act of 1993, or to substitute such leave*
 16 *pursuant to paragraph (3) of section 102(d) of such Act*
 17 *(as added by section 1124), any service by such employee*
 18 *on active duty (as defined in section 101(14) of such Act)*
 19 *shall be counted as time during which such employee has*
 20 *been employed for purposes of section 101(2)(A) of such Act.*

21 **SEC. 1126. CONFORMING AMENDMENT FOR CERTAIN TSA**
 22 **EMPLOYEES.**

23 *Section 111(d)(2) of the Aviation and Transportation*
 24 *Security Act (49 U.S.C. 44935 note) is amended to read*
 25 *as follows:*

1 “(2) *EXCEPTIONS.*—

2 “(A) *REEMPLOYMENT.*—*In carrying out the*
 3 *functions authorized under paragraph (1), the*
 4 *Under Secretary shall be subject to the provisions*
 5 *set forth in chapter 43 of title 38, United States*
 6 *Code.*

7 “(B) *LEAVE.*—*The provisions of section*
 8 *6382(a)(1) of title 5, United States Code, and*
 9 *subsection (c) of such section shall apply to any*
 10 *individual appointed under paragraph (1).”.*

11 ***Subtitle C—Limiting Use of Crimi-***
 12 ***nal History in Federal Hiring***
 13 ***and Contracting***

14 ***SEC. 1131. SHORT TITLE.***

15 *This subtitle may be cited as the “Fair Chance to Com-*
 16 *pete for Jobs Act of 2019” or the “Fair Chance Act”.*

17 ***SEC. 1132. PROHIBITION ON CRIMINAL HISTORY INQUIRIES***

18 ***PRIOR TO CONDITIONAL OFFER FOR FED-***

19 ***ERAL EMPLOYMENT.***

20 *(a) IN GENERAL.*—*Subpart H of part III of title 5,*
 21 *United States Code, is amended by adding at the end the*
 22 *following:*

1 **“CHAPTER 92—PROHIBITION ON CRIMI-**
 2 **NAL HISTORY INQUIRIES PRIOR TO**
 3 **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.*

4 **“§ 9201. *Definitions***

5 *“In this chapter—*

6 *“(1) the term ‘agency’ means ‘Executive agency’*
 7 *as such term is defined in section 105 and includes—*

8 *“(A) the United States Postal Service and*
 9 *the Postal Regulatory Commission; and*

10 *“(B) the Executive Office of the President;*

11 *“(2) the term ‘appointing authority’ means an*
 12 *employee in the executive branch of the Government*
 13 *of the United States that has authority to make ap-*
 14 *pointments to positions in the civil service;*

15 *“(3) the term ‘conditional offer’ means an offer*
 16 *of employment in a position in the civil service that*
 17 *is conditioned upon the results of a criminal history*
 18 *inquiry;*

19 *“(4) the term ‘criminal history record informa-*
 20 *tion’—*

1 “(A) *except as provided in subparagraphs*
 2 *(B) and (C), has the meaning given the term in*
 3 *section 9101(a);*

4 “(B) *includes any information described in*
 5 *the first sentence of section 9101(a)(2) that has*
 6 *been sealed or expunged pursuant to law; and*

7 “(C) *includes information collected by a*
 8 *criminal justice agency, relating to an act or al-*
 9 *leged act of juvenile delinquency, that is analo-*
 10 *gous to criminal history record information (in-*
 11 *cluding such information that has been sealed or*
 12 *expunged pursuant to law); and*

13 “(5) *the term ‘suspension’ has the meaning given*
 14 *the term in section 7501.*

15 **“§ 9202. Limitations on requests for criminal history**
 16 ***record information***

17 “(a) *INQUIRIES PRIOR TO CONDITIONAL OFFER.—Ex-*
 18 *cept as provided in subsections (b) and (c), an employee*
 19 *of an agency may not request, in oral or written form (in-*
 20 *cluding through the Declaration for Federal Employment*
 21 *(Office of Personnel Management Optional Form 306) or*
 22 *any similar successor form, the USAJOBS internet website,*
 23 *or any other electronic means) that an applicant for an*
 24 *appointment to a position in the civil service disclose crimi-*
 25 *nal history record information regarding the applicant be-*

1 *fore the appointing authority extends a conditional offer to*
 2 *the applicant.*

3 “(b) *OTHERWISE REQUIRED BY LAW.*—*The prohibi-*
 4 *tion under subsection (a) shall not apply with respect to*
 5 *an applicant for a position in the civil service if consider-*
 6 *ation of criminal history record information prior to a con-*
 7 *ditional offer with respect to the position is otherwise re-*
 8 *quired by law.*

9 “(c) *EXCEPTION FOR CERTAIN POSITIONS.*—

10 “(1) *IN GENERAL.*—*The prohibition under sub-*
 11 *section (a) shall not apply with respect to an appli-*
 12 *cant for an appointment to a position—*

13 “(A) *that requires a determination of eligi-*
 14 *bility described in clause (i), (ii), or (iii) of sec-*
 15 *tion 9101(b)(1)(A);*

16 “(B) *as a Federal law enforcement officer*
 17 *(as defined in section 115(c) of title 18); or*

18 “(C) *identified by the Director of the Office*
 19 *of Personnel Management in the regulations*
 20 *issued under paragraph (2).*

21 “(2) *REGULATIONS.*—

22 “(A) *ISSUANCE.*—*The Director of the Office*
 23 *of Personnel Management shall issue regulations*
 24 *identifying additional positions with respect to*
 25 *which the prohibition under subsection (a) shall*

1 *not apply, giving due consideration to positions*
 2 *that involve interaction with minors, access to*
 3 *sensitive information, or managing financial*
 4 *transactions.*

5 “(B) COMPLIANCE WITH CIVIL RIGHTS
 6 LAWS.—*The regulations issued under subpara-*
 7 *graph (A) shall—*

8 “(i) *be consistent with, and in no way*
 9 *supersede, restrict, or limit the application*
 10 *of title VII of the Civil Rights Act of 1964*
 11 *(42 U.S.C. 2000e et seq.) or other relevant*
 12 *Federal civil rights laws; and*

13 “(ii) *ensure that all hiring activities*
 14 *conducted pursuant to the regulations are*
 15 *conducted in a manner consistent with rel-*
 16 *evant Federal civil rights laws.*

17 **“§ 9203. Agency policies; complaint procedures**

18 *“The Director of the Office of Personnel Management*
 19 *shall—*

20 “(1) *develop, implement, and publish a policy to*
 21 *assist employees of agencies in complying with section*
 22 *9202 and the regulations issued pursuant to such sec-*
 23 *tion; and*

24 “(2) *establish and publish procedures under*
 25 *which an applicant for an appointment to a position*

1 *in the civil service may submit a complaint, or any*
2 *other information, relating to compliance by an em-*
3 *ployee of an agency with section 9202.*

4 **“§ 9204. Adverse action**

5 “(a) *FIRST VIOLATION.*—*If the Director of the Office*
6 *of Personnel Management determines, after notice and an*
7 *opportunity for a hearing on the record, that an employee*
8 *of an agency has violated section 9202, the Director shall—*

9 “(1) *issue to the employee a written warning*
10 *that includes a description of the violation and the*
11 *additional penalties that may apply for subsequent*
12 *violations; and*

13 “(2) *file such warning in the employee’s official*
14 *personnel record file.*

15 “(b) *SUBSEQUENT VIOLATIONS.*—*If the Director of the*
16 *Office of Personnel Management determines, after notice*
17 *and an opportunity for a hearing on the record, that an*
18 *employee that was subject to subsection (a) has committed*
19 *a subsequent violation of section 9202, the Director may*
20 *take the following action:*

21 “(1) *For a second violation, suspension of the*
22 *employee for a period of not more than 7 days.*

23 “(2) *For a third violation, suspension of the em-*
24 *ployee for a period of more than 7 days.*

25 “(3) *For a fourth violation—*

1 “(A) suspension of the employee for a period
2 of more than 7 days; and

3 “(B) a civil penalty against the employee in
4 an amount that is not more than \$250.

5 “(4) For a fifth violation—

6 “(A) suspension of the employee for a period
7 of more than 7 days; and

8 “(B) a civil penalty against the employee in
9 an amount that is not more than \$500.

10 “(5) For any subsequent violation—

11 “(A) suspension of the employee for a period
12 of more than 7 days; and

13 “(B) a civil penalty against the employee in
14 an amount that is not more than \$1,000.

15 **“§ 9205. Procedures**

16 “(a) APPEALS.—The Director of the Office of Personnel
17 Management shall by rule establish procedures providing
18 for an appeal from any adverse action taken under section
19 9204 by not later than 30 days after the date of the action.

20 “(b) APPLICABILITY OF OTHER LAWS.—An adverse
21 action taken under section 9204 (including a determination
22 in an appeal from such an action under subsection (a) of
23 this section) shall not be subject to—

24 “(1) the procedures under chapter 75; or

1 “(2) *except as provided in subsection (a) of this*
 2 *section, appeal or judicial review.*

3 **“§ 9206. Rules of construction**

4 *“Nothing in this chapter may be construed to—*

5 *“(1) authorize any officer or employee of an*
 6 *agency to request the disclosure of information de-*
 7 *scribed under subparagraphs (B) and (C) of section*
 8 *9201(4); or*

9 *“(2) create a private right of action for any per-*
 10 *son.”.*

11 ***(b) REGULATIONS; EFFECTIVE DATE.—***

12 *(1) REGULATIONS.—Not later than 1 year after*
 13 *the date of enactment of this subtitle, the Director of*
 14 *the Office of Personnel Management shall issue such*
 15 *regulations as are necessary to carry out chapter 92*
 16 *of title 5, United States Code (as added by this sub-*
 17 *title).*

18 *(2) EFFECTIVE DATE.—Section 9202 of title 5,*
 19 *United States Code (as added by this subtitle), shall*
 20 *take effect on the date that is 2 years after the date*
 21 *of enactment of this subtitle.*

22 ***(c) TECHNICAL AND CONFORMING AMENDMENT.—The***
 23 *table of chapters for part III of title 5, United States Code,*
 24 *is amended by inserting after the item relating to chapter*
 25 *91 the following:*

“92. Prohibition on criminal history inquiries prior to conditional offer 9201”.

1 (d) *APPLICATION TO LEGISLATIVE BRANCH.*—

2 (1) *IN GENERAL.*—*The Congressional Account-*
3 *ability Act of 1995 (2 U.S.C. 1301 et seq.) is amend-*
4 *ed—*

5 (A) *in section 102(a) (2 U.S.C. 1302(a)), by*
6 *adding at the end the following:*

7 “(12) *Section 9202 of title 5, United States*
8 *Code.*”;

9 (B) *by redesignating section 207 (2 U.S.C.*
10 *1317) as section 208; and*

11 (C) *by inserting after section 206 (2 U.S.C.*
12 *1316) the following new section:*

13 **“SEC. 207. RIGHTS AND PROTECTIONS RELATING TO CRIMI-**
14 **NAL HISTORY INQUIRIES.**

15 “(a) *DEFINITIONS.*—*In this section, the terms ‘agency’,*
16 *‘criminal history record information’, and ‘suspension’*
17 *have the meanings given the terms in section 9201 of title*
18 *5, United States Code, except as otherwise modified by this*
19 *section.*

20 “(b) *RESTRICTIONS ON CRIMINAL HISTORY INQUIR-*
21 *IES.*—

22 “(1) *IN GENERAL.*—

23 (A) *IN GENERAL.*—*Except as provided in*
24 *subparagraph (B), an employee of an employing*

1 *office may not request that an applicant for em-*
2 *ployment as a covered employee disclose criminal*
3 *history record information if the request would*
4 *be prohibited under section 9202 of title 5,*
5 *United States Code, if made by an employee of*
6 *an agency.*

7 “(B) *CONDITIONAL OFFER.*—*For purposes*
8 *of applying that section 9202 under subpara-*
9 *graph (A), a reference in that section 9202 to a*
10 *conditional offer shall be considered to be an*
11 *offer of employment as a covered employee that*
12 *is conditioned upon the results of a criminal his-*
13 *tory inquiry.*

14 “(2) *RULES OF CONSTRUCTION.*—*The provisions*
15 *of section 9206 of title 5, United States Code, shall*
16 *apply to employing offices, consistent with regulations*
17 *issued under subsection (d).*

18 “(c) *REMEDY.*—

19 “(1) *IN GENERAL.*—*The remedy for a violation*
20 *of subsection (b)(1) shall be such remedy as would be*
21 *appropriate if awarded under section 9204 of title 5,*
22 *United States Code, if the violation had been com-*
23 *mitted by an employee of an agency, consistent with*
24 *regulations issued under subsection (d), except that*
25 *the reference in that section to a suspension shall be*

1 *considered to be a suspension with the level of com-*
 2 *ensation provided for a covered employee who is tak-*
 3 *ing unpaid leave under section 202.*

4 “(2) *PROCESS FOR OBTAINING RELIEF.*—An ap-
 5 *plicant for employment as a covered employee who al-*
 6 *leges a violation of subsection (b)(1) may rely on the*
 7 *provisions of title IV (other than section 407 or 408,*
 8 *or a provision of this title that permits a person to*
 9 *obtain a civil action or judicial review), consistent*
 10 *with regulations issued under subsection (d).*

11 “(d) *REGULATIONS TO IMPLEMENT SECTION.*—

12 “(1) *IN GENERAL.*—Not later than 18 months
 13 *after the date of enactment of the Fair Chance to*
 14 *Compete for Jobs Act of 2019, the Board shall, pursu-*
 15 *ant to section 304, issue regulations to implement this*
 16 *section.*

17 “(2) *PARALLEL WITH AGENCY REGULATIONS.*—
 18 *The regulations issued under paragraph (1) shall be*
 19 *the same as substantive regulations issued by the Di-*
 20 *rector of the Office of Personnel Management under*
 21 *section 2(b)(1) of the Fair Chance to Compete for Jobs*
 22 *Act of 2019 to implement the statutory provisions re-*
 23 *ferred to in subsections (a) through (c) except to the*
 24 *extent that the Board may determine, for good cause*
 25 *shown and stated together with the regulation, that a*

1 *modification of such regulations would be more effec-*
 2 *tive for the implementation of the rights and protec-*
 3 *tions under this section.*

4 “(e) *EFFECTIVE DATE.*—Section 102(a)(12) and sub-
 5 sections (a) through (c) shall take effect on the date on which
 6 section 9202 of title 5, United States Code, applies with
 7 respect to agencies.”.

8 (2) *CLERICAL AMENDMENTS.*—

9 (A) *The table of contents in section 1(b) of*
 10 *the Congressional Accountability Act of 1995*
 11 *(Public Law 104–1; 109 Stat. 3) is amended—*

12 (i) *by redesignating the item relating*
 13 *to section 207 as the item relating to section*
 14 *208; and*

15 (ii) *by inserting after the item relating*
 16 *to section 206 the following new item:*

 “Sec. 207. *Rights and protections relating to criminal history inquiries.*”.

17 (B) *Section 62(e)(2) of the Internal Revenue*
 18 *Code of 1986 is amended by striking “or 207”*
 19 *and inserting “207, or 208”.*

20 (e) *APPLICATION TO JUDICIAL BRANCH.*—

21 (1) *IN GENERAL.*—Section 604 of title 28,
 22 *United States Code, is amended by adding at the end*
 23 *the following:*

24 “(i) *RESTRICTIONS ON CRIMINAL HISTORY INQUIR-*
 25 *IES.*—

1 “(1) *DEFINITIONS.*—*In this subsection—*

2 “(A) *the terms ‘agency’ and ‘criminal his-*
3 *tory record information’ have the meanings*
4 *given those terms in section 9201 of title 5;*

5 “(B) *the term ‘covered employee’ means an*
6 *employee of the judicial branch of the United*
7 *States Government, other than—*

8 “(i) *any judge or justice who is enti-*
9 *tled to hold office during good behavior;*

10 “(ii) *a United States magistrate judge;*
11 *or*

12 “(iii) *a bankruptcy judge; and*

13 “(C) *the term ‘employing office’ means any*
14 *office or entity of the judicial branch of the*
15 *United States Government that employs covered*
16 *employees.*

17 “(2) *RESTRICTION.*—*A covered employee may*
18 *not request that an applicant for employment as a*
19 *covered employee disclose criminal history record in-*
20 *formation if the request would be prohibited under*
21 *section 9202 of title 5 if made by an employee of an*
22 *agency.*

23 “(3) *EMPLOYING OFFICE POLICIES; COMPLAINT*
24 *PROCEDURE.*—*The provisions of sections 9203 and*
25 *9206 of title 5 shall apply to employing offices and*

1 to applicants for employment as covered employees,
 2 consistent with regulations issued by the Director to
 3 implement this subsection.

4 “(4) *ADVERSE ACTION*.—

5 “(A) *ADVERSE ACTION*.—*The Director may*
 6 *take such adverse action with respect to a cov-*
 7 *ered employee who violates paragraph (2) as*
 8 *would be appropriate under section 9204 of title*
 9 *5 if the violation had been committed by an em-*
 10 *ployee of an agency.*

11 “(B) *APPEALS*.—*The Director shall by rule*
 12 *establish procedures providing for an appeal*
 13 *from any adverse action taken under subpara-*
 14 *graph (A) by not later than 30 days after the*
 15 *date of the action.*

16 “(C) *APPLICABILITY OF OTHER LAWS*.—*Ex-*
 17 *cept as provided in subparagraph (B), an ad-*
 18 *verse action taken under subparagraph (A) (in-*
 19 *cluding a determination in an appeal from such*
 20 *an action under subparagraph (B)) shall not be*
 21 *subject to appeal or judicial review.*

22 “(5) *REGULATIONS TO BE ISSUED*.—

23 “(A) *IN GENERAL*.—*Not later than 18*
 24 *months after the date of enactment of the Fair*
 25 *Chance to Compete for Jobs Act of 2019, the Di-*

1 *rector shall issue regulations to implement this*
 2 *subsection.*

3 “(B) *PARALLEL WITH AGENCY REGULA-*
 4 *TIONS.—The regulations issued under subpara-*
 5 *graph (A) shall be the same as substantive regu-*
 6 *lations promulgated by the Director of the Office*
 7 *of Personnel Management under section 2(b)(1)*
 8 *of the Fair Chance to Compete for Jobs Act of*
 9 *2019 except to the extent that the Director of the*
 10 *Administrative Office of the United States*
 11 *Courts may determine, for good cause shown and*
 12 *stated together with the regulation, that a modi-*
 13 *fication of such regulations would be more effec-*
 14 *tive for the implementation of the rights and*
 15 *protections under this subsection.*

16 “(6) *EFFECTIVE DATE.—Paragraphs (1) through*
 17 *(4) shall take effect on the date on which section 9202*
 18 *of title 5 applies with respect to agencies.”.*

19 **SEC. 1133. PROHIBITION ON CRIMINAL HISTORY INQUIRIES**
 20 **BY CONTRACTORS PRIOR TO CONDITIONAL**
 21 **OFFER.**

22 *(a) CIVILIAN AGENCY CONTRACTS.—*

23 *(1) IN GENERAL.—Chapter 47 of title 41, United*
 24 *States Code, is amended by adding at the end the fol-*
 25 *lowing new section:*

1 **“§4714. Prohibition on criminal history inquiries by**
 2 **contractors prior to conditional offer**

3 “(a) *LIMITATION ON CRIMINAL HISTORY INQUIRIES.—*

4 “(1) *IN GENERAL.—Except as provided in para-*
 5 *graphs (2) and (3), an executive agency—*

6 “(A) *may not require that an individual or*
 7 *sole proprietor who submits a bid for a contract*
 8 *to disclose criminal history record information*
 9 *regarding that individual or sole proprietor be-*
 10 *fore determining the apparent awardee; and*

11 “(B) *shall require, as a condition of receiv-*
 12 *ing a Federal contract and receiving payments*
 13 *under such contract that the contractor may not*
 14 *verbally, or through written form, request the*
 15 *disclosure of criminal history record information*
 16 *regarding an applicant for a position related to*
 17 *work under such contract before the contractor*
 18 *extends a conditional offer to the applicant.*

19 “(2) *OTHERWISE REQUIRED BY LAW.—The pro-*
 20 *hibition under paragraph (1) does not apply with re-*
 21 *spect to a contract if consideration of criminal his-*
 22 *tory record information prior to a conditional offer*
 23 *with respect to the position is otherwise required by*
 24 *law.*

25 “(3) *EXCEPTION FOR CERTAIN POSITIONS.—*

1 “(A) *IN GENERAL.*—*The prohibition under*
2 *paragraph (1) does not apply with respect to—*

3 “(i) *a contract that requires an indi-*
4 *vidual hired under the contract to access*
5 *classified information or to have sensitive*
6 *law enforcement or national security duties;*
7 *or*

8 “(ii) *a position that the Administrator*
9 *of General Services identifies under the reg-*
10 *ulations issued under subparagraph (B).*

11 “(B) *REGULATIONS.*—

12 “(i) *ISSUANCE.*—*Not later than 16*
13 *months after the date of enactment of the*
14 *Fair Chance to Compete for Jobs Act of*
15 *2019, the Administrator of General Serv-*
16 *ices, in consultation with the Secretary of*
17 *Defense, shall issue regulations identifying*
18 *additional positions with respect to which*
19 *the prohibition under paragraph (1) shall*
20 *not apply, giving due consideration to posi-*
21 *tions that involve interaction with minors,*
22 *access to sensitive information, or man-*
23 *aging financial transactions.*

1 “(ii) *COMPLIANCE WITH CIVIL RIGHTS*
 2 *LAWS.—The regulations issued under clause*
 3 *(i) shall—*

4 “(I) *be consistent with, and in no*
 5 *way supersede, restrict, or limit the*
 6 *application of title VII of the Civil*
 7 *Rights Act of 1964 (42 U.S.C. 2000e et*
 8 *seq.) or other relevant Federal civil*
 9 *rights laws; and*

10 “(II) *ensure that all hiring activi-*
 11 *ties conducted pursuant to the regula-*
 12 *tions are conducted in a manner con-*
 13 *sistent with relevant Federal civil*
 14 *rights laws.*

15 “(b) *COMPLAINT PROCEDURES.—The Administrator of*
 16 *General Services shall establish and publish procedures*
 17 *under which an applicant for a position with a Federal*
 18 *contractor may submit to the Administrator a complaint,*
 19 *or any other information, relating to compliance by the*
 20 *contractor with subsection (a)(1)(B).*

21 “(c) *ACTION FOR VIOLATIONS OF PROHIBITION ON*
 22 *CRIMINAL HISTORY INQUIRIES.—*

23 “(1) *FIRST VIOLATION.—If the head of an execu-*
 24 *tive agency determines that a contractor has violated*
 25 *subsection (a)(1)(B), such head shall—*

1 “(A) notify the contractor;

2 “(B) provide 30 days after such notification
3 for the contractor to appeal the determination;
4 and

5 “(C) issue a written warning to the con-
6 tractor that includes a description of the viola-
7 tion and the additional remedies that may apply
8 for subsequent violations.

9 “(2) *SUBSEQUENT VIOLATION.*—If the head of an
10 executive agency determines that a contractor that
11 was subject to paragraph (1) has committed a subse-
12 quent violation of subsection (a)(1)(B), such head
13 shall notify the contractor, shall provide 30 days after
14 such notification for the contractor to appeal the de-
15 termination, and, in consultation with the relevant
16 Federal agencies, may take actions, depending on the
17 severity of the infraction and the contractor’s history
18 of violations, including—

19 “(A) providing written guidance to the con-
20 tractor that the contractor’s eligibility for con-
21 tracts requires compliance with this section;

22 “(B) requiring that the contractor respond
23 within 30 days affirming that the contractor is
24 taking steps to comply with this section; and

1 “(C) *suspending payment under the con-*
 2 *tract for which the applicant was being consid-*
 3 *ered until the contractor demonstrates compli-*
 4 *ance with this section.*

5 “(d) *DEFINITIONS.—In this section:*

6 “(1) *CONDITIONAL OFFER.—The term ‘condi-*
 7 *tional offer’ means an offer of employment for a posi-*
 8 *tion related to work under a contract that is condi-*
 9 *tioned upon the results of a criminal history inquiry.*

10 “(2) *CRIMINAL HISTORY RECORD INFORMA-*
 11 *TION.—The term ‘criminal history record informa-*
 12 *tion’ has the meaning given that term in section 9201*
 13 *of title 5.”.*

14 “(2) *CLERICAL AMENDMENT.—The table of sec-*
 15 *tions for chapter 47 of title 41, United States Code,*
 16 *is amended by adding at the end the following new*
 17 *item:*

 “4714. *Prohibition on criminal history inquiries by contractors prior to condi-*
 tional offer.”.

18 “(3) *EFFECTIVE DATE.—Section 4714 of title 41,*
 19 *United States Code, as added by paragraph (1), shall*
 20 *apply with respect to contracts awarded pursuant to*
 21 *solicitations issued after the effective date described in*
 22 *section 1122(b)(2) of this subtitle.*

23 “(b) *DEFENSE CONTRACTS.—*

(1) *IN GENERAL.*—Chapter 137 of title 10, United States Code, is amended by inserting after section 2338 the following new section:

“§ 2339. Prohibition on criminal history inquiries by contractors prior to conditional offer

“(a) *LIMITATION ON CRIMINAL HISTORY INQUIRIES.*—

“(1) *IN GENERAL.*—Except as provided in paragraphs (2) and (3), the head of an agency—

“(A) may not require that an individual or sole proprietor who submits a bid for a contract to disclose criminal history record information regarding that individual or sole proprietor before determining the apparent awardee; and

“(B) shall require as a condition of receiving a Federal contract and receiving payments under such contract that the contractor may not verbally or through written form request the disclosure of criminal history record information regarding an applicant for a position related to work under such contract before such contractor extends a conditional offer to the applicant.

“(2) *OTHERWISE REQUIRED BY LAW.*—The prohibition under paragraph (1) does not apply with respect to a contract if consideration of criminal history record information prior to a conditional offer

1 *with respect to the position is otherwise required by*
2 *law.*

3 “(3) *EXCEPTION FOR CERTAIN POSITIONS.*—

4 “(A) *IN GENERAL.*—*The prohibition under*
5 *paragraph (1) does not apply with respect to—*

6 “(i) *a contract that requires an indi-*
7 *vidual hired under the contract to access*
8 *classified information or to have sensitive*
9 *law enforcement or national security duties;*
10 *or*

11 “(ii) *a position that the Secretary of*
12 *Defense identifies under the regulations*
13 *issued under subparagraph (B).*

14 “(B) *REGULATIONS.*—

15 “(i) *ISSUANCE.*—*Not later than 16*
16 *months after the date of enactment of the*
17 *Fair Chance to Compete for Jobs Act of*
18 *2019, the Secretary of Defense, in consulta-*
19 *tion with the Administrator of General*
20 *Services, shall issue regulations identifying*
21 *additional positions with respect to which*
22 *the prohibition under paragraph (1) shall*
23 *not apply, giving due consideration to posi-*
24 *tions that involve interaction with minors,*

1 *access to sensitive information, or man-*
 2 *aging financial transactions.*

3 “(ii) *COMPLIANCE WITH CIVIL RIGHTS*
 4 *LAWS.—The regulations issued under clause*
 5 *(i) shall—*

6 *“(I) be consistent with, and in no*
 7 *way supersede, restrict, or limit the*
 8 *application of title VII of the Civil*
 9 *Rights Act of 1964 (42 U.S.C. 2000e et*
 10 *seq.) or other relevant Federal civil*
 11 *rights laws; and*

12 *“(II) ensure that all hiring activi-*
 13 *ties conducted pursuant to the regula-*
 14 *tions are conducted in a manner con-*
 15 *sistent with relevant Federal civil*
 16 *rights laws.*

17 “(b) *COMPLAINT PROCEDURES.—The Secretary of De-*
 18 *fense shall establish and publish procedures under which an*
 19 *applicant for a position with a Department of Defense con-*
 20 *tractor may submit a complaint, or any other information,*
 21 *relating to compliance by the contractor with subsection*
 22 *(a)(1)(B).*

23 “(c) *ACTION FOR VIOLATIONS OF PROHIBITION ON*
 24 *CRIMINAL HISTORY INQUIRIES.—*

1 “(1) *FIRST VIOLATION.*—If the Secretary of De-
2 *fense determines that a contractor has violated sub-*
3 *section (a)(1)(B), the Secretary shall—*

4 “(A) *notify the contractor;*

5 “(B) *provide 30 days after such notification*
6 *for the contractor to appeal the determination;*
7 *and*

8 “(C) *issue a written warning to the con-*
9 *tractor that includes a description of the viola-*
10 *tion and the additional remedies that may apply*
11 *for subsequent violations.*

12 “(2) *SUBSEQUENT VIOLATIONS.*—If the Secretary
13 *of Defense determines that a contractor that was sub-*
14 *ject to paragraph (1) has committed a subsequent vio-*
15 *lation of subsection (a)(1)(B), the Secretary shall no-*
16 *tify the contractor, shall provide 30 days after such*
17 *notification for the contractor to appeal the deter-*
18 *mination, and, in consultation with the relevant Fed-*
19 *eral agencies, may take actions, depending on the se-*
20 *verity of the infraction and the contractor’s history of*
21 *violations, including—*

22 “(A) *providing written guidance to the con-*
23 *tractor that the contractor’s eligibility for con-*
24 *tracts requires compliance with this section;*

1 “(B) requiring that the contractor respond
2 within 30 days affirming that the contractor is
3 taking steps to comply with this section; and

4 “(C) suspending payment under the con-
5 tract for which the applicant was being consid-
6 ered until the contractor demonstrates compli-
7 ance with this section.

8 “(d) DEFINITIONS.—In this section:

9 “(1) CONDITIONAL OFFER.—The term ‘condi-
10 tional offer’ means an offer of employment for a posi-
11 tion related to work under a contract that is condi-
12 tioned upon the results of a criminal history inquiry.

13 “(2) CRIMINAL HISTORY RECORD INFORMA-
14 TION.—The term ‘criminal history record informa-
15 tion’ has the meaning given that term in section 9201
16 of title 5.”.

17 “(2) EFFECTIVE DATE.—Section 2339(a) of title
18 10, United States Code, as added by paragraph (1),
19 shall apply with respect to contracts awarded pursu-
20 ant to solicitations issued after the effective date de-
21 scribed in section 1122(b)(2) of this subtitle.

22 “(3) CLERICAL AMENDMENT.—The table of sec-
23 tions for chapter 137 of title 10, United States Code,
24 is amended by inserting after the item relating to sec-
25 tion 2338 the following new item:

“2339. Prohibition on criminal history inquiries by contractors prior to conditional offer.”.

1 (c) *REVISIONS TO FEDERAL ACQUISITION REGULA-*
2 *TION.—*

3 (1) *IN GENERAL.—Not later than 18 months*
4 *after the date of enactment of this subtitle, the Federal*
5 *Acquisition Regulatory Council shall revise the Fed-*
6 *eral Acquisition Regulation to implement section*
7 *4714 of title 41, United States Code, and section 2339*
8 *of title 10, United States Code, as added by this sec-*
9 *tion.*

10 (2) *CONSISTENCY WITH OFFICE OF PERSONNEL*
11 *MANAGEMENT REGULATIONS.—The Federal Acquisi-*
12 *tion Regulatory Council shall revise the Federal Ac-*
13 *quisition Regulation under paragraph (1) to be con-*
14 *sistent with the regulations issued by the Director of*
15 *the Office of Personnel Management under [section*
16 *1122(b)(1)] to the maximum extent practicable. The*
17 *Council shall include together with such revision an*
18 *explanation of any substantive modification of the Of-*
19 *fice of Personnel Management regulations, including*
20 *an explanation of how such modification will more ef-*
21 *fectively implement the rights and protections under*
22 *this section.*

1 **SEC. 1134. REPORT ON EMPLOYMENT OF INDIVIDUALS FOR-**
 2 **MERLY INCARCERATED IN FEDERAL PRIS-**
 3 **ONS.**

4 (a) *DEFINITION.*—*In this section, the term “covered*
 5 *individual”*—

6 (1) *means an individual who has completed a*
 7 *term of imprisonment in a Federal prison for a Fed-*
 8 *eral criminal offense; and*

9 (2) *does not include an alien who is or will be*
 10 *removed from the United States for a violation of the*
 11 *immigration laws (as such term is defined in section*
 12 *101 of the Immigration and Nationality Act (8*
 13 *U.S.C. 1101)).*

14 (b) *STUDY AND REPORT REQUIRED.*—*The Director of*
 15 *the Bureau of Justice Statistics, in coordination with the*
 16 *Director of the Bureau of the Census, shall—*

17 (1) *not later than 180 days after the date of en-*
 18 *actment of this subtitle, design and initiate a study*
 19 *on the employment of covered individuals after their*
 20 *release from Federal prison, including by collecting—*

21 (A) *demographic data on covered individ-*
 22 *uals, including race, age, and sex; and*

23 (B) *data on employment and earnings of*
 24 *covered individuals who are denied employment,*
 25 *including the reasons for the denials; and*

(2) *not later than 2 years after the date of enactment of this subtitle, and every 5 years thereafter, submit a report that does not include any personally 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:

1 “(9) *In the case of a program described in sub-*
 2 *section (a)(7), each of the following:*

3 “(A) *A description of whether assistance*
 4 *under the program could be provided pursuant*
 5 *to other authorities under this title, the Foreign*
 6 *Assistance Act of 1961, or any other train and*
 7 *equip authorities of the Department of Defense.*

8 “(B) *An identification of each such author-*
 9 *ity described in subparagraph (A).”.*

10 ***SEC. 1202. MODIFICATION AND EXTENSION OF CROSS SERV-***
 11 ***ICING AGREEMENTS FOR LOAN OF PER-***
 12 ***SONNEL PROTECTION AND PERSONNEL SUR-***
 13 ***VIVABILITY EQUIPMENT IN COALITION OPER-***
 14 ***ATIONS.***

15 *Section 1207 of the Carl Levin and Howard P. “Buck”*
 16 *McKeon National Defense Authorization Act for Fiscal Year*
 17 *2015 (10 U.S.C. 2342 note) is amended—*

18 (1) *by redesignating subsections (d) and (e) as*
 19 *subsections (e) and (f), respectively;*

20 (2) *by inserting after subsection (c) the fol-*
 21 *lowing:*

22 “(d) **REPORTS TO CONGRESS.**—*If the authority pro-*
 23 *vided under this section is exercised during a fiscal year,*
 24 *the Secretary of Defense shall, with the concurrence of the*
 25 *Secretary of State, submit to the appropriate committees*

1 of Congress a report on the exercise of such authority by
 2 not later than October 30 of the year in which such fiscal
 3 year ends. Each report on the exercise of such authority
 4 shall specify the recipient country of the equipment loaned,
 5 the type of equipment loaned, and the duration of the loan
 6 of such equipment.”; and

7 (3) in subsection (f), as redesignated, by striking
 8 “September 30, 2019” and inserting “December 31,
 9 2024”.

10 **SEC. 1203. MODIFICATION OF QUARTERLY REPORT ON OB-**
 11 **LIGATION AND EXPENDITURE OF FUNDS FOR**
 12 **SECURITY COOPERATION PROGRAMS AND AC-**
 13 **TIVITIES.**

14 Section 381(b) of title 10, United States Code, is
 15 amended by striking “30 days” and inserting “60 days”.

16 **SEC. 1204. INTEGRATION OF GENDER PERSPECTIVES AND**
 17 **MEANINGFUL PARTICIPATION BY WOMEN IN**
 18 **SECURITY COOPERATION AUTHORITIES.**

19 Section 333(c)(3) of title 10, United States Code, is
 20 amended—

21 (1) in the heading, by inserting “THE INTEGRA-
 22 TION OF GENDER PERSPECTIVES AND MEANINGFUL
 23 PARTICIPATION BY WOMEN,” after “FUNDAMENTAL
 24 FREEDOMS,”; and

1 (2) *in the text, by inserting “the integration of*
 2 *gender perspectives and meaningful participation by*
 3 *women,” after “fundamental freedoms,”.*

4 **SEC. 1205. REPORT ON PARTICIPANTS IN SECURITY CO-**
 5 **OPERATION TRAINING PROGRAMS AND RE-**
 6 **CIPIENTS OF SECURITY ASSISTANCE TRAIN-**
 7 **ING THAT HAVE BEEN DESIGNATED FOR**
 8 **HUMAN RIGHTS ABUSES OR TERRORIST AC-**
 9 **TIVITIES.**

10 (a) *IN GENERAL.*—*Not later than 180 days after the*
 11 *date of the enactment of this Act, the Secretary of State*
 12 *and the Secretary of Defense, in consultation with the heads*
 13 *of other appropriate Federal departments and agencies,*
 14 *shall submit to the appropriate congressional committees a*
 15 *report on individuals and units of security forces of foreign*
 16 *countries that—*

17 (1) *have participated in security cooperation*
 18 *training programs or received security assistance*
 19 *training authorized under the Foreign Assistance Act*
 20 *of 1961 (22 U.S.C. 2151 et seq.) or title 10, United*
 21 *States Code; and*

22 (2) *at any time during the period beginning on*
 23 *January 1, 2009, and ending on the date of the enact-*
 24 *ment of this Act—*

1 (A) have been subject to United States sanc-
 2 tions relating to violations of human rights
 3 under any provision of law, including under—

4 (i) the Global Magnitsky Human
 5 Rights Accountability Act (22 U.S.C. 2656
 6 note);

7 (ii) section 620M of the Foreign Assist-
 8 ance Act of 1961 (22 U.S.C. 2378d); or

9 (iii) section 362 of title 10, United
 10 States Code; or

11 (B) have been subject to United States sanc-
 12 tions relating to terrorist activities under au-
 13 thorities provided in—

14 (i) section 219 of the Immigration and
 15 Nationality Act (8 U.S.C. 1189);

16 (ii) the National Emergencies Act (50
 17 U.S.C. 1601 et seq.);

18 (iii) the International Emergency Eco-
 19 nomic Powers Act (50 U.S.C. 1701 et seq.),
 20 other than sanctions on the importation of
 21 goods provided for under such Act; or

22 (iv) any other provision of law.

23 (b) UPDATE.—The Secretary of State and the Sec-
 24 retary of Defense, in consultation with the heads of other
 25 appropriate Federal departments and agencies, shall sub-

1 *mit to the appropriate congressional committees an annual*
 2 *update of the report required by subsection (a) on individ-*
 3 *uals and units of security forces of foreign countries that—*

4 *(1) have participated in security cooperation*
 5 *training programs or received security assistance*
 6 *training authorized under the Foreign Assistance Act*
 7 *of 1961 (22 U.S.C. 2151 et seq.) or title 10, United*
 8 *States Code; and*

9 *(2) at any time during the preceding year, any*
 10 *of the provisions of subparagraph (A) or (B) of sub-*
 11 *section (a)(2) have applied with respect to such indi-*
 12 *viduals or units.*

13 *(c) FORM.—The report required by subsection (a) shall*
 14 *be submitted in unclassified form, but may include a classi-*
 15 *fied annex.*

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

17 *(1) APPROPRIATE CONGRESSIONAL COMMIT-*
 18 *TEES.—The term “appropriate congressional commit-*
 19 *tees” means—*

20 *(A) the Committee on Armed Services and*
 21 *the Committee on Foreign Relations of the Sen-*
 22 *ate; and*

23 *(B) the Committee on Armed Services and*
 24 *the Committee on Foreign Affairs of the House*
 25 *of Representatives.*

1 (2) *GOOD*.—The term “good” means any article,
 2 natural or man-made substance, material, supply or
 3 manufactured product, including inspection and test
 4 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, and
 15 submit to the congressional defense committees, the Com-
 16 mittee on Foreign Relations of the Senate, and the Com-
 17 mittee on Foreign Affairs of the House of Representatives
 18 a plan to provide consistency in administration of section
 19 362 of title 10, United States Code, and section 620M of
 20 the Foreign Assistance Act of 1961 (22 U.S.C. 2378d).

21 (b) *MATTERS TO BE INCLUDED*.—The plan required
 22 by subsection (a) shall contain the following:

23 (1) *Common standards and procedures which*
 24 *shall be used by the Department of Defense and De-*
 25 *partment of State to obtain and verify information*

1 *regarding the vetting of units of the security forces of*
 2 *foreign countries for gross violation of human rights*
 3 *under the authorities described in subsection (a), in-*
 4 *cluding—*

5 *(A) public guidelines for external sources to*
 6 *report information; and*

7 *(B) methods and criteria employed by the*
 8 *Department of Defense and Department of State*
 9 *to determine whether sources, source reporting,*
 10 *and allegations are credible.*

11 *(2) Measures to ensure the Department of De-*
 12 *fense has read-only access to the International Vetting*
 13 *and Security Tracking (INVEST) system, and any*
 14 *successor or equivalent system.*

15 *(3) Measures to ensure the authorities described*
 16 *in subsection (a) are applied to any foreign forces, ir-*
 17 *regular forces, groups, and individuals that receive*
 18 *support from the United States military.*

19 *(c) FORM.—The plan required by subsection (a) shall*
 20 *be submitted in unclassified form, but may include a classi-*
 21 *fied annex.*

22 *(d) INTEGRATION OF HUMAN RIGHTS AND CIVILIAN*
 23 *PROTECTION INTO ASSESSMENT, MONITORING, AND EVAL-*
 24 *UATION OF SECURITY COOPERATION PROGRAMS AND AC-*
 25 *TIVITIES.—*

1 (1) *REPORTS REQUIRED.*—*The Secretary of De-*
2 *fense shall submit to the appropriate congressional*
3 *committees an interim report and a final report on*
4 *the steps the Secretary will take to incorporate part-*
5 *ner units' activities, as such activities relate to*
6 *human rights and protection of civilians, into the*
7 *program elements described in section 383(b)(1) of*
8 *title 10, United States Code.*

9 (2) *DEADLINES.*—

10 (A) *INTERIM REPORT.*—*The interim report*
11 *required under paragraph (1) shall be submitted*
12 *to the appropriate congressional committees not*
13 *later than 180 days after the date of the enact-*
14 *ment of this Act and shall include a summary*
15 *of the progress of the Secretary in implementing*
16 *the steps described in such paragraph.*

17 (B) *FINAL REPORT.*—*The final report re-*
18 *quired under paragraph (1) shall be submitted to*
19 *the appropriate congressional committees not*
20 *later than one year after the date of enactment*
21 *of this Act and shall specifically identify the ac-*
22 *tions the Secretary took to implement the steps*
23 *described in paragraph (1).*

1 (3) *APPROPRIATE CONGRESSIONAL COMMITTEES*
 2 *DEFINED.*—*In this subsection, the term “appropriate*
 3 *congressional committees” means the following:*

4 (A) *The Committee on Armed Services and*
 5 *the Committee on Foreign Affairs of the House*
 6 *of Representatives.*

7 (B) *The Committee on Armed Services and*
 8 *the Committee on Foreign Relations of the Sen-*
 9 *ate.*

10 **SEC. 1207. PROHIBITION ON USE OF FUNDS TO TRANSFER**
 11 **DEFENSE ARTICLES AND SERVICES TO AZER-**
 12 **BAIJAN.**

13 *None of the funds authorized to be appropriated by this*
 14 *Act or otherwise made available to the Department of De-*
 15 *fense for fiscal year 2020 may be used to transfer defense*
 16 *articles or services to Azerbaijan unless the President cer-*
 17 *tifies to Congress that the transfer of such defense articles*
 18 *or services does not threaten civil aviation.*

19 **SEC. 1208. EXTENSION OF AUTHORITY FOR SUPPORT OF**
 20 **SPECIAL OPERATIONS FOR IRREGULAR WAR-**
 21 **FARE.**

22 *Section 1202(a) of the National Defense Authorization*
 23 *Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat.*
 24 *1639) is amended by striking “2020” and inserting “2023”.*

1 **SEC. 1209. MULTINATIONAL REGIONAL SECURITY EDU-**
2 **CATION CENTER.**

3 (a) *IN GENERAL.*—Not later than 120 days after the
4 date of the enactment of this Act, the Secretary of Defense
5 shall provide to the Committee on Armed Services and the
6 Committee on Foreign Affairs of the House of Representa-
7 tives and the Committee on Armed Services and the Com-
8 mittee on Foreign Relations of the Senate a briefing on the
9 utility and feasibility of establishing a multinational re-
10 gional security education center, including as a satellite en-
11 tity of the Daniel K. Inouye Asia-Pacific Center for Secu-
12 rity Studies that is located in a member country of the As-
13 sociation for Southeast Asian Nations, to offer year-round
14 training and educational courses to Southeast Asian and
15 Indo-Pacific civilian and military security personnel to en-
16 hance engagement of territorial and maritime security,
17 transnational and asymmetric threats, and defense sector
18 governance in the Indo-Pacific region. Training may also
19 include English-language training, human rights training,
20 rule of law and legal studies, security governance and insti-
21 tution-building courses, and budget and procurement train-
22 ing.

23 (b) *ELEMENTS OF BRIEFING.*—The briefing required
24 under subsection (a) shall include—

25 (1) the objectives for establishing a multinational
26 regional security center in the region;

1 (2) *the utility and feasibility of establishing such*
 2 *a center, including the benefits and challenges of*
 3 *doing so;*

4 (3) *the resources required;*

5 (4) *whether alternative centers and programs*
 6 *exist to provide the training and objectives specified*
 7 *in this provision; and*

8 (5) *the manner in which such a center would im-*
 9 *prove and strengthen cooperation with partner coun-*
 10 *tries of the Association for Southeast Asian Nations.*

11 **SEC. 1210. TRAINING FOR PARTICIPANTS IN PROFESSIONAL**
 12 **MILITARY EDUCATION PROGRAMS.**

13 *Any foreign person participating in professional mili-*
 14 *tary education programs authorized pursuant to section*
 15 *541 of the Foreign Assistance Act of 1961 (22 U.S.C. 2347)*
 16 *from funds authorized to be appropriated or otherwise made*
 17 *available by this Act shall also be required to participate*
 18 *in human rights training.*

19 **SEC. 1210A. REPORT ON PLAN TO TRANSFER FUNDS IN**
 20 **CONNECTION WITH THE PROVISION OF SUP-**
 21 **PORT UNDER SECTION 385 OF TITLE 10,**
 22 **UNITED STATES CODE.**

23 (a) *IN GENERAL.*—*The Secretary of Defense shall sub-*
 24 *mit to the appropriate congressional committees a report*
 25 *on its plan to transfer funds in connection with the provi-*

1 *sion of support under section 385 of title 10, United States*
2 *Code, for fiscal year 2020.*

3 (b) *MATTERS TO BE INCLUDED.—The report required*
4 *by subsection (a) shall include—*

5 (1) *a list of foreign assistance programs and ac-*
6 *tivities that should receive support under such author-*
7 *ity on a priority basis, including foreign assistance*
8 *programs and activities of the United States Agency*
9 *for International Development and the Department of*
10 *State; and*

11 (2) *a justification for providing such support to*
12 *such programs and activities, including as to how*
13 *such programs and activities relate to the National*
14 *Security Strategy and National Military Strategy.*

15 (c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
16 *FINED.—In this section, the term “appropriate congres-*
17 *sional committees” 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.*

***Subtitle B—Matters Relating to
Afghanistan and Pakistan***

***SEC. 1211. EXTENSION AND MODIFICATION OF AUTHORITY
FOR REIMBURSEMENT OF CERTAIN COALI-
TION NATIONS FOR SUPPORT PROVIDED TO
UNITED STATES MILITARY OPERATIONS.***

*(a) EXTENSION.—Subsection (a) of section 1233 of the
National Defense Authorization Act for Fiscal Year 2008
(Public Law 110– 181; 122 Stat. 393) is amended in the
matter preceding paragraph (1) by striking “October 1,
2018, and ending on December 31, 2019” and inserting
“October 1, 2019, and ending on December 31, 2020”.*

*(b) MODIFICATION TO LIMITATION.—Subsection (d)(1)
of such section is amended—*

*(1) by striking “October 1, 2018, and ending on
December 31, 2019” and inserting “October 1, 2019,
and ending on December 31, 2020”; and*

*(2) by striking “\$350,000,000” and inserting
“\$450,000,000”.*

***SEC. 1212. MODIFICATION AND EXTENSION OF AFGHAN
SPECIAL IMMIGRANT VISA PROGRAM.***

*(a) PRINCIPAL ALIENS.—Subclause (I) of section
602(b)(2)(A)(ii) of the Afghan Allies Protection Act of 2009
(8 U.S.C. 1101 note) is amended to read as follows:*

1 “(I) by, or on behalf of, the
2 United States Government; or”.

3 (b) *EXTENSION OF AFGHAN SPECIAL IMMIGRANT PRO-*
4 *GRAM.*—Section 602(b)(3)(F) of the Afghan Allies Protec-
5 *tion Act of 2009 (8 U.S.C. 1101 note) is amended—*

6 (1) *in the heading, by striking “2015, 2016, AND*
7 *2017” and inserting “2015 THROUGH 2020”;*

8 (2) *in the matter preceding clause (i), by strik-*
9 *ing “18,500” and inserting “18,870”;*

10 (3) *in clause (i), by striking “December 31,*
11 *2020” and inserting “December 31, 2021”; and*

12 (4) *in clause (ii), by striking “December 31,*
13 *2020” and inserting “December 31, 2021”.*

14 **SEC. 1213. EXTENSION OF AUTHORITY TO TRANSFER DE-**
15 **FENSE ARTICLES AND PROVIDE DEFENSE**
16 **SERVICES TO THE MILITARY AND SECURITY**
17 **FORCES OF AFGHANISTAN.**

18 (a) *EXTENSION OF AUTHORITY.*—Subsection (h) of sec-
19 *tion 1222 of the National Defense Authorization Act for Fis-*
20 *cal Year 2013 (Public Law 112–239; 126 Stat. 1992) is*
21 *amended by striking “December 31, 2020” and inserting*
22 *“December 31, 2022”.*

23 (b) *EXCESS DEFENSE ARTICLES.*—Subsection (i)(2) of
24 *such section is amended by striking “December 31, 2020”*
25 *each place it appears and inserting “December 31, 2022”.*

1 **SEC. 1214. EXTENSION AND MODIFICATION OF AUTHORITY**
 2 **TO ACQUIRE PRODUCTS AND SERVICES PRO-**
 3 **DUCED IN COUNTRIES ALONG A MAJOR**
 4 **ROUTE OF SUPPLY TO AFGHANISTAN.**

5 (a) *TERMINATION OF AUTHORITY.*—Subsection (f) of
 6 section 801 of the National Defense Authorization Act for
 7 Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2399) is
 8 amended by striking “December 31, 2019” and inserting
 9 “December 31, 2021”.

10 (b) *REPORT ON AUTHORITY.*—Such section, as so
 11 amended, is further amended by adding at the end the fol-
 12 lowing:

13 “(g) *REPORT ON AUTHORITY.*—

14 “(1) *IN GENERAL.*—Not later than March 1,
 15 2020, and March 1, 2021, the Secretary of Defense
 16 shall submit to the appropriate congressional commit-
 17 tees a report on the use of the authority provided in
 18 subsection (a). The report shall address, at a min-
 19 imum, the following:

20 “(A) The number of determinations made
 21 by the Secretary pursuant to subsection (b).

22 “(B) A description of the products and serv-
 23 ices acquired using the authority.

24 “(C) The extent to which the use of the au-
 25 thority has met the objectives of subparagraph
 26 (A), (B), or (C) of subsection (b)(2).

1 “(D) *A list of the countries providing prod-*
 2 *ucts or services as a result of a determination*
 3 *made pursuant to subsection (b).*

4 “(2) *APPROPRIATE CONGRESSIONAL COMMITTEES*
 5 *DEFINED.—For purposes of this subsection, the term*
 6 *‘appropriate congressional committees’ means—*

7 “(A) *the congressional defense committees;*
 8 *and*

9 “(B) *the Committee on Foreign Affairs of*
 10 *the House of Representatives and the Committee*
 11 *on Foreign Relations of the Senate.”.*

12 **SEC. 1215. AUTHORITY FOR CERTAIN PAYMENTS TO RE-**
 13 **DRESS INJURY AND LOSS IN AFGHANISTAN,**
 14 **IRAQ, SYRIA, SOMALIA, LIBYA, AND YEMEN.**

15 (a) *AUTHORITY.—During the period beginning on the*
 16 *date of the enactment of this Act and ending on December*
 17 *31, 2020, not more than \$5,000,000, to be derived from*
 18 *funds authorized to be appropriated to the Office of the Sec-*
 19 *retary of Defense under the Operation and Maintenance,*
 20 *Defense-wide account, may be made available for ex gratia*
 21 *payments for damage, personal injury, or death that is in-*
 22 *cident to combat operations of the United States Armed*
 23 *Forces in Afghanistan, Iraq, Syria, Somalia, Libya, and*
 24 *Yemen.*

1 (b) *QUARTERLY REPORT.*—Not later than 90 days
2 after the date of the enactment of this Act, and every 90
3 days thereafter, the Secretary of Defense shall submit to the
4 congressional defense committees a report including the fol-
5 lowing:

6 (1) *With respect to each ex gratia payment made*
7 *under the authority in this subsection or any other*
8 *authority during the preceding 90-day period, each of*
9 *the following:*

10 (A) *The amount used for such payments.*

11 (B) *The manner in which claims for such*
12 *payments were verified.*

13 (C) *The officers or officials authorized to*
14 *approve claims for payments.*

15 (D) *The manner in which payments are*
16 *made.*

17 (2) *With respect to a preceding 90-day period in*
18 *which no ex gratia payments were made—*

19 (A) *whether any such payment was refused,*
20 *along with the reason for such refusal; or*

21 (B) *any other reason for which no such*
22 *payments were made.*

23 (c) *AUTHORITIES APPLICABLE TO PAYMENT.*—Any
24 payment made pursuant to this subsection shall be made
25 in accordance with the authorities and limitations in sec-

tion 8121 of the Department of Defense Appropriations Act, 2015 (division C of Public Law 113–235), other than subsection (h) of such section.

SEC. 1216. EXTENSION OF SEMIANNUAL REPORT ON ENHANCING SECURITY AND STABILITY IN AFGHANISTAN.

Section 1225 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3558) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking “December 15, 2020” and inserting “December 15, 2022”; and

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

“(3) FORM.—Each report required under paragraph (1) shall be submitted in unclassified form without any designation relating to dissemination control, but may include a classified annex.”; and

(2) in subsection (b)—

(A) by inserting “, to include the progress of the Government of Afghanistan on securing Afghan territory and population,” after “the current security conditions in Afghanistan”;

1 (B) by striking “and the Haqqani Network”
 2 and inserting “the Haqqani Network, and the Is-
 3 lamic State of Iraq and Syria Khorasan”; and
 4 (C) by adding at the end the following:

5 “(9) *MONITORING AND EVALUATION MEASURES*
 6 *RELATING TO ASFF.*—A description of the monitoring
 7 and evaluation measures that the Department of De-
 8 fense and the Government of Afghanistan are taking
 9 to ensure that funds of the Afghanistan Security
 10 Forces Fund provided to the Government of Afghani-
 11 stan as direct government-to-government assistance
 12 are not subject to waste, fraud, or abuse.”.

13 **SEC. 1217. SPECIAL IMMIGRANT VISA PROGRAM REPORTING**
 14 **REQUIREMENT.**

15 (a) *IN GENERAL.*—Not later than 180 days after the
 16 date of the enactment of this Act, the Inspector General of
 17 the Department of State shall submit a report, which may
 18 contain a classified annex, to—

19 (1) the Committee on the Judiciary, the Com-
 20 mittee on Foreign Relations, and the Committee on
 21 Armed Services of the Senate; and

22 (2) the Committee on the Judiciary, the Com-
 23 mittee on Foreign Affairs, and the Committee on
 24 Armed Services of the House of Representatives.

1 (b) *CONTENTS.*—*The report submitted under sub-*
2 *section (a) shall evaluate the obstacles to effective protection*
3 *of Afghan and Iraqi allies through the special immigrant*
4 *visa programs and suggestions for improvements in future*
5 *programs, including information relating to—*

6 (1) *the hiring of locally employed staff and con-*
7 *tractors;*

8 (2) *documenting the identity and employment of*
9 *locally employed staff and contractors of the United*
10 *States Government, including the possibility of estab-*
11 *lishing a central database of employees of the United*
12 *States Government and its contractors;*

13 (3) *the protection and safety of employees of lo-*
14 *cally employed staff and contractors;*

15 (4) *means of expediting processing at all stages*
16 *of the process for applicants, including consideration*
17 *of reducing required forms;*

18 (5) *appropriate staffing levels for expedited proc-*
19 *essing domestically and abroad;*

20 (6) *the effect of uncertainty of visa availability*
21 *on visa processing;*

22 (7) *the cost and availability of medical examina-*
23 *tions; and*

24 (8) *means to reduce delays in interagency proc-*
25 *essing and security checks.*

1 (c) *CONSULTATION.*—*In preparing the report under*
 2 *subsection (a), the Inspector General shall consult with cur-*
 3 *rent and, to the extent possible, former employees of—*

4 (1) *the Department of State, Bureau of Consular*
 5 *Affairs, Visa Office;*

6 (2) *the Department of State, Bureau of Near*
 7 *Eastern Affairs and South and Central Asian Affairs,*
 8 *Executive Office;*

9 (3) *the United States embassy in Kabul, Afghan-*
 10 *istan, Consular Section;*

11 (4) *the United States embassy in Baghdad, Iraq,*
 12 *Consular Section;*

13 (5) *the Department of Homeland Security, U.S.*
 14 *Citizenship and Immigration Services;*

15 (6) *the Department of Defense; and*

16 (7) *non-governmental organizations providing*
 17 *legal aid in the special immigrant visa application*
 18 *process.*

19 ***SEC. 1218. MEANINGFUL INCLUSION OF AFGHAN WOMEN IN***
 20 ***PEACE NEGOTIATIONS.***

21 *As part of any activities of the Department of Defense*
 22 *relating to the ongoing peace process in Afghanistan, the*
 23 *Secretary of Defense, in coordination with the Secretary of*
 24 *State, shall seek to ensure the meaningful participation of*
 25 *Afghan women in that process in a manner consistent with*

1 *the Women, Peace, and Security Act of 2017 (22 U.S.C.*
 2 *2152j et seq.), including through advocacy for the inclusion*
 3 *of Afghan women leaders in ongoing and future negotia-*
 4 *tions to end the conflict in Afghanistan.*

5 ***Subtitle C—Matters Relating to***
 6 ***Syria, Iraq, and Iran***

7 ***SEC. 1221. MODIFICATION OF AUTHORITY TO PROVIDE AS-***
 8 ***SISTANCE TO COUNTER THE ISLAMIC STATE***
 9 ***OF IRAQ AND SYRIA.***

10 (a) *LIMITATION ON AVAILABILITY OF AUTHORITY.—*
 11 *Of the amounts made available for fiscal year 2020 pursu-*
 12 *ant to the authorization in section 1236 of the Carl Levin*
 13 *and Howard P. “Buck” McKeon National Defense Author-*
 14 *ization Act for Fiscal Year 2015 (Public Law 113–291; 128*
 15 *Stat. 3558), as amended by this section, not more than 70*
 16 *percent may be obligated or expended until the date on*
 17 *which the Secretary of Defense submits to the congressional*
 18 *defense committees, the Committee on Foreign Affairs of the*
 19 *House of Representatives, and the Committee on Foreign*
 20 *Relations of the Senate a report in unclassified form, that*
 21 *may include a classified annex, that includes each of the*
 22 *following:*

23 (1) *Any updates to or changes in the plan, strat-*
 24 *egy, process, vetting requirements and process as de-*

1 scribed in subsection (e) of such section 1236, and
2 end-use monitoring mechanisms and procedures.

3 (2) A description of how attacks against United
4 States or coalition personnel are being mitigated, sta-
5 tistics on any such attacks, including “green-on-blue”
6 attacks.

7 (3) A description of the forces receiving assist-
8 ance authorized under subsection (a) of such section
9 1236.

10 (4) A description of the recruitment, throughput,
11 and retention rates of recipients and equipment.

12 (5) A description of any misuse or loss of pro-
13 vided equipment and how such misuse or loss is being
14 mitigated.

15 (6) An assessment of the operational effectiveness
16 of the forces receiving assistance authorized under
17 subsection (a) of such section 1236.

18 (7) A description of sustainment support pro-
19 vided to the forces authorized under subsection (a) of
20 such section 1236.

21 (8) A list of new projects for construction, re-
22 pair, or renovation commenced during the period cov-
23 ered by such progress report, and a list of projects for
24 construction, repair, or renovation continuing from
25 the period covered by the preceding progress report.

1 (9) *A statement of the amount of funds expended*
2 *during the period for which the report is submitted.*

3 (10) *An assessment of the effectiveness of the as-*
4 *sistance authorized under subsection (a) of such sec-*
5 *tion 1236.*

6 (11) *A list of the forces or elements of forces that*
7 *are restricted from receiving assistance under sub-*
8 *section (a) of such section 1236, other than the forces*
9 *or elements of forces with respect to which the Sec-*
10 *retary of Defense has exercised the waiver authority*
11 *under subsection (j) of such section 1236, as a result*
12 *of vetting required by subsection (e) of such section*
13 *1236 or by section 2249e of title 10, United States*
14 *Code, and a detailed description of the reasons for*
15 *such restriction, including for each force or element,*
16 *as applicable, the following:*

17 (A) *Information relating to gross violation*
18 *of human rights committed by such force or ele-*
19 *ment, including the time-frame of the alleged*
20 *violation.*

21 (B) *The source of the information described*
22 *in subparagraph (A) and an assessment of the*
23 *veracity of the information.*

1 (C) *The association of such force or element*
 2 *with terrorist groups or groups associated with*
 3 *the Government of Iran.*

4 (D) *The amount and type of any assistance*
 5 *provided to such force or element by the Govern-*
 6 *ment of Iran.*

7 (12) *An assessment of—*

8 (A) *security in liberated areas in Iraq;*

9 (B) *the extent to which security forces*
 10 *trained and equipped, directly or indirectly, by*
 11 *the United States are prepared to provide post-*
 12 *conflict stabilization and security in such liber-*
 13 *ated areas; and*

14 (C) *the effectiveness of security forces in the*
 15 *post-conflict environment and an identification*
 16 *of which such forces will provide post-conflict*
 17 *stabilization and security in such liberated*
 18 *areas.*

19 (13) *A summary of available information relat-*
 20 *ing to the disposition of militia groups throughout*
 21 *Iraq, with particular focus on groups in areas liber-*
 22 *ated from ISIS or in sensitive areas with historically*
 23 *mixed ethnic or minority communities.*

24 (b) *FUNDING.*—Subsection (g) of section 1236 of the
 25 *Carl Levin and Howard P. “Buck” McKeon National De-*

1 *fense Authorization Act for Fiscal Year 2015 (Public Law*
 2 *113–291; 128 Stat. 3558) is amended—*

3 *(1) by striking “fiscal year 2019” and inserting*
 4 *“fiscal year 2020”; and*

5 *(2) by striking “\$850,000,000” and inserting*
 6 *“\$663,000,000”.*

7 *(c) MODIFICATION OF ELEMENTS IN QUARTERLY*
 8 *PROGRESS REPORTS.—Subsection (d) of such section 1236*
 9 *is amended—*

10 *(1) in paragraph (11), by striking “section*
 11 *2249e of title 10, United States Code” and inserting*
 12 *“section 362 of title 10, United States Code”; and*

13 *(2) by adding at the end the following new para-*
 14 *graph:*

15 *“(13) A summary of available information relat-*
 16 *ing to the disposition of militia groups throughout*
 17 *Iraq, with particular focus on groups in areas liber-*
 18 *ated from ISIS or in sensitive areas with historically*
 19 *mixed ethnic or minority communities.”.*

20 *(d) CLARIFICATION WITH RESPECT TO SCOPE OF AU-*
 21 *THORITY.—*

22 *(1) IN GENERAL.—Subsection (j)(2) of such sec-*
 23 *tion 1236 is amended to read as follows:*

24 *“(2) SCOPE OF ASSISTANCE AUTHORITY.—Not-*
 25 *withstanding paragraph (1), the authority granted by*

1 *subsection (a) may only be exercised in consultation*
 2 *with the Government of Iraq.”.*

3 (2) *TECHNICAL CORRECTION.*—*The heading of*
 4 *subsection (j) of such section 1236 is amended by in-*
 5 *serting “; SCOPE” after “AUTHORITY”.*

6 (e) *TECHNICAL CORRECTION.*—*Subsection (c) of such*
 7 *section 1236 is amended in the matter preceding paragraph*
 8 (1) *by striking “subsection (a)(1)” and inserting “sub-*
 9 *section (b)(1)(A)”.*

10 **SEC. 1222. EXTENSION AND MODIFICATION OF AUTHORITY**
 11 **TO PROVIDE ASSISTANCE TO THE VETTED**
 12 **SYRIAN OPPOSITION.**

13 (a) *IN GENERAL.*—*Section 1209 of the Carl Levin and*
 14 *Howard P. “Buck” McKeon National Defense Authoriza-*
 15 *tion Act for Fiscal Year 2015 (Public Law 113–291; 128*
 16 *Stat. 3559) is amended as follows:*

17 (1) *In subsection (a)—*

18 (A) *in the matter preceding paragraph*

19 (1)—

20 (i) *by inserting “, appropriately vetted*
 21 *local security forces in northeast Syria, in-*
 22 *cluding units of the Syrian Democratic*
 23 *Forces and their associated counter-ter-*
 24 *rorism units,” after “elements of the Syrian*
 25 *opposition”; and*

1 (ii) by striking “December 31, 2019”
2 and inserting “December 31, 2020”.

3 (B) in paragraph (1), by inserting “or pre-
4 viously controlled by ISIL” after “Syrian oppo-
5 sition”.

6 (2) By amending subsection (b) to read as fol-
7 lows:

8 “(b) NOTICE BEFORE PROVISION OF ASSISTANCE.—
9 Not later than 15 days prior to each instance of the provi-
10 sion of assistance under subsection (a), the Secretary of De-
11 fense, in coordination with the Secretary of State, shall sub-
12 mit to the appropriate congressional committees and leader-
13 ship of the House of Representatives and Senate a notifica-
14 tion that includes the following:

15 “(1) The plan for providing the assistance.

16 “(2) The requirements and process used to deter-
17 mine appropriately vetted recipients with respect to
18 the assistance.

19 “(3) The mechanisms and procedures that will be
20 used to monitor and report to the appropriate con-
21 gressional committees and leadership of the House of
22 Representatives and Senate on unauthorized end-use
23 of provided training and equipment or other viola-
24 tions of relevant law by appropriately vetted recipi-
25 ents.

1 “(4) *The amount, type, and purpose of assist-*
2 *ance to be funded and the recipient of the assistance.*

3 “(5) *The budget and implementation timeline,*
4 *with milestones and anticipated delivery schedule for*
5 *the assistance.*

6 “(6) *A description of any material use of assist-*
7 *ance previously provided under subsection (a) to any*
8 *appropriately vetted recipient of such assistance for a*
9 *purpose other than the purposes specified in sub-*
10 *section (a) that occurred since the most recent notifi-*
11 *cation submitted by the Secretary pursuant to this*
12 *subsection, with a specific description of the following:*

13 “(A) *The details of such material misuse.*

14 “(B) *The recipient or recipients responsible*
15 *for such material misuse.*

16 “(C) *The consequences of such material mis-*
17 *use.*

18 “(D) *The actions taken by the Secretary to*
19 *remedy the causes and effects of such material*
20 *misuse.*

21 “(7) *The goals and objectives of the assistance.*

22 “(8) *The concept of operations, timelines, and*
23 *types of training, equipment, stipends, sustainment,*
24 *construction, and supplies to be provided.*

1 “(9) *The roles and contributions of partner na-*
2 *tions.*

3 “(10) *The number and role of United States*
4 *Armed Forces personnel involved.*

5 “(11) *Any additional military support and*
6 *sustainment activities.*

7 “(12) *Any other relevant details.*”.

8 (3) *By amending subsection (c) to read as fol-*
9 *lows:*

10 “(c) *FORM.—The notifications required by subsection*
11 *(b) shall be submitted in unclassified form but may include*
12 *a classified annex.*”.

13 (4) *By striking subsection (f) and inserting the*
14 *following:*

15 “(f) *RESTRICTION ON SCOPE OF ASSISTANCE IN THE*
16 *FORM OF WEAPONS.—*

17 “(1) *IN GENERAL.—The Secretary may only pro-*
18 *vide assistance in the form of weapons pursuant to*
19 *the authority under subsection (a) if such weapons*
20 *are small arms, including handguns, rifles and car-*
21 *bines, sub-machine guns, or light machine guns.*

22 “(2) *WAIVER.—The Secretary may waive the re-*
23 *striction under paragraph (1) if the Secretary cer-*
24 *tifies to the appropriate congressional committees that*
25 *such provision of law would (but for the waiver) im-*

1 *pede national security objectives of the United States*
 2 *by prohibiting, restricting, delaying, or otherwise lim-*
 3 *iting the provision of assistance. Such waiver shall*
 4 *not take effect until 15 days after the date on which*
 5 *such certification is submitted to the appropriate con-*
 6 *gressional committees.”.*

7 (5) *In subsection (g)—*

8 (A) *by inserting “, at the end of the 15-day*
 9 *period beginning on the date the Secretary noti-*
 10 *fies the congressional defense committees of the*
 11 *amount, source, and intended purpose of such*
 12 *contributions” after “as authorized by this sec-*
 13 *tion”; and*

14 (B) *by striking “operation and mainte-*
 15 *nance accounts” and all that follows through the*
 16 *end of the subsection and inserting “accounts.”.*

17 (6) *In subsection (k), by inserting “, at the end*
 18 *of the 15-day period beginning on the date the Sec-*
 19 *retary notifies the congressional defense committees of*
 20 *the amount, recipient, and intended purpose of such*
 21 *assistance” after “authorized under this section”.*

22 (7) *In subsection (l)—*

23 (A) *by striking “\$10,000,000” and inserting*
 24 *“\$20,000,000”;*

1 (B) by adding at the end the following new
 2 sentence: “Amounts accepted as contributions
 3 pursuant to the authority in subsection (g) for
 4 construction and repair projects may be ex-
 5 pended without regard to the limitation under
 6 this subsection.”;

7 (C) by striking “REPAIR PROJECTS.—The
 8 aggregate” and inserting “REPAIR PROJECTS.—
 9 “(1) IN GENERAL.—The aggregate”; and

10 (D) by adding at the end the following:

11 “(2) WAIVER.—The Secretary may waive the
 12 limitation under paragraph (1) if the Secretary cer-
 13 tifies to the appropriate congressional committees that
 14 such provision of law would (but for the waiver) im-
 15 pede national security objectives of the United States
 16 by prohibiting, restricting, delaying, or otherwise lim-
 17 iting the provision of assistance. Such waiver shall
 18 not take effect until 15 days after the date on which
 19 such certification is submitted to the appropriate con-
 20 gressional committees.”.

21 (8) By striking subsection (j).

22 (9) By redesignating subsections (k) through (m)
 23 (as amended by this subsection) as subsections (j)
 24 through (l), respectively.

1 (b) *EFFECTIVE DATE AND AVAILABILITY OF AUTHOR-*
 2 *ITY.*—

3 (1) *IN GENERAL.*—*The amendments made by*
 4 *subsection (a) shall take effect on the date of the en-*
 5 *actment of this section.*

6 (2) *AVAILABILITY OF AUTHORITY.*—*Notwith-*
 7 *standing paragraph (1), the Secretary may not pro-*
 8 *vide assistance pursuant to the authority provided by*
 9 *section 1209 of the Carl Levin and Howard P.*
 10 *“Buck” McKeon National Defense Authorization Act*
 11 *for Fiscal Year 2015 (Public Law 113–291; 128 Stat.*
 12 *3559), as amended by subsection (a) of this section,*
 13 *during the period beginning on January 1, 2020, and*
 14 *ending on the date on which each quarterly report re-*
 15 *quired to be submitted pursuant to subsection (d) of*
 16 *such section 1209, as of the date of the enactment of*
 17 *this section, has been submitted.*

18 **SEC. 1223. EXTENSION AND MODIFICATION OF AUTHORITY**
 19 **TO SUPPORT OPERATIONS AND ACTIVITIES**
 20 **OF THE OFFICE OF SECURITY COOPERATION**
 21 **IN IRAQ.**

22 (a) *EXTENSION OF AUTHORITY.*—*Subsection (f)(1) of*
 23 *section 1215 of the National Defense Authorization Act for*
 24 *Fiscal Year 2012 (10 U.S.C. 113 note) is amended by strik-*
 25 *ing “fiscal year 2019” and inserting “fiscal year 2020”.*

1 (b) *AMOUNT AVAILABLE*.—Such section is further
2 amended—

3 (1) in subsection (c), by striking “fiscal year
4 2019” and inserting “fiscal year 2020”; and

5 (2) in subsection (d), by striking “fiscal year
6 2019” and inserting “fiscal year 2020”.

7 (c) *LIMITATION ON AVAILABILITY OF FUNDS*.—Of the
8 amount available for fiscal year 2020 for section 1215 of
9 the National Defense Authorization Act for Fiscal Year
10 2012, as amended by this section, not more than an amount
11 equal to 50 percent may be obligated or expended for the
12 Office of Security Cooperation in Iraq until the date on
13 which the Secretary of Defense certifies to the congressional
14 defense committees, the Committee on Foreign Affairs of the
15 House of Representatives, and the Committee on Foreign
16 Relations of the Senate, that each of the following reforms
17 relating to that Office has been completed:

18 (1) The appointment of a Senior Defense Offi-
19 cial/Defense Attache to oversee the Office.

20 (2) The development of a Joint Service staffing
21 plan to reorganize the Office similar to that of other
22 security cooperation offices in the region, that places
23 foreign area officers in key leadership positions and
24 closes duplicative or extraneous sections.

1 (3) *The planning and initiation of bilateral en-*
2 *gagement with the Government of Iraq for the purpose*
3 *of establishing a Joint Military Commission and the*
4 *initiation and drafting of a five-year security assist-*
5 *ance roadmap for developing strategic and sustain-*
6 *able military capacity and capabilities for Iraq that*
7 *includes a plan to reform Iraq's defense industrial*
8 *base and security sector by reducing corruption and*
9 *optimizing procurement.*

10 **SEC. 1224. PROHIBITION ON PROVISION OF WEAPONS AND**
11 **OTHER FORMS OF SUPPORT TO CERTAIN OR-**
12 **GANIZATIONS.**

13 *None of the funds authorized to be appropriated by this*
14 *Act or otherwise made available to the Department of De-*
15 *fense for fiscal year 2020 may be used to knowingly provide*
16 *weapons or any other form of support to Al Qaeda, the Is-*
17 *lamic State of Iraq and Syria (ISIS), Jabhat Fateh al*
18 *Sham Hamas, Hizballah, Palestine Islamic Jihad, al-*
19 *Shabaab, Islamic Revolutionary Guard Corps, or any indi-*
20 *vidual or group affiliated with any such organization.*

21 **SEC. 1225. RULE OF CONSTRUCTION RELATING TO USE OF**
22 **MILITARY FORCE AGAINST IRAN.**

23 *Nothing in this Act or any amendment made by this*
24 *Act may be construed to authorize the use of military force*
25 *against Iran.*

1 **SEC. 1226. SENSE OF CONGRESS ON SUPPORT FOR MIN-**
2 **ISTRY OF PESHMERGA FORCES OF THE**
3 **KURDISTAN REGION OF IRAQ.**

4 *It is the sense of Congress that—*

5 *(1) the United States led coalition and coalition*
6 *enabled partner forces, including Ministry of*
7 *Peshmerga forces of the Kurdistan Region of Iraq and*
8 *Iraqi Security Forces (ISF), have made significant*
9 *gains in liberating all territory in Iraq from Islamic*
10 *State of Iraq and Syria (ISIS) control and dis-*
11 *rupting ISIS safe havens and networks;*

12 *(2) nevertheless, ISIS is regenerating key func-*
13 *tions and capabilities in Iraq, and ISIS elements will*
14 *continue to exist in Iraq for the foreseeable future;*

15 *(3) ISIS will attempt to rebuild combat power*
16 *through clandestine networks providing sanctuary,*
17 *and ISIS will continue to attempt to conduct insur-*
18 *gent-type activities while simultaneously recruiting*
19 *and training fighters, establishing facilitation net-*
20 *works, and attempting to remain relevant in the in-*
21 *formation domain;*

22 *(4) the Ministry of Peshmerga forces of the*
23 *Kurdistan Region of Iraq made significant contribu-*
24 *tions and sacrifices in the United States-led cam-*
25 *paign to degrade, dismantle, and destroy ISIS; and*

1 (5) *the Department of Defense and the Depart-*
 2 *ment of State should continue to work with and sup-*
 3 *port the non-partisan forces of the Ministry of*
 4 *Peshmerga of the Kurdistan Region of Iraq in order*
 5 *to continue to develop their capabilities, promote se-*
 6 *curity sector reforms, and enhance sustainability and*
 7 *interoperability with the other elements of the Iraqi*
 8 *security forces in order to provide for Iraq’s lasting*
 9 *security against terrorist threats.*

10 **SEC. 1227. SENSE OF CONGRESS ON SUPPORTING THE RE-**
 11 **TURN AND REPATRIATION OF RELIGIOUS**
 12 **AND ETHNIC MINORITIES IN IRAQ TO THEIR**
 13 **ANCESTRAL HOMELANDS.**

14 (a) *FINDINGS.—Congress finds that—*

15 (1) *the Nineveh Plain and the wider region have*
 16 *been the ancestral homeland of Assyrian Chaldean*
 17 *Syriac Christians, Yazidis, Shabak, and other reli-*
 18 *gious and ethnic minorities, where they lived for cen-*
 19 *turies until the Islamic State of Iraq and Syria*
 20 *(ISIS) overran and occupied the area in 2014;*

21 (2) *in 2016, then-Secretary of State John Kerry*
 22 *announced, “In my judgment Daesh is responsible for*
 23 *genocide against groups in areas under its control,*
 24 *including Yezidis, Christians, and Shia Muslims.*
 25 *Daesh is genocidal by self-proclamation, by ideology,*

1 *and by actions—in what it says, what it believes, and*
 2 *what it does. Daesh is also responsible for crimes*
 3 *against humanity and ethnic cleansing directed at*
 4 *these same groups and in some cases also against*
 5 *Sunni Muslims, Kurds, and other minorities.”;*

6 *(3) these atrocities were undertaken with the spe-*
 7 *cific intent to bring about the eradication and dis-*
 8 *placement of Christians, Yazidis, and other commu-*
 9 *nities and the destruction of their cultural heritage,*
 10 *in violation of the United Nations Convention on the*
 11 *Prevention and Punishment of the Crime of Genocide*
 12 *signed by the United States on December 11, 1948;*

13 *(4) in 2016, the House of Representatives passed*
 14 *H. Con. Res. 75 expressing the sense of the House of*
 15 *Representatives that the atrocities perpetrated by*
 16 *ISIS against religious and ethnic minorities in Iraq*
 17 *and Syria include war crimes, crimes against hu-*
 18 *manity, and genocide;*

19 *(5) through joint efforts of the United States and*
 20 *79 allies and partners, ISIS has been territorially de-*
 21 *feated in Iraq and Syria;*

22 *(6) in July 2018, under the direction of Vice*
 23 *President Pence, the Genocide Recovery and Persecu-*
 24 *tion Response Program partnered with the Depart-*
 25 *ment of State, the United States Agency for Inter-*

1 *national Development, and local faith and commu-*
 2 *nity leaders to rapidly and directly deliver aid to*
 3 *persecuted communities, beginning with Iraq;*

4 (7) *Christians in Iraq once numbered over 1.5*
 5 *million in 2003 and have dwindled to less than*
 6 *200,000 today;*

7 (8) *armed militia groups linked to Iran, oper-*
 8 *ating systematically in Sinjar and the Nineveh*
 9 *Plains, have harassed and intimidated religious and*
 10 *ethnic minorities thereby destabilizing northern Iraq*
 11 *and preventing local and indigenous minorities to re-*
 12 *turn to their homelands;*

13 (9) *Iraqi religious minorities have faced chal-*
 14 *lenges in integrating into the Iraqi Security Forces*
 15 *and Kurdish Peshmerga;*

16 (10) *over 500 acres of productive agricultural*
 17 *lands in eastern Ninevah Governate have been burned*
 18 *in cases of arson in May 2019 alone, destroying sig-*
 19 *nificant wheat and barley cultivation areas;*

20 (11) *these agricultural resources are critical to*
 21 *northern Iraq's livelihood, especially that of minority*
 22 *populations, and continued crop arson prevents safe*
 23 *and prosperous return of minority populations as*
 24 *well as complicates stabilization efforts; and*

1 (12) *facilitating the success of communities in*
2 *Sinjar and the Nineveh Plains requires a commit-*
3 *ment from international, Iraqi, Kurdish, and local*
4 *authorities, in partnership with local faith leaders, to*
5 *promote the safety and security of all people, espe-*
6 *cially religious and ethnic minorities.*

7 (b) *SENSE OF CONGRESS.—It is the sense of Congress*
8 *that—*

9 (1) *it should remain a policy priority of the*
10 *United States, working with international partners,*
11 *the Government of Iraq, the Kurdistan Regional Gov-*
12 *ernment, and local populations, to support the safe*
13 *return of displaced indigenous people of the Nineveh*
14 *Plain and Sinjar to their ancestral homeland;*

15 (2) *it should be a policy priority of the Govern-*
16 *ment of Iraq, the Kurdish Regional Government, the*
17 *United States, and the international community to*
18 *guarantee the restoration of fundamental human*
19 *rights, including property rights, to genocide victims,*
20 *and to see that ethnic and religious pluralism sur-*
21 *vives in Iraq;*

22 (3) *Iraqi Security Forces and the Kurdish*
23 *Peshmerga should work to more fully integrate all*
24 *communities, including religious minority commu-*

1 *nities, to counter current and future terrorist threats;*
 2 *and*

3 *(4) the United States, working with inter-*
 4 *national allies and partners, should continue to lead*
 5 *coordination of efforts to provide for the safe return*
 6 *and future security of religious minorities in the*
 7 *Nineveh Plain and Sinjar.*

8 **SEC. 1228. REPORT ON THE STATUS OF DECONFLICTION**
 9 **CHANNELS WITH IRAN.**

10 *(a) IN GENERAL.—Not later than 30 days after the*
 11 *date of enactment of this Act, the President shall submit*
 12 *to Congress a report on the status of deconfliction channels*
 13 *with Iran.*

14 *(b) MATTERS TO BE INCLUDED.—The report required*
 15 *by subsection (a) shall include the following:*

16 *(1) The status of United States military-to-mili-*
 17 *tary deconfliction channels with Iran to prevent mili-*
 18 *tary and diplomatic miscalculation.*

19 *(2) The status of United States diplomatic*
 20 *deconfliction channels with Iran to prevent mis-*
 21 *calculation, define ambiguities, and correct misunder-*
 22 *standings that could otherwise lead to unintended*
 23 *consequences, including unnecessary or harmful mili-*
 24 *tary activity.*

1 (3) *An analysis of the need and rationale for bi-*
2 *lateral and multilateral deconfliction channels, in-*
3 *cluding an assessment of recent United States experi-*
4 *ence with such channels of communication with Iran.*

5 **SEC. 1229. PROHIBITION OF UNAUTHORIZED MILITARY**
6 **FORCE IN OR AGAINST IRAN.**

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

8 (1) *The acquisition by the Government of Iran*
9 *of a nuclear weapon would pose a grave threat to*
10 *international peace and stability and the national se-*
11 *curity of the United States and United States allies,*
12 *including Israel.*

13 (2) *The Government of Iran is a leading state*
14 *sponsor of terrorism, continues to materially support*
15 *the regime of Bashar al-Assad, and is responsible for*
16 *ongoing gross violations of the human rights of the*
17 *people of Iran.*

18 (3) *Article I of the United States Constitution*
19 *requires the President to obtain authorization from*
20 *Congress before engaging in war with Iran.*

21 (b) *CLARIFICATION OF CURRENT LAW.*—Nothing in
22 *the Authorization for Use of Military Force (Public Law*
23 *107–40; 50 U.S.C. 1541 note), the Authorization for Use*
24 *of Military Force Against Iraq Resolution of 2002 (Public*
25 *Law 107–243; 50 U.S.C. 1541 note), or any other provision*

1 *of law enacted before the date of the enactment of this Act*
2 *may be construed to provide authorization for the use of*
3 *military force against Iran.*

4 (c) *PROHIBITION OF UNAUTHORIZED MILITARY*
5 *FORCE IN OR AGAINST IRAN.—*

6 (1) *IN GENERAL.—Except as provided in para-*
7 *graph (1), no Federal funds may be used for any use*
8 *of military force in or against Iran unless Congress*
9 *has—*

10 (A) *declared war; or*

11 (B) *enacted specific statutory authorization*
12 *for such use of military force after the date of the*
13 *enactment of this Act that meets the require-*
14 *ments of the War Powers Resolution (50 U.S.C.*
15 *1541 et seq.).*

16 (2) *EXCEPTION.—The prohibition under para-*
17 *graph (1) shall not apply to a use of military force*
18 *that is consistent with section (2)(c) of the War Pow-*
19 *ers Resolution.*

20 (d) *RULES OF CONSTRUCTION.—(1) Nothing in this*
21 *section may be construed to prevent the President from*
22 *using necessary and appropriate force to defend United*
23 *States allies and partners if Congress enacts specific statu-*
24 *tory authorization for such use of force consistent with the*

1 *requirements of the War Powers Resolution (50 U.S.C. 1541*
 2 *et seq.).*

3 (2) *Nothing in this Act may be construed to relieve*
 4 *the executive branch of restrictions on the use of force, re-*
 5 *porting, or consultation requirements set forth in the War*
 6 *Powers Resolution (50 U.S.C. 1541 et seq.).*

7 (3) *Nothing in this Act may be construed to authorize*
 8 *the use of military force.*

9 ***Subtitle D—Matters Relating to***
 10 ***Russia***

11 ***SEC. 1231. PROHIBITION ON THE USE OF FUNDS TO SUS-***
 12 ***PEND, TERMINATE, OR WITHDRAW THE***
 13 ***UNITED STATES FROM THE OPEN SKIES***
 14 ***TREATY.***

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

16 (1) *Since 1992, the United States has supported*
 17 *the Open Skies Treaty with dedicated aircraft and ob-*
 18 *servaion mission teams, conducting several hundred*
 19 *training and observaion missions with other coun-*
 20 *tries.*

21 (2) *This commitment by the United States has*
 22 *helped to confirm and refine operational procedures,*
 23 *to improve implementation and effectiveness of the*
 24 *Open Skies Treaty, and provide United States leader-*
 25 *ship and engagement opportunities that have sup-*

1 ported broader objectives and improved European
2 transparency.

3 (3) *The Open Skies Treaty provides signatories*
4 *with the ability to gather information through aerial*
5 *imaging on military forces and activities of concern*
6 *to them which contributes to greater transparency*
7 *and stability in the Euro-Atlantic region, which bene-*
8 *fits both the United States and United States allies*
9 *and partners.*

10 (4) *In order to maximize United States benefits*
11 *from the Open Skies Treaty, the United States needs*
12 *to recapitalize and modernize its aircraft and sensors,*
13 *and the ongoing work to certify the Digital Visual*
14 *Imaging System and the new effort for the Open*
15 *Skies Treaty Aircraft Recapitalization (OSTAR) are*
16 *critical to United States leadership and involvement*
17 *in the Treaty.*

18 (5) *The current 1960s-era United States aircraft*
19 *used with respect to the Open Skies Treaty are ill-*
20 *suited to extreme operating environments in Russia*
21 *and experience regular, unplanned maintenance*
22 *issues, often resulting in mission delays or cancella-*
23 *tions.*

24 (6) *The OSTAR effort will provide a United*
25 *States aircraft capability that allows the United*

1 *States to fully implement the goals and objectives of*
 2 *the Open Skies Treaty.*

3 *(7) The United States also demonstrated in De-*
 4 *cember 2018, along with United States allies of Can-*
 5 *ada, the United Kingdom, France, Germany, and Ro-*
 6 *mania, that Open Skies Treaty mechanisms can be*
 7 *used during times of crisis.*

8 *(8) Following Russia’s unprovoked attack on*
 9 *Ukrainian vessels near the Kerch Strait, the United*
 10 *States and United States allies conducted an “ex-*
 11 *traordinary” Open Skies Treaty observation mission*
 12 *over Ukraine to reaffirm commitment to Ukraine.*

13 *(b) SENSE OF CONGRESS.—It is the sense of Congress*
 14 *that—*

15 *(1) the United States should forcefully address*
 16 *Russian violations of its obligations under the Open*
 17 *Skies Treaty; and*

18 *(2) due to the significant benefits that observa-*
 19 *tion missions under the Open Skies Treaty provide to*
 20 *the United States and United States allies, the United*
 21 *States should commit to continued participation in*
 22 *the Treaty.*

23 *(c) PROHIBITION.—*

24 *(1) IN GENERAL.—Except as provided in para-*
 25 *graph (2), none of the funds authorized to be appro-*

1 *priated by this Act or otherwise made available to the*
2 *Department of Defense for fiscal year 2020 may be*
3 *obligated or expended to take any action to suspend,*
4 *terminate, or withdraw the United States from the*
5 *Open Skies Treaty.*

6 (2) *EXCEPTION.—The prohibition in paragraph*
7 *(1) shall not apply if the Secretary of Defense and the*
8 *Secretary of State jointly determine and certify to the*
9 *congressional defense committees, the Committee on*
10 *Foreign Affairs of the House of Representatives, and*
11 *the Committee on Foreign Relations of the Senate,*
12 *that—*

13 (A) *Russia is in material breach of its obli-*
14 *gations under the Open Skies Treaty and is not*
15 *taking steps to return to compliance with such*
16 *obligations, and all other state parties to the*
17 *Open Skies Treaty concur in such determination*
18 *of the Secretaries; or*

19 (B) *withdrawing from the Open Skies Trea-*
20 *ty would be in the best interests of United States*
21 *national security and the other state parties to*
22 *the Open Skies Treaty have been consulted with*
23 *respect to such withdrawal.*

24 (d) *REPEAL OF LIMITATION ON USE OF FUNDS TO*
25 *VOTE TO APPROVE OR OTHERWISE ADOPT ANY IMPE-*

1 *MENTING DECISION OF THE OPEN SKIES CONSULTATIVE*
 2 *COMMISSION AND MODIFICATIONS TO REPORT.—*

3 *(1) IN GENERAL.—Section 1236 of the National*
 4 *Defense Authorization Act for Fiscal Year 2017 (Pub-*
 5 *lic Law 114–328; 130 Stat. 2491) is amended—*

6 *(A) by striking subsections (a) and (b); and*
 7 *(B) by redesignating subsections (c), (d),*
 8 *(e), and (f) as subsections (a), (b), (c), and (d),*
 9 *respectively.*

10 *(2) MODIFICATIONS TO REPORT.—Subsection (a)*
 11 *of such section, as so redesignated, is amended—*

12 *(A) in the heading, by striking “QUAR-*
 13 *TERLY” and inserting “BI-ANNUAL”;*

14 *(B) in paragraph (1)—*

15 *(i) by inserting “the Secretary of*
 16 *State,” before “the Secretary of Energy”;*

17 *(ii) by striking “quarterly basis” and*
 18 *inserting “bi-annual basis”;*

19 *(iii) by striking “by the Russian Fed-*
 20 *eration over the United States” and insert-*
 21 *ing “by all parties to the Open Skies Trea-*
 22 *ty, including the United States, under the*
 23 *Treaty”; and*

1 (iv) by striking “calendar quarter”
2 and inserting “preceding 6-month period”;
3 and

4 (C) in paragraph (2), by striking subpara-
5 graphs (B), (C), and (D) and inserting the fol-
6 lowing:

7 “(B) In the case of an observation flight by
8 the United States, including an observation
9 flight over the territory of Russia—

10 “(i) an analysis of data collected that
11 supports United States intelligence and
12 military collection goals; and

13 “(ii) an assessment of data collected re-
14 garding military activity that could not be
15 collected through other means.

16 “(C) In the case of an observation flight
17 over the territory of the United States—

18 “(i) an analysis of whether and the ex-
19 tent to which any United States critical in-
20 frastructure was the subject of image cap-
21 ture activities of such observation flight;

22 “(ii) an estimate for the mitigation
23 costs imposed on the Department of Defense
24 or other United States Government agencies
25 by such observation flight; and

1 “(iii) assessment of how such informa-
 2 tion is used by party conducting the obser-
 3 vation flight, for what purpose, and how the
 4 information fits into the overall collection
 5 posture.”.

6 (3) *FORM*.—Subsection (c) of such section, as so
 7 redesignated, is amended by striking “certification,
 8 report, and notice” and inserting “report”.

9 (4) *DEFINITIONS*.—Subsection (d) of such sec-
 10 tion, as so redesignated, is amended—

11 (A) by striking paragraphs (3) and (6); and

12 (B) by redesignating paragraphs (4), (5),
 13 and (7) as paragraphs (3), (4), and (5), respec-
 14 tively.

15 (e) *OPEN SKIES: IMPLEMENTATION PLAN*.—Section
 16 1235(a) of the National Defense Authorization Act for Fis-
 17 cal Year 2018 (Public Law 115–91; 131 Stat. 1660) is
 18 amended—

19 (1) in paragraph (1)—

20 (A) by striking “during such fiscal year”
 21 and inserting “during a calendar year”; and

22 (B) by striking “the President submits” and
 23 all that follows and inserting “the Secretary of
 24 Defense provides to the appropriate congressional
 25 committees a briefing on a plan described in

1 paragraph (2) with respect to such calendar
2 year.”;

3 (2) in paragraph (2), by striking “such fiscal
4 year” and inserting “such calendar year”; and

5 (3) in paragraph (3), by striking “a fiscal year
6 and submit the updated plan” and inserting “a cal-
7 endar year and provide a briefing on the updated
8 plan”.

9 (f) *DEFINITION OF OPEN SKIES TREATY; TREATY.*—
10 *In this section, the term “Open Skies Treaty” or “Treaty”*
11 *means the Treaty on Open Skies, done at Helsinki March*
12 *24, 1992, and entered into force January 1, 2002.*

13 **SEC. 1232. EXTENSION OF LIMITATION ON MILITARY CO-**
14 **OPERATION BETWEEN THE UNITED STATES**
15 **AND RUSSIA.**

16 *Section 1232(a) of the National Defense Authorization*
17 *Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat.*
18 *2488), is amended by striking “or 2019” and inserting “,*
19 *2019, or 2020”.*

20 **SEC. 1233. PROHIBITION ON AVAILABILITY OF FUNDS RE-**
21 **LATING TO SOVEREIGNTY OF RUSSIA OVER**
22 **CRIMEA.**

23 (a) *PROHIBITION.*—*None of the funds authorized to be*
24 *appropriated by this Act or otherwise made available for*
25 *fiscal year 2020 for the Department of Defense may be obli-*

1 *gated or expended to implement any activity that recognizes*
 2 *the sovereignty of Russia over Crimea.*

3 (b) *WAIVER.—The Secretary of Defense, with the con-*
 4 *currence of the Secretary of State, may waive the restriction*
 5 *on the obligation or expenditure of funds required by sub-*
 6 *section (a) if the Secretary—*

7 (1) *determines that to do so is in the national*
 8 *security interest of the United States; and*

9 (2) *submits a notification of the waiver, at the*
 10 *time the waiver is invoked, to the Committee on*
 11 *Armed Services and the Committee on Foreign Affairs*
 12 *of the House of Representatives and the Committee on*
 13 *Armed Services and the Committee on Foreign Rela-*
 14 *tions of the Senate.*

15 **SEC. 1234. MODIFICATION AND EXTENSION OF UKRAINE SE-**
 16 **CURITY ASSISTANCE INITIATIVE.**

17 *Section 1250 of the National Defense Authorization*
 18 *Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat.*
 19 *1068) is amended—*

20 (1) *in subsection (a), by striking “in coordina-*
 21 *tion with the Secretary of State” and inserting “with*
 22 *the concurrence of the Secretary of State”;*

23 (2) *in subsection (c)—*

24 (A) *in paragraph (1), by striking “50 per-*
 25 *cent of the funds available for fiscal year 2019*

1 pursuant to subsection (f)(4)” and inserting “50
 2 percent of the funds available for fiscal year
 3 2020 pursuant to subsection (f)(5)”;

4 (B) in paragraph (3), by striking “fiscal
 5 year 2019” and inserting “fiscal year 2020”;
 6 and

7 (C) in paragraph (5), by striking “Of the
 8 funds available for fiscal year 2019 pursuant to
 9 subsection (f)(4)” and inserting “Of the funds
 10 available for fiscal year 2020 pursuant to sub-
 11 section (f)(5)”;

12 (3) in subsection (f), by adding at the end the
 13 following:

14 “(5) For fiscal year 2020, \$250,000,000.”.

15 **SEC. 1235. REPORT ON TREATIES RELATING TO NUCLEAR**
 16 **ARMS CONTROL.**

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

18 (1) On October 24, 2018, the House Committee
 19 on Armed Services and House Committee on Foreign
 20 Affairs wrote to the Secretary of Defense requesting
 21 information regarding the Administration’s policies
 22 and strategies related to nuclear arms control.

23 (2) The Committees did not receive the requested
 24 information from the Secretary of Defense.

1 (b) *ASSESSMENT REQUIRED.*—Not later than 120 days
2 after the date of the enactment of this Act, the Secretary
3 of Defense, in consultation with the Secretary of State and
4 the Director of National Intelligence, shall submit to the
5 Committee on Armed Services, the Permanent Select Com-
6 mittee on Intelligence, and the Committee on Foreign Af-
7 fairs of the House of Representatives and the Committee on
8 Armed Services, the Select Committee on Intelligence, and
9 the Committee on Foreign Relations of the Senate an assess-
10 ment that includes each of the following:

11 (1) *The implications, in terms of military threat*
12 *to the United States or its allies in Europe, of Rus-*
13 *sian deployment of intermediate-range cruise and bal-*
14 *listic missiles without restriction.*

15 (2) *What new capabilities the United States*
16 *might need in order to pursue additional technologies*
17 *or programs to offset such Russian capabilities, and*
18 *the costs associated with such capabilities, tech-*
19 *nologies, and programs.*

20 (3) *An assessment of the threat to the United*
21 *States of Russia's strategic nuclear force in the event*
22 *the New START Treaty lapses.*

23 (4) *What measures could have been taken short*
24 *of withdrawal, including economic, military, and*

1 *diplomatic options, to increase pressure on Russia for*
2 *violating the INF Treaty.*

3 (5) *The status of all consultations with allies*
4 *pertaining to the INF Treaty and the threat posed by*
5 *Russian forces that are noncompliant with the obliga-*
6 *tions of such treaty.*

7 (6) *The impact that Russian withdrawal from*
8 *the INF Treaty and the expiration of the New*
9 *START Treaty could have on long-term United*
10 *States-Russia strategic stability.*

11 (c) *WITHHOLDING OF FUNDS.*—*Until the date of the*
12 *submission of the assessment required by subsection (b), an*
13 *amount that is equal to 20 percent of the total amount au-*
14 *thorized to be appropriated to the Office of the Secretary*
15 *of Defense under the Operations and Maintenance, Defense-*
16 *Wide account for the travel of persons shall be withheld from*
17 *obligation or expenditure.*

18 (d) *DEFINITIONS.*—*In this section:*

19 (1) *NEW START TREATY.*—*The term “New*
20 *START Treaty” means the Treaty between the*
21 *United States of America and the Russian Federation*
22 *on Measures for the Further Reduction and Limita-*
23 *tion of Strategic Offensive Arms, signed at Prague*
24 *April 8, 2010, and entered into force February 5,*
25 *2011.*

1 (2) *INF TREATY*.—The term “*INF Treaty*”
 2 means the Treaty between the United States of Amer-
 3 ica and the Union of Soviet Socialist Republics on
 4 the Elimination of Their Intermediate-Range and
 5 Shorter-Range Missiles, signed at Washington Decem-
 6 ber 8, 1987, and entered into force June 1, 1988.

7 **SEC. 1236. SENSE OF CONGRESS ON UPDATING AND MOD-**
 8 **ERNIZING EXISTING AGREEMENTS TO AVERT**
 9 **MISCALCULATION BETWEEN THE UNITED**
 10 **STATES AND RUSSIA.**

11 *It is the sense of Congress that, in order to strengthen*
 12 *the defense of United States and its allies and partners in*
 13 *Europe and avert the risk of miscalculation and unintended*
 14 *escalation that could lead to a broader and dangerous mili-*
 15 *tary catastrophe, the Secretary of Defense and Secretary of*
 16 *State, in consultation with the commander of United States*
 17 *European Command and Assistant Secretary of State for*
 18 *European and Eurasian Affairs, should—*

19 (1) *pursue updating and modernizing the Agree-*
 20 *ment on the prevention of incidents on and over the*
 21 *high seas (entered into force with respect to the*
 22 *United States on May 25, 1972; 23 U.S.T. 1063);*

23 (2) *explore additional options to reduce the risk*
 24 *of accidents in the air; and*

1 (3) *explore the possibility of updating the notifi-*
 2 *cations in the Vienna Document of the Organization*
 3 *for Security and Cooperation in Europe with a view*
 4 *to reducing the risk that the United States, the North*
 5 *Atlantic Treaty Organization, or Russia might mis-*
 6 *interpret a military exercise, including pursuing*
 7 *greater use of the Vienna Document's provision that*
 8 *provides for voluntary hosting of visits that seek to*
 9 *dispel possible concern regarding military activities.*

10 **SEC. 1237. SENSE OF CONGRESS ON SUPPORT FOR GEOR-**
 11 **GIA.**

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

13 (1) *Georgia is a valued friend of the United*
 14 *States and has repeatedly demonstrated its commit-*
 15 *ment to advancing the mutual interests of both coun-*
 16 *tries, including the deployment of Georgian forces as*
 17 *part of the former International Security Assistance*
 18 *Force (ISAF) and the current Resolute Support Mis-*
 19 *sion led by the North Atlantic Treaty Organization*
 20 *(NATO) in Afghanistan and the Multi-National Force*
 21 *in Iraq.*

22 (2) *The European Deterrence Initiative builds*
 23 *the partnership capacity of Georgia so it can work*
 24 *more closely with the United States and NATO, as*
 25 *well as provide for its own defense.*

1 (3) *In addition to the European Deterrence Ini-*
 2 *tiative, Georgia's participation in the NATO initia-*
 3 *tive Partnership for Peace is paramount to interoper-*
 4 *ability with the United States and NATO, and estab-*
 5 *lishing a more peaceful environment in the region.*

6 (4) *Despite the losses suffered, as a NATO part-*
 7 *ner, Georgia is committed to the Resolute Support*
 8 *Mission in Afghanistan with the fourth-largest contin-*
 9 *gent on the ground.*

10 (b) *SENSE OF CONGRESS.—Congress—*

11 (1) *reaffirms United States support for Georgia's*
 12 *sovereignty and territorial integrity within its inter-*
 13 *nationally-recognized borders, and does not recognize*
 14 *the independence of the Abkhazia and South Ossetia*
 15 *regions currently occupied by the Russian Federation;*
 16 *and*

17 (2) *supports continued cooperation between the*
 18 *United States and Georgia and the efforts of the Gov-*
 19 *ernment of Georgia to provide for the defense of its*
 20 *people and sovereign territory.*

21 **SEC. 1238. SENSE OF CONGRESS ON SUPPORT FOR ESTO-**
 22 **NIA, LATVIA, AND LITHUANIA.**

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

24 (1) *The Baltic countries of Estonia, Latvia, and*
 25 *Lithuania are highly valued allies of the United*

1 *States, and they have repeatedly demonstrated their*
 2 *commitment to advancing our mutual interests as*
 3 *well as those of the NATO Alliance.*

4 *(2) Operation Atlantic Resolve is a series of exer-*
 5 *cises and coordinating efforts demonstrating the*
 6 *United States' commitment to its European partners*
 7 *and allies, including the Baltic countries of Estonia,*
 8 *Latvia, and Lithuania, with the shared goal of peace*
 9 *and stability in the region. Operation Atlantic Re-*
 10 *solve strengthens communication and understanding,*
 11 *and is an important effort to deter Russian aggres-*
 12 *sion in the region.*

13 *(3) Through Operation Atlantic Resolve, the Eu-*
 14 *ropean Deterrence Initiative undertakes exercises,*
 15 *training, and rotational presence necessary to reas-*
 16 *sure and integrate our allies, including the Baltic*
 17 *countries, into a common defense framework.*

18 *(4) All three Baltic countries contributed to the*
 19 *NATO-led International Security Assistance Force in*
 20 *Afghanistan, sending troops and operating with few*
 21 *caveats. The Baltic countries continue to commit re-*
 22 *sources and troops to the Resolute Support Mission in*
 23 *Afghanistan.*

24 *(b) SENSE OF CONGRESS.—Congress—*

1 (1) reaffirms its support for the principle of col-
 2 lective defense in Article 5 of the North Atlantic Trea-
 3 ty for our NATO allies, including Estonia, Latvia,
 4 and Lithuania;

5 (2) supports the sovereignty, independence, terri-
 6 torial integrity, and inviolability of Estonia, Latvia,
 7 and Lithuania as well as their internationally recog-
 8 nized borders, and expresses concerns over increas-
 9 ingly aggressive military maneuvering by the Russian
 10 Federation near their borders and airspace;

11 (3) expresses concern over and condemns subver-
 12 sive and destabilizing activities by the Russian Fed-
 13 eration within the Baltic countries; and

14 (4) encourages the Administration to further en-
 15 hance defense cooperation efforts with Estonia, Lat-
 16 via, and Lithuania and supports the efforts of their
 17 Governments to provide for the defense of their people
 18 and sovereign territory.

19 **SEC. 1239. ANNUAL REPORT ON CYBER ATTACKS AND IN-**
 20 **TRUSIONS AGAINST THE DEPARTMENT OF**
 21 **DEFENSE BY CERTAIN FOREIGN ENTITIES.**

22 (a) *IN GENERAL.*—Not later than 180 days after the
 23 date of the enactment of this Act, and each fiscal year there-
 24 after through fiscal year 2023, the Secretary of Defense shall
 25 submit to the congressional defense committees a report on

1 *cyber attacks and intrusions in the previous 12 months by*
2 *agents or associates of the Governments of the Russian Fed-*
3 *eration, the People's Republic of China, the Islamic Repub-*
4 *lic of Iran, and the Democratic People's Republic of Korea*
5 *against or into—*

6 *(1) the information systems (as such term is de-*
7 *fined in section 3502 of title 44, United States Code)*
8 *of—*

9 *(A) the Department of Defense; and*

10 *(B) any contractor of the Department of*
11 *Defense that works on sensitive United States*
12 *military technology; and*

13 *(2) the personal communications of the personnel*
14 *of the Department of Defense.*

15 *(b) FORM.—The report required by subsection (a) shall*
16 *be submitted in classified form.*

17 **SEC. 1240. REPORT ON RUSSIAN MILITARY INVOLVEMENT**
18 **IN THE AFRICOM AOR.**

19 *(a) REPORT.—Not later than 120 days after the date*
20 *of the enactment of this Act, the Secretary of Defense, in*
21 *coordination with the Secretary of State, shall provide to*
22 *the appropriate congressional committees a report on mili-*
23 *tary assistance provided by the Russian Federation or any*
24 *private military corporations headquartered or registered*

1 *in Russia to countries in the U.S. Africa Command*
2 *(AFRICOM) Area of Responsibility (AOR).*

3 *(b) MATTERS TO BE INCLUDED.—The report required*
4 *by subsection (a) shall include the following:*

5 *(1) A description of all known bilateral agree-*
6 *ments between Russia and African governments nego-*
7 *tiated since 2014, including military and technical*
8 *cooperation, arms sales, and mineral exploration.*

9 *(2) An analysis of any direct or indirect mili-*
10 *tary support Russia or private military corporations*
11 *based in Russia are providing to non-state armed*
12 *groups in Africa, including a description of the types*
13 *of support.*

14 *(3) A description of arms sales within the pre-*
15 *vious calendar year by the Russian defense sector to*
16 *African countries, and an analysis of whether any of*
17 *such arms sales constitute significant transactions*
18 *within the meaning of section 231 of the Countering*
19 *America's Adversaries Through Sanctions Act of 2017*
20 *(22 U.S.C. 9525).*

21 *(4) An analysis of the extent to which such arms*
22 *sales may be in violation of United Nations Security*
23 *Council-imposed arms embargoes in Africa, including*
24 *with regard to South Sudan, the Democratic Republic*
25 *of Congo, and the Central African Republic.*

(5) *An analysis of Russian disinformation and propaganda operations in African countries, and the extent to which such operations pose a risk to United States interests in Africa.*

(6) *A plan to counteract destabilizing Russian activities in Africa.*

(c) *FORM.*—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) *APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.*—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

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

SEC. 1240A. REPORTS RELATING TO THE NEW START TREATY.

(a) *SENSE OF CONGRESS.*—It is the sense of Congress that the United States should seek to extend the New START Treaty, from its initial termination date in February 2021 to February 2026, as provided for under Article XIV of the Treaty, unless—

1 (1) *the President determines and informs the ap-*
 2 *propriate congressional committees that Russia is in*
 3 *material breach of the Treaty; or*

4 (2) *the Treaty is superseded by a new arms con-*
 5 *trol agreement that provides equal or greater con-*
 6 *straints, transparency, and verification measures*
 7 *with regard to Russia's nuclear forces.*

8 (b) *PROHIBITION ON USE OF FUNDS TO WITHDRAW*
 9 *FROM THE NEW START TREATY.*—*Notwithstanding any*
 10 *other provision of law, none of the funds authorized to be*
 11 *appropriated by this Act or otherwise made available to the*
 12 *Department of Defense for fiscal year 2020 may be used*
 13 *to take any action to withdraw the United States from the*
 14 *New START Treaty, unless the President determines and*
 15 *so informs the appropriate congressional committees that*
 16 *Russia is in material breach of the Treaty.*

17 (c) *ASSESSMENTS FROM DIRECTOR OF NATIONAL IN-*
 18 *TELLIGENCE.*—

19 (1) *RELATING TO EXPIRATION OF NEW START*
 20 *TREATY.*—*Not later than 180 days after the date of*
 21 *the enactment of this Act, the Director of National In-*
 22 *telligence shall submit to the appropriate congres-*
 23 *sional committees an intelligence assessment based on*
 24 *all sources of the national security and intelligence*
 25 *implications of the expiration of the New START*

1 *Treaty without the United States and Russia having*
2 *entered into a new arms control agreement that pro-*
3 *vides equal or greater constraints, transparency, and*
4 *verification measures with regard to Russia's nuclear*
5 *forces. The assessment shall be submitted in an un-*
6 *classified form, but may contain a classified annex,*
7 *and shall include the following elements:*

8 *(A) A description of the size and posture of*
9 *Russia's nuclear forces, including strategic nu-*
10 *clear warheads and strategic delivery vehicles, as*
11 *well as predicted force levels through February*
12 *2026 under each of the following potential sce-*
13 *narios:*

14 *(i) The Treaty expires in February*
15 *2026 without such a replacement agreement.*

16 *(ii) The Treaty is extended until Feb-*
17 *ruary 2026.*

18 *(B) A description of Russia's likely response*
19 *to an expiration of the New START Treaty, in-*
20 *cluding potential changes to Russia's nuclear*
21 *forces, conventional forces, as well as Russia's*
22 *willingness to negotiate an arms control agree-*
23 *ment on Russian non-strategic or tactical nu-*
24 *clear weapons, short-and-intermediate-range de-*
25 *livery systems, (including dual-capable and nu-*

1 *clear-only), and new strategic delivery systems*
2 *(such as the kinds announced by President Putin*
3 *on March 1, 2018) in the future.*

4 *(C) An assessment of the strategic impact*
5 *on United States and Russian strategic nuclear*
6 *forces if the Treaty is not extended and such an*
7 *agreement is not concluded, including the likeli-*
8 *hood that Russia pursues new strategic offensive*
9 *arms research and development programs.*

10 *(D) An assessment of the potential quantity*
11 *of Russia's new strategic delivery systems (such*
12 *as the kinds announced by President Putin on*
13 *March 1, 2018) between 2021 and 2026, and the*
14 *impact to strategic stability between Russia and*
15 *the United States as related to Russia's existing*
16 *strategic forces.*

17 *(E) An assessment of the impact on United*
18 *States allies if the limitations on Russia's nu-*
19 *clear forces are dissolved if the Treaty is not ex-*
20 *tended and such an agreement is not concluded.*

21 *(F) A description of the verification and*
22 *transparency benefits of the Treaty and a de-*
23 *scription of the Treaty's impact on the United*
24 *States' understanding of Russia's military and*
25 *nuclear forces.*

1 (G) *An assessment of how the United States’*
2 *confidence in its understanding of Russia’s stra-*
3 *tegic nuclear arsenal and future nuclear force*
4 *levels would be impacted if the Treaty is not ex-*
5 *tended and such an agreement is not concluded.*

6 (H) *An assessment of what actions would be*
7 *necessary for the United States to remediate the*
8 *loss of the Treaty’s verification and transparency*
9 *benefits if the Treaty is not extended and such*
10 *an agreement is not concluded, and an estimate*
11 *of the remedial resources required to ensure no*
12 *concomitant loss of understanding of Russia’s*
13 *military and nuclear forces.*

14 (2) *RELATING TO RUSSIA’S WILLINGNESS TO EN-*
15 *GAGE IN NUCLEAR ARMS CONTROL NEGOTIATIONS.—*

16 *Not later than 180 days after the date of the enact-*
17 *ment of this Act, the Director of National Intelligence*
18 *shall submit to the appropriate congressional commit-*
19 *tees an intelligence assessment based on all sources of*
20 *Russia’s willingness to engage in nuclear arms con-*
21 *trol negotiations and Russia’s priorities in these ne-*
22 *gotiations. The assessment shall be submitted in an*
23 *unclassified form but may contain a classified annex,*
24 *and shall include the following elements:*

1 (A) *An assessment of Russia's willingness to*
2 *extend the New START Treaty and its likely ne-*
3 *gotiating position to discuss such an extension*
4 *with the United States.*

5 (B) *An assessment of Russia's interest in*
6 *negotiating a broader arms control agreement*
7 *that would include nuclear weapons systems not*
8 *accountable under the New START Treaty, in-*
9 *cluding non-strategic nuclear weapons.*

10 (C) *An assessment of what concessions Rus-*
11 *sia would likely seek from the United States dur-*
12 *ing such negotiations, including what additional*
13 *United States' military capabilities Russia*
14 *would seek to limit, in any broader arms control*
15 *negotiation.*

16 (d) *REPORTS AND BRIEFING FROM SECRETARY OF*
17 *STATE.—*

18 (1) *RELATING TO NATO, NATO MEMBER COUN-*
19 *TRIES, AND OTHER UNITED STATES ALLIES.—Not*
20 *later than 180 days after the date of the enactment*
21 *of this Act, the Secretary of State, in consultation*
22 *with the Secretary of Defense, shall submit a report,*
23 *which shall be in an unclassified form but may con-*
24 *tain a classified annex, and provide a briefing to the*
25 *appropriate congressional committees that includes—*

1 (A) an assessment of the likely reactions of
 2 the North Atlantic Treaty Organization (NATO),
 3 NATO member countries, and other United
 4 States allies to a United States decision not to
 5 extend the New START Treaty or enter into a
 6 new agreement with Russia to replace the Treaty
 7 that provides equal or greater constraints, trans-
 8 parency, and verification measures with regard
 9 to Russia's nuclear forces; and

10 (B) a description of the consultations un-
 11 dertaken with such allies in which the New
 12 START Treaty was raised, and the level of allied
 13 interest in, recommendations on, or concerns
 14 raised with respect to discussions between the
 15 United States and Russia relating to the Treaty
 16 and other related matters.

17 (2) *RELATING TO ONGOING IMPLEMENTATION OF*
 18 *THE NEW START TREATY.*—Not later than 60 days
 19 after the date of the enactment of this Act, and every
 20 90 days thereafter until the New START Treaty is
 21 extended or expires, the Secretary of State, in con-
 22 sultation with the Secretary of Defense, shall submit
 23 a report, which shall be in an unclassified form but
 24 may contain a classified annex, to the appropriate

1 *congressional committees with an assessment of the*
2 *following elements:*

3 *(A) Whether the Russian Federation re-*
4 *mains in compliance with its obligations under*
5 *the New START Treaty.*

6 *(B) Whether implementation of the New*
7 *START Treaty remains in the national security*
8 *interest of the United States.*

9 *(3) RELATING TO OTHER MATTERS.—Not later*
10 *than 90 days after the date of the enactment of this*
11 *Act, and every 180 days thereafter until the New*
12 *START Treaty is extended or expires, the Secretary*
13 *of State, in consultation with the Secretary of De-*
14 *fense, shall provide a briefing to the appropriate con-*
15 *gressional committees that includes the following ele-*
16 *ments:*

17 *(A) A description of any discussions with*
18 *Russia on the Treaty or on a broader, multilat-*
19 *eral arms control treaty with Russia and other*
20 *countries on the reduction and limitation of*
21 *strategic offensive arms, and discussions address-*
22 *ing the disparity between the non-strategic nu-*
23 *clear weapons stockpiles of Russia and of the*
24 *United States, at the Assistant Secretary level,*
25 *Ambassadorial level, or higher.*

1 (B) *The dates, locations, discussion topics,*
2 *agenda, outcomes, and Russian interlocutors in-*
3 *volved in those discussions.*

4 (C) *An identification of the United States*
5 *Government departments and agencies involved*
6 *in the discussions.*

7 (D) *The types of systems, both nuclear and*
8 *nonnuclear, discussed by either side in such dis-*
9 *cussions as the potential subjects of an agree-*
10 *ment.*

11 (E) *Whether an offer of extension of the*
12 *Treaty for any length of time, or to negotiate a*
13 *new agreement, has been offered by either side.*

14 (e) *REPORT AND BRIEFING FROM SECRETARY OF DE-*
15 *FENSE.—Not later than 180 days after the date of the enact-*
16 *ment of this Act, the Secretary of Defense, in consultation*
17 *with the Secretary of Energy and the Secretary of State,*
18 *shall submit a report, which shall be in unclassified form*
19 *but may contain a classified annex, and provide a briefing*
20 *to the appropriate congressional committees that includes—*

21 (1) *an assessment of the impact on the United*
22 *States nuclear arsenal and posture of the expiration*
23 *of the New START Treaty without the United States*
24 *and Russia having entered into a new agreement with*
25 *Russia to replace the Treaty that provides equal or*

1 *greater constraints, transparency, and verification*
2 *measures with regard to Russia's nuclear forces;*

3 *(2) a description of the potential changes to the*
4 *expected force structure of the Armed Forces to re-*
5 *spond to potential changes in Russia's nuclear pos-*
6 *ture if the limitations in the Treaty are no longer in*
7 *force, and in the absence of such a new bilateral or*
8 *multilateral agreement, and an estimation of expected*
9 *costs necessary to make such changes to the force*
10 *structure of the Armed Forces;*

11 *(3) a description, to be submitted jointly with*
12 *the Secretary of Energy, of potential changes to the*
13 *modernization plan for the United States nuclear*
14 *weapons complex, which anticipates the continued ex-*
15 *istence of the Treaty, if the Treaty is not extended or*
16 *such a new bilateral or multilateral agreement is not*
17 *concluded;*

18 *(4) a description of the strategic impact on*
19 *United States and Russian strategic nuclear forces if*
20 *the Treaty is not extended or such a new bilateral or*
21 *multilateral agreement is not concluded; and*

22 *(5) a description of potential changes regarding*
23 *United States nuclear weapons forward deployed to*
24 *Europe and regarding the nuclear deterrent of the*
25 *United Kingdom and France, if the Treaty is not ex-*

1 *tended or such a new bilateral or multilateral agree-*
 2 *ment is not concluded.*

3 *(f) PRESIDENTIAL CERTIFICATION IN ADVANCE OF EX-*
 4 *PIRATION OF NEW START TREATY.—Not later than Sep-*
 5 *tember 7, 2020, if the New START Treaty has not been*
 6 *extended, and if the United States and Russia have not en-*
 7 *tered into a new treaty to replace the New START Treaty,*
 8 *the President shall submit a report, which shall be in an*
 9 *unclassified form but may contain a classified annex, to*
 10 *the appropriate congressional committees that contains the*
 11 *following elements—*

12 *(1) an assessment as to whether the limits of the*
 13 *New START Treaty on Russia’s strategic nuclear*
 14 *forces advance United States national security inter-*
 15 *ests;*

16 *(2) an explanation of how the United States will*
 17 *address the imminent expiration of the New START*
 18 *Treaty, including—*

19 *(A) a plan to extend the New START Trea-*
 20 *ty before it expires;*

21 *(B) a plan to otherwise retain the Treaty’s*
 22 *limits on Russia’s nuclear forces; or*

23 *(C) a plan to provide for the expiration of*
 24 *the Treaty, including—*

1 (i) a justification for why the expira-
 2 tion of the Treaty is in the national secu-
 3 rity interest of the United States; and

4 (ii) a plan, including steps the United
 5 States military and the intelligence commu-
 6 nity will take before February 5, 2021, to
 7 account for the expiration of the Treaty and
 8 the failure to replace it with a new agree-
 9 ment to maintain confidence in United
 10 States nuclear deterrence requirements and
 11 a similar level of confidence in intelligence
 12 information regarding Russia's nuclear
 13 forces.

14 (g) *DEPARTMENT OF DEFENSE REPORTING REQUIRE-*
 15 *MENTS IN EVENT OF EXPIRATION OF NEW START TREA-*
 16 *TY.—If the New START Treaty expires before the United*
 17 *States and Russia enter into a new arms control agreement*
 18 *to replace the Treaty that provides equal or greater con-*
 19 *straints, transparency, and verification measures with re-*
 20 *gard to the Russia's nuclear forces, not later than 30 days*
 21 *after such expiration—*

22 (1) the Secretary of Defense shall submit to the
 23 appropriate congressional committees a report de-
 24 scribing changes to the expected force structure of the

1 *Armed Forces and estimating the expected costs nec-*
2 *essary to make such changes; and*

3 *(2) the Secretary of Defense and the Secretary of*
4 *Energy shall jointly submit to the appropriate con-*
5 *gressional committees a report—*

6 *(A) describing the manner in which the cur-*
7 *rent United States nuclear modernization plan,*
8 *which anticipates the continued existence of the*
9 *Treaty, will be modified without the existence of*
10 *the Treaty; and*

11 *(B) including—*

12 *(i) the information required to be sub-*
13 *mitted in the report required by section*
14 *1043 of the National Defense Authorization*
15 *Act for Fiscal Year 2012 (Public Law 112–*
16 *81; 125 Stat. 1576);*

17 *(ii) a separate 10-year cost estimate*
18 *from the Department of Defense to imple-*
19 *ment a nuclear sustainment plan; and*

20 *(iii) a separate 10-year cost estimate*
21 *from the Department of Energy to imple-*
22 *ment a nuclear sustainment and mod-*
23 *ernization plan.*

24 *(h) DEFINITIONS.—In this section:*

1 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
2 *TEES.*—*The term “appropriate congressional commit-*
3 *tees” means—*

4 *(A) the Committee on Foreign Affairs, the*
5 *Committee on Armed Services, and the Perma-*
6 *nent Select Committee on Intelligence of the*
7 *House of Representatives; and*

8 *(B) the Committee on Foreign Relations,*
9 *the Committee on Armed Services, and the Select*
10 *Committee on Intelligence of the Senate.*

11 (2) *INTELLIGENCE COMMUNITY.*—*The term “in-*
12 *telligence community” has the meaning given that*
13 *term in section 3 of the National Security Act of 1947*
14 *(50 U.S.C. 3003).*

15 (3) *NEW START TREATY; TREATY.*—*The terms*
16 *“New START Treaty” and “Treaty” mean the Trea-*
17 *ty between the United States of America and the Rus-*
18 *sian Federation on Measures for the Further Reduc-*
19 *tion and Limitation of Strategic Offensive Arms,*
20 *signed on April 8, 2010, and entered into force on*
21 *February 5, 2011.*

1 **SEC. 1240B. UNITED STATES ACTIONS RELATING TO RUS-**
 2 **SIAN INTERFERENCE IN ELECTIONS FOR FED-**
 3 **ERAL OFFICE.**

4 (a) *PROHIBITION ON TRANSACTIONS RELATING TO*
 5 *NEW RUSSIAN SOVEREIGN DEBT.*—

6 (1) *IN GENERAL.*—Not later than 90 days after
 7 the date of the enactment of this Act, the President
 8 shall issue regulations prohibiting United States per-
 9 sons from engaging in transactions with, providing
 10 financing for, or in any other way dealing in Rus-
 11 sian sovereign debt that is issued on or after the date
 12 that is 180 days after such date of enactment.

13 (2) *RUSSIAN SOVEREIGN DEBT DEFINED.*—For
 14 purposes of this subsection, the term “Russian sov-
 15 ereign debt” means—

16 (A) bonds issued by the Russian Central
 17 Bank, the Russian National Wealth Fund, the
 18 Russian Federal Treasury, or agents or affiliates
 19 of any such institution, with a maturity of more
 20 than 14 days;

21 (B) new foreign exchange swap agreements
 22 with the Russian Central Bank, the Russian Na-
 23 tional Wealth Fund, or the Russian Federal
 24 Treasury, the duration of which agreement is
 25 longer than 14 days; and

1 (C) any other financial instrument, the du-
 2 ration or maturity of which is more than 14
 3 days, that the President determines represents
 4 the sovereign debt of Russia.

5 (3) *REQUIREMENT TO PROMPTLY PUBLISH GUID-*
 6 *ANCE.—The President shall concurrently publish*
 7 *guidance on the implementation of the regulations*
 8 *issued pursuant to paragraph (1).*

9 (b) *DETERMINATION OF RUSSIAN INTERFERENCE IN*
 10 *ELECTIONS FOR FEDERAL OFFICE.—*

11 (1) *IN GENERAL.—Not later than 30 days after*
 12 *an election for Federal office, the Director of National*
 13 *Intelligence, in consultation with the Director of the*
 14 *Federal Bureau of Investigation, the Director of the*
 15 *National Security Agency, and the Director of the*
 16 *Central Intelligence Agency, shall—*

17 (A) *determine whether or not the Govern-*
 18 *ment of Russia, or any person acting as an*
 19 *agent of or on behalf of that government, know-*
 20 *ingly engaged in interference in the election; and*

21 (B) *submit to the appropriate congressional*
 22 *committees and leadership a report on that de-*
 23 *termination, including an identification of the*
 24 *government or person that interfered in the elec-*

1 *tion if the Director determines that interference*
2 *did occur.*

3 (2) *ADDITIONAL REPORTING.—If the Director of*
4 *National Intelligence determines and reports under*
5 *paragraph (1) that neither the Government of Russia*
6 *nor any person acting as an agent of or on behalf of*
7 *that government knowingly engaged in interference in*
8 *an election for Federal office, and the Director subse-*
9 *quently determines that such government, or such a*
10 *person, did engage in such interference, the Director*
11 *shall submit to the appropriate congressional commit-*
12 *tees and leadership a report on the subsequent deter-*
13 *mination not later than 30 days after making that*
14 *determination.*

15 (3) *FORM OF REPORT.—Each report required by*
16 *paragraph (1) or (2) shall be submitted in unclassi-*
17 *fied form but may include a classified annex.*

18 (c) *LIFTING THE PROHIBITION ON TRANSACTIONS RE-*
19 *LATING TO NEW RUSSIAN SOVEREIGN DEBT.—The Presi-*
20 *dent shall immediately suspend the prohibition on trans-*
21 *actions relating to Russian sovereign debt required under*
22 *subsection (a) if, no later than 90 days after the date on*
23 *which a report required under subsection (b) is submitted*
24 *to the appropriate congressional committees and leadership*

1 *and no later than 120 days after the most recent election*
2 *for Federal office, whichever is sooner—*

3 (1) *the Director of National Intelligence has in*
4 *its report required under subsection (b) affirmatively*
5 *determined that neither the Government of Russia,*
6 *nor any person acting as an agent of or on behalf of*
7 *that government, has knowingly engaged in inter-*
8 *ference in the most recent election for Federal office;*
9 *and*

10 (2) *Congress has passed a joint resolution certi-*
11 *fying the determination of the Director of National*
12 *Intelligence.*

13 (d) *REIMPOSING THE PROHIBITION ON TRANSACTIONS*
14 *RELATING TO NEW RUSSIAN SOVEREIGN DEBT.—The*
15 *President shall immediately reimpose the prohibition on*
16 *transactions relating to Russian sovereign debt required*
17 *under subsection (a) if, after 90 days following the date on*
18 *which a report required under subsection (b) is submitted*
19 *to the appropriate congressional committees and leadership*
20 *or 120 days following the most recent election for Federal*
21 *office, whichever is sooner—*

22 (1) *the Director of National Intelligence, in the*
23 *report required under subsection (b), has not affirma-*
24 *tively determined that neither the Government of Rus-*
25 *sia, nor any person acting as an agent of or on behalf*

1 *of that government, has knowingly engaged in inter-*
 2 *ference in the most recent election for Federal office;*
 3 *or*

4 (2) *Congress has failed to pass a joint resolution*
 5 *certifying the determination of the Director of Na-*
 6 *tional Intelligence in its report required under sub-*
 7 *section (b) that neither the Government of Russia, nor*
 8 *any person acting as an agent of or on behalf of that*
 9 *government, has knowingly engaged in interference in*
 10 *the most recent Federal election.*

11 (e) *DEFINITIONS.—In this section:*

12 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
 13 *TEES.—The term “appropriate congressional commit-*
 14 *tees” means—*

15 (A) *the Committee on Banking, Housing,*
 16 *and Urban Affairs, the Committee on Foreign*
 17 *Relations, the Committee on Finance, the Select*
 18 *Committee on Intelligence, and the Committee on*
 19 *Rules and Administration of the Senate; and*

20 (B) *the Committee on Financial Services,*
 21 *the Committee on Foreign Affairs, the Committee*
 22 *on Ways and Means, the Permanent Select Com-*
 23 *mittee on Intelligence, and the Committee on*
 24 *House Administration of the House of Represent-*
 25 *atives.*

1 (2) *APPROPRIATE CONGRESSIONAL COMMITTEES*
 2 *AND LEADERSHIP.*—*The term “appropriate congressional*
 3 *committees and leadership” means—*

4 (A) *the appropriate congressional commit-*
 5 *tees;*

6 (B) *the majority leader and minority leader*
 7 *of the Senate; and*

8 (C) *the Speaker, the majority leader, and*
 9 *the minority leader of the House of Representa-*
 10 *tives.*

11 (3) *ELECTIONS FOR FEDERAL OFFICE.*—*The*
 12 *term “elections for Federal office” has the meaning*
 13 *given such term in the Federal Election Campaign*
 14 *Act of 1971 (52 U.S.C. 30101 et seq.), except that*
 15 *such term does not include a special election.*

16 (4) *INTERFERENCE IN ELECTIONS FOR FEDERAL*
 17 *OFFICE.*—*The term “interference”, with respect to an*
 18 *election for Federal office:*

19 (A) *Means any of the following actions of*
 20 *the government of a foreign country, or any per-*
 21 *son acting as an agent of or on behalf of such*
 22 *a government, undertaken with the intent to in-*
 23 *fluence the election:*

24 (i) *Obtaining unauthorized access to*
 25 *election and campaign infrastructure or re-*

lated systems or data and releasing such data or modifying such infrastructure, systems, or data.

(ii) Blocking or degrading otherwise legitimate and authorized access to election and campaign infrastructure or related systems or data.

(iii) Contributions or expenditures for advertising, including on the internet.

(iv) Using social or traditional media to spread significant amounts of false information to individuals in the United States.

(B) Does not include communications clearly attributable to news and media outlets which are publicly and explicitly either controlled or in large part funded by the government of a foreign country.

(5) *KNOWINGLY*.—The term “knowingly”, with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(6) *PERSON*.—The term “person” means an individual or entity.

(7) *UNITED STATES PERSON*.—The term “United States person” means—

1 (A) a United States citizen or an alien law-
 2 fully admitted for permanent residence to the
 3 United States; or

4 (B) an entity organized under the laws of
 5 the United States or of any jurisdiction within
 6 the United States, including a foreign branch of
 7 such an entity.

8 ***Subtitle E—Matters Relating to the***
 9 ***Indo-Pacific Region***

10 ***SEC. 1241. MODIFICATION OF INDO-PACIFIC MARITIME SE-***
 11 ***CURITY INITIATIVE.***

12 (a) *TYPES OF ASSISTANCE AND TRAINING.*—Sub-
 13 section (c)(2)(A) of section 1263 of the National Defense Au-
 14 thorization Act for Fiscal Year 2016 (10 U.S.C. 2282 note)
 15 is amended by inserting “the law of armed conflict, the rule
 16 of law, and” after “respect for”.

17 (b) *NOTICE TO CONGRESS ON ASSISTANCE AND TRAIN-*
 18 *ING.*—Subsection (g)(1) of such section is amended—

19 (1) in subparagraph (A), by inserting at the end
 20 before the period the following: “, the specific unit or
 21 units whose capacity to engage in activities under a
 22 program of assistance or training to be provided
 23 under subsection (a) will be built under the program,
 24 and the amount, type, and purpose of the support to
 25 be provided”;

1 (2) *by redesignating subparagraph (F) as sub-*
2 *paragraph (J); and*

3 (3) *by inserting after subparagraph (E) the fol-*
4 *lowing new subparagraphs:*

5 “(F) *Information, including the amount,*
6 *type, and purpose, on assistance and training*
7 *provided under subsection (a) during the three*
8 *preceding fiscal years, if applicable.*

9 “(G) *A description of the elements of the*
10 *theater campaign plan of the geographic combat-*
11 *ant command concerned and the interagency in-*
12 *tegrated country strategy that will be advanced*
13 *by the assistance and training provided under*
14 *subsection (a).*

15 “(H) *A description of whether assistance*
16 *and training provided under subsection (a) could*
17 *be provided pursuant to—*

18 “(i) *section 333 of title 10, United*
19 *States Code, or other security cooperation*
20 *authorities of the Department of Defense; or*

21 “(ii) *security cooperation authorities of*
22 *the Department of State.*

23 “(I) *An identification of each such author-*
24 *ity described in subparagraph (H).”.*

1 (c) *ANNUAL MONITORING REPORTS*.—Such section is
2 amended—

3 (1) *by redesignating subsection (h) as subsection*
4 *(j); and*

5 (2) *by inserting after subsection (g) the following*
6 *new subsection:*

7 “(h) *ANNUAL MONITORING REPORTS*.—

8 “(1) *IN GENERAL*.—Not later than December 31,
9 2019, and annually thereafter, the Secretary of De-
10 fense shall submit to the appropriate committees of
11 Congress a report setting forth, for the preceding cal-
12 endar year, the following:

13 “(A) *Information, by recipient foreign*
14 *country, on the status of funds allocated for as-*
15 *sistance and training provided under subsection*
16 *(a), including funds allocated but not yet obli-*
17 *gated or expended.*

18 “(B) *Information, by recipient foreign*
19 *country, on the delivery and use of assistance*
20 *and training provided under subsection (a).*

21 “(C) *Information, by recipient foreign coun-*
22 *try, on the timeliness of delivery of assistance*
23 *and training provided under subsection (a) as*
24 *compared to the timeliness of delivery of assist-*

1 *ance and training previously provided to the for-*
 2 *ign country under subsection (a).*

3 “(2) *APPROPRIATE COMMITTEES OF CONGRESS*
 4 *DEFINED.—In this subsection, the term ‘appropriate*
 5 *committees of Congress’ has the meaning given the*
 6 *term in subsection (g)(2).’.*”

7 (d) *LIMITATIONS.—Such section, as so amended, is*
 8 *further amended by inserting after subsection (h), as added*
 9 *by subsection (c)(2), the following:*

10 “(i) *LIMITATIONS.—*

11 “(1) *ASSISTANCE OTHERWISE PROHIBITED BY*
 12 *LAW.—The Secretary of Defense may not use the au-*
 13 *thority in subsection (a) to provide any type of assist-*
 14 *ance or training that is otherwise prohibited by any*
 15 *provision of law.*

16 “(2) *PROHIBITION ON ASSISTANCE TO UNITS*
 17 *THAT HAVE COMMITTED GROSS VIOLATIONS OF*
 18 *HUMAN RIGHTS.—The provision of assistance and*
 19 *training pursuant to a program under subsection (a)*
 20 *shall be subject to the provisions of section 362 of title*
 21 *10, United States Code.*

22 “(3) *ASSESSMENT, MONITORING, AND EVALUA-*
 23 *TION OF PROGRAMS AND ACTIVITIES.—The provision*
 24 *of assistance and training pursuant to a program*

1 *under subsection (a) shall be subject to the provisions*
2 *of section 383 of title 10, United States Code.”.*

3 *(e) REPORT.—*

4 *(1) IN GENERAL.—Not later than January 31,*
5 *2020, the Secretary of Defense, with the concurrence*
6 *of the Secretary of State, shall submit to the appro-*
7 *priate congressional committees a report on the im-*
8 *plementation of the Indo-Pacific Maritime Security*
9 *Initiative under section 1263 of the National Defense*
10 *Authorization Act for Fiscal Year 2016, as amended*
11 *by this section.*

12 *(2) MATTERS TO BE INCLUDED.—The report re-*
13 *quired by paragraph (1) shall include the following:*

14 *(A) Objectives of the Initiative, including—*

15 *(i) a discussion of United States secu-*
16 *rity requirements that are satisfied or en-*
17 *hanced under the Initiative; and*

18 *(ii) an assessment of progress toward*
19 *each such objective and the metrics used to*
20 *assess such progress.*

21 *(B) A discussion of how the Initiative re-*
22 *lates to, complements, or overlaps with other*
23 *United States security cooperation and security*
24 *assistance authorities.*

1 (C) *A description of the process and criteria*
2 *by which the utilization of each such authority*
3 *or authorities described in subparagraph (B) is*
4 *determined.*

5 (D) *An assessment, by recipient foreign*
6 *country, of—*

7 (i) *the country's capabilities relating*
8 *to maritime security and maritime domain*
9 *awareness;*

10 (ii) *the country's capability enhance-*
11 *ment priorities, including how such prior-*
12 *ities relate to the theater campaign strategy,*
13 *country plan, and theater campaign plan*
14 *relating to maritime security and maritime*
15 *domain awareness;*

16 (E) *A discussion, by recipient foreign coun-*
17 *try, of—*

18 (i) *priority capabilities that the De-*
19 *partment of Defense plans to enhance under*
20 *the Initiative and priority capabilities the*
21 *Department plans to enhance under sepa-*
22 *rate United States security cooperation and*
23 *security assistance authorities; and*

24 (ii) *the anticipated timeline for assist-*
25 *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 De-*
 5 *fense 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, but*
 9 *may include a classified annex.*

10 (4) *DEFINITION.—In this section, the term “ap-*
 11 *propriate 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 Affairs*
 16 *of the House of Representatives.*

17 **SEC. 1242. EXTENSION AND MODIFICATION OF REPORT ON**
 18 **MILITARY AND SECURITY DEVELOPMENTS IN-**
 19 **VOLVING NORTH KOREA.**

20 (a) *EXTENSION.—Subsection (a) of section 1236 of the*
 21 *National Defense Authorization Act for Fiscal Year 2012*
 22 *(Public Law 112–81; 125 Stat. 1641) is amended—*

23 (1) *by striking “and November 1, 2017” and in-*
 24 *serting “November 1, 2017, April 1, 2020, and April*
 25 *1, 2021”; and*

1 (2) by inserting “(without any designation relat-
2 ing to dissemination control)” after “unclassified”.

3 (b) *ADDITIONAL MATTERS TO BE INCLUDED.*—Sub-
4 section (b) of such section is amended—

5 (1) by redesignating paragraph (8) as para-
6 graph (9); and

7 (2) by inserting after paragraph (7) the fol-
8 lowing new paragraph:

9 “(8) *Developments in North Korea’s nuclear pro-*
10 *gram, including the size and state of North Korea’s*
11 *stockpile of nuclear weapons, its nuclear strategy and*
12 *associated doctrines, its civil and military production*
13 *capacities, and projections of its future arsenals.”.*

14 **SEC. 1243. LIMITATION ON USE OF FUNDS TO REDUCE THE**
15 **TOTAL NUMBER OF MEMBERS OF THE ARMED**
16 **FORCES SERVING ON ACTIVE DUTY WHO ARE**
17 **DEPLOYED TO SOUTH KOREA.**

18 *None of the funds authorized to be appropriated by this*
19 *Act may be used to reduce the total number of members*
20 *of the Armed Forces serving on active duty who are de-*
21 *ployed to South Korea below 28,500 unless the Secretary*
22 *of Defense first certifies to the congressional defense commit-*
23 *tees the following:*

24 (1) *Such a reduction is in the national security*
25 *interest of the United States and will not signifi-*

1 *cantly undermine the security of United States allies*
2 *in the region.*

3 (2) *The Secretary has appropriately consulted*
4 *with allies of the United States, including South*
5 *Korea and Japan, regarding such a reduction.*

6 **SEC. 1244. REPORT ON DIRECT, INDIRECT, AND BURDEN-**
7 **SHARING CONTRIBUTIONS OF JAPAN AND**
8 **SOUTH KOREA.**

9 (a) *IN GENERAL.*—*Not later than March 1, 2020, and*
10 *March 1, 2021, the Secretary of Defense shall submit to the*
11 *appropriate congressional committees a report on the direct,*
12 *indirect, and burden-sharing contributions of Japan and*
13 *South Korea to support overseas military installations of*
14 *the United States and United States Armed Forces deployed*
15 *to or permanently stationed in Japan and South Korea,*
16 *respectively.*

17 (b) *ELEMENTS.*—*The report required by subsection (a)*
18 *shall include the following:*

19 (1) *The benefits to United States national secu-*
20 *urity and regional security derived from the forward*
21 *presence of United States Armed Forces in the Indo-*
22 *Pacific region, including Japan and South Korea.*

23 (2) *For calendar year 2016 and each subsequent*
24 *calendar year, a description of the one-time and re-*
25 *curring costs associated with the presence of United*

1 *States Armed Forces in Japan and South Korea, in-*
2 *cluding—*

3 *(A) costs to relocate the Armed Forces with-*
4 *in Japan and South Korea and to realign the*
5 *Armed Forces from Japan and South Korea;*

6 *(B) military personnel costs;*

7 *(C) operation and maintenance costs; and*

8 *(D) military construction costs.*

9 *(3) A description of direct, indirect, and burden-*
10 *sharing contributions of Japan and South Korea, in-*
11 *cluding—*

12 *(A) contributions for labor costs associated*
13 *with the presence of United States Armed Forces;*

14 *(B) contributions to military construction*
15 *projects of the Department of Defense, including*
16 *planning, design, environmental reviews, con-*
17 *struction, construction management costs, rents*
18 *on privately-owned land, facilities, labor, utili-*
19 *ties, and vicinity improvements;*

20 *(C) contributions such as loan guarantees*
21 *on public-private venture housing and payment-*
22 *in-kind for facilities returned to Japan and*
23 *South Korea;*

1 (D) contributions accepted for labor, logis-
 2 tics, utilities, facilities, and any other purpose;
 3 and

4 (E) other contributions as determined ap-
 5 propriate by the Secretary.

6 (4) The methodology and accounting procedures
 7 used to measure and track direct, indirect, and bur-
 8 den-sharing contributions made by Japan and South
 9 Korea.

10 (c) DESCRIPTION OF CONTRIBUTIONS IN UNITED
 11 STATES DOLLARS.—The report required by subsection (a)
 12 shall describe the direct, indirect, and burden-sharing con-
 13 tributions of Japan and South Korea in United States dol-
 14 lars and shall specify the exchange rates used to determine
 15 the United States dollar value of such contributions.

16 (d) FORM.—The report required by subsection (a) shall
 17 be submitted in unclassified form without any designation
 18 relating to dissemination control, but may contain a classi-
 19 fied annex.

20 (e) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
 21 FINED.—In this section, the term “appropriate congres-
 22 sional committees” means—

23 (1) the congressional defense committees; and

1 (2) *the Committee on Foreign Relations of the*
2 *Senate and the Committee on Foreign Affairs of the*
3 *House of Representatives.*

4 **SEC. 1245. REPORT ON STRATEGY ON THE PHILIPPINES.**

5 (a) *STRATEGY REQUIRED.*—*Not later than 120 days*
6 *after the date of the enactment of this Act, the Secretary*
7 *of Defense, in consultation with the Secretary of State, shall*
8 *submit to the appropriate congressional committees a report*
9 *describing the Department of Defense’s objectives and strat-*
10 *egy for achieving such objectives with the Philippines.*

11 (b) *ELEMENTS OF STRATEGY.*—*The strategy required*
12 *by subsection (b) shall include the following:*

13 (1) *A description of the national security inter-*
14 *ests and objectives of the United States furthered by*
15 *the Mutual Defense Treaty between the Republic of*
16 *the Philippines and the United States of America.*

17 (2) *A description of the regional security envi-*
18 *ronment, including an assessment of threats to United*
19 *States national security interests and the role of the*
20 *Department of Defense in addressing such threats, in-*
21 *cluding—*

22 (A) *a description of security challenges det-*
23 *rimonial to regional peace and global stability;*

24 (B) *a description of violent extremist orga-*
25 *nizations present in the Philippines and the pri-*

1 *mary objectives of each such organization, in-*
 2 *cluding—*

3 *(i) an assessment of the size and capa-*
 4 *bility of each such organization;*

5 *(ii) an assessment of the transnational*
 6 *threat posed by each such organization;*

7 *(iii) an assessment of recent trends in*
 8 *the capability and influence of each such or-*
 9 *ganization; and*

10 *(iv) a description of the metrics used to*
 11 *assess the capability and influence of each*
 12 *such organization.*

13 *(3) A description of Department of Defense objec-*
 14 *tives with respect to the Philippines and the bench-*
 15 *marks for assessing progress towards such objectives.*

16 *(4) An identification of all current and planned*
 17 *Department of Defense resources, programs, and ac-*
 18 *tivities to support the strategy, including a review of*
 19 *the necessity of an ongoing named operation and the*
 20 *criteria used to determine such necessity.*

21 *(5) An identification of all current and planned*
 22 *Department of Defense security cooperation and other*
 23 *support or assistance programs or activities in the*
 24 *Philippines, including—*

1 (A) a description of the purpose, objectives,
2 and type of training, equipment, or assistance
3 provided under each such program or activity;

4 (B) an identification of the lead agency re-
5 sponsible for each such program or activity;

6 (C) an identification of the authority or au-
7 thorities under which each such program or ac-
8 tivity is conducted;

9 (D) a description of the process and criteria
10 used to determine utilization between each such
11 authority or authorities;

12 (E) a description of how each such program
13 or activity advances United States national se-
14 curity interests as it relates to the Department's
15 strategy on the Philippines;

16 (F) an identification of the specific units of
17 the Philippine national security forces to receive
18 training, equipment, or assistance under each
19 such program;

20 (G) a description of the process and criteria
21 by which specific units of the Philippine na-
22 tional security forces are selected as recipients of
23 such programs and activities;

24 (H) an assessment of the current oper-
25 ational effectiveness of such units and their com-

1 *mand and control structures and a description of*
2 *the metrics used to make and carry out such as-*
3 *essment;*

4 *(I) an identification of priority capabilities*
5 *of such units to enhance through training, equip-*
6 *ment, or assistance under each such program or*
7 *activity;*

8 *(J) a plan to monitor and assess each such*
9 *program or activity to meet its objectives to en-*
10 *hance the capabilities of each such unit;*

11 *(K) a description of the planned posture of*
12 *United States Armed Forces and the planned*
13 *level of engagement by such forces with elements*
14 *of the Philippine national security forces; and*

15 *(L) an identification of—*

16 *(i) units of the Philippine national se-*
17 *curity forces that are alleged or determined*
18 *to have committed human rights abuses;*
19 *and*

20 *(ii) units of the Philippine national se-*
21 *curity forces that are under the command*
22 *and control of any unit identified under*
23 *clause (i) or otherwise associated with any*
24 *such unit.*

1 (6) *A description of relations of the Philippines*
 2 *with other countries in the Indo-Pacific region.*

3 (7) *Any other matters the Secretary of Defense*
 4 *determines should be included.*

5 (c) *FORM.*—*The strategy required by subsection (b)*
 6 *shall be submitted in unclassified form without any des-*
 7 *ignation relating to dissemination control, but may contain*
 8 *a classified annex.*

9 (d) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
 10 *FINED.*—*In this section, the term “appropriate congres-*
 11 *sional committees” means—*

12 (1) *the congressional defense committees; and*

13 (2) *the Committee on Foreign Relations of the*
 14 *Senate and the Committee on Foreign Affairs of the*
 15 *House of Representatives.*

16 **SEC. 1246. MODIFICATION OF ANNUAL REPORT ON MILI-**
 17 **TARY AND SECURITY DEVELOPMENTS IN-**
 18 **VOLVING THE PEOPLE’S REPUBLIC OF CHINA.**

19 (a) *ANNUAL REPORT.*—*Subsection (a) of section 1202*
 20 *of the National Defense Authorization Act for Fiscal Year*
 21 *2000 (10 U.S.C. 113 note) is amended by inserting “, in*
 22 *consultation with the heads of other Federal departments*
 23 *and agencies as appropriate,” after “the Secretary of De-*
 24 *fense”.*

1 (b) *MATTERS TO BE INCLUDED*.—Subsection (b) of
 2 such section is amended by striking paragraph (26) and
 3 inserting the following:

4 “(26) *An assessment of Chinese overseas invest-*
 5 *ment, including a state-owned or controlled digital or*
 6 *physical infrastructure project of China, and their re-*
 7 *lationship to Chinese security and military objectives,*
 8 *including implications for United States military or*
 9 *government interests related to denial of access, com-*
 10 *promised intelligence activities, and network advan-*
 11 *tages.”.*

12 (c) *SPECIFIED CONGRESSIONAL COMMITTEES*.—Sub-
 13 section (c) of such section is amended—

14 (1) in paragraph (1), by striking “and the Com-
 15 mittee on Foreign Relations” and inserting “, the
 16 Committee on Foreign Relations, and the Select Com-
 17 mittee on Intelligence”; and

18 (2) in paragraph (2), by striking “and the Com-
 19 mittee on International Relations” and inserting “,
 20 the Committee on Foreign Affairs, and the Permanent
 21 Select Committee on Intelligence”.

22 (d) *OTHER DEFINITIONS*.—Such section, as so amend-
 23 ed, is further amended—

24 (1) by redesignating subsection (d) as subsection
 25 (e); and

1 (2) *by inserting after subsection (c) the fol-*
 2 *lowing:*

3 “(d) *OTHER DEFINITIONS.*—

4 “(1) *IN GENERAL.*—*In subsection (b)(26), the*
 5 *term ‘state-owned or controlled digital or physical in-*
 6 *frastructure project of China’ means a transportation,*
 7 *energy, or information technology infrastructure*
 8 *project owned, controlled, under the direct or indirect*
 9 *influence of, or subsidized by the Government of*
 10 *China, including any agency, instrumentality, sub-*
 11 *division, or other unit of government at any level of*
 12 *jurisdiction.*

13 “(2) *OWNED; CONTROLLED.*—*In paragraph*
 14 *(1)—*

15 “(A) *the term ‘owned’, with respect to a*
 16 *project, means a majority or controlling interest,*
 17 *whether by value or voting interest, in that*
 18 *project, including through fiduciaries, agents, or*
 19 *other means; and*

20 “(B) *the term ‘controlled’, with respect to a*
 21 *project, means—*

22 “(i) *the power by any means to deter-*
 23 *mine or influence, directly or indirectly,*
 24 *important matters affecting the project, re-*

1 *ardless of the level of ownership and wheth-*
 2 *er or not that power is exercised; and*

3 “(ii) *any Chinese company operating*
 4 *in a sector identified as a strategic industry*
 5 *in the Chinese Government’s ‘Made in*
 6 *China 2025’ strategy to make China a*
 7 *‘manufacturing power’ as a core national*
 8 *interest.”.*

9 **SEC. 1247. MODIFICATION OF ANNUAL REPORT ON MILI-**
 10 **TARY AND SECURITY DEVELOPMENTS IN-**
 11 **VOLVING THE PEOPLE’S REPUBLIC OF CHINA.**

12 (a) *ANNUAL REPORT.*—Subsection (a) of section 1202
 13 *of the National Defense Authorization Act for Fiscal Year*
 14 *2000 (10 U.S.C. 113 note) is amended by inserting “, in*
 15 *consultation with the heads of other Federal departments*
 16 *and agencies as appropriate,” after “the Secretary of De-*
 17 *fense”.*

18 (b) *MATTERS TO BE INCLUDED.*—Subsection (b) of
 19 *such section is amended by adding at the end the following:*

20 “(29) *Developments relating to the China Coast*
 21 *Guard (in this paragraph referred to as the ‘CCG’),*
 22 *including an assessment of—*

23 “(A) *how the change in the CCG’s command*
 24 *structure to report to China’s Central Military*

1 *Commission affects the CCG's status as a law en-*
2 *forcement entity;*

3 “(B) *the implications of the CCG's com-*
4 *mand structure with respect to the use of the*
5 *CCG as a coercive tool in ‘gray zone’ activity in*
6 *the East China Sea and the South China Sea;*
7 *and*

8 “(C) *how the change in the CCG's command*
9 *structure may affect interactions between the*
10 *CCG and the United States Navy.*

11 “(30) *An assessment of the nature of Chinese*
12 *military relations with Russia, including what stra-*
13 *tegic objectives China and Russia share and are act-*
14 *ing on, and on what objectives they misalign.*

15 “(31) *An assessment of—*

16 “(A) *China's expansion of its surveillance*
17 *state;*

18 “(B) *any correlation of such expansion with*
19 *its oppression of its citizens and its threat to*
20 *United States national security interests around*
21 *the world; and*

22 “(C) *an overview of the extent to which such*
23 *surveillance corresponds to the overall respect, or*
24 *lack thereof, for human rights.”.*

1 (c) *SPECIFIED CONGRESSIONAL COMMITTEES.*—Sub-
 2 section (c) of such section is amended—

3 (1) in paragraph (1), by striking “and the Com-
 4 mittee on Foreign Relations” and inserting “, the
 5 Committee on Foreign Relations, and the Select Com-
 6 mittee on Intelligence”; and

7 (2) in paragraph (2), by striking “and the Com-
 8 mittee on International Relations” and inserting “,
 9 the Committee on Foreign Affairs, and the Permanent
 10 Select Committee on Intelligence”.

11 **SEC. 1248. SENSE OF CONGRESS ON TAIWAN.**

12 *It is the sense of Congress that—*

13 (1) *the Taiwan Relations Act (22 U.S.C. 3301 et*
 14 *seq.) and the “Six Assurances” are both cornerstones*
 15 *of United States relations with Taiwan;*

16 (2) *the United States should continue to*
 17 *strengthen defense and security cooperation with Tai-*
 18 *wan to support the development of capable, ready,*
 19 *and modern defense forces necessary for Taiwan to*
 20 *maintain a sufficient self-defense capability, includ-*
 21 *ing capabilities in support of an asymmetric defense*
 22 *strategy;*

23 (3) *the United States should continue to support*
 24 *the acquisition by Taiwan of appropriate defensive*
 25 *weapons through foreign military sales, direct com-*

1 *mercial sales, and industrial cooperation, with a par-*
 2 *ticular emphasis on asymmetric warfare, information*
 3 *sharing, air defense, and maritime capabilities, con-*
 4 *sistent with the Taiwan Relations Act;*

5 *(4) the United States should improve the predict-*
 6 *ability of arms sales to Taiwan by ensuring timely*
 7 *review of and response to requests of Taiwan for de-*
 8 *fense articles and defense services as well as timely*
 9 *notification to Congress and adherence to congres-*
 10 *sional oversight and review procedures; and*

11 *(5) the Secretary of Defense, in consultation with*
 12 *the Secretary of State, should promote policies con-*
 13 *cerning cooperation and exchanges that enhance the*
 14 *security of Taiwan, including exchanges between sen-*
 15 *ior defense officials and general officers of the United*
 16 *States and Taiwan consistent with the Taiwan Trav-*
 17 *el Act (Public Law 115–135).*

18 **SEC. 1249. ENHANCING DEFENSE COOPERATION WITH**
 19 **SINGAPORE.**

20 *It is the sense of Congress that—*

21 *(1) the United States Armed Forces and Singa-*
 22 *porean armed forces have built a strong and enduring*
 23 *security partnership based on long-standing and mu-*
 24 *tually beneficial cooperation;*

1 (2) *security cooperation between the United*
2 *States Armed Forces and Singaporean armed forces is*
3 *crucial to promoting peace and stability in the Asia-*
4 *Pacific region;*

5 (3) *Singapore's status as a major security co-*
6 *operation partner of the United States, as recognized*
7 *in the "2005 Strategic Framework Agreement between*
8 *the United States and the Republic of Singapore for*
9 *a Closer Partnership in Defense and Security", has*
10 *an important role in the promotion of peace and sta-*
11 *bility, and global efforts to counter terrorism;*

12 (4) *Singapore's provision of access to its mili-*
13 *tary facilities for the United States has supported the*
14 *continued security presence of the United States in*
15 *Southeast Asia;*

16 (5) *the Singaporean armed forces' support of*
17 *United States-led multinational reconstruction efforts*
18 *in Iraq from 2003 to 2008, reconstruction and sta-*
19 *bilization efforts in Afghanistan from 2007 to 2013,*
20 *counter-piracy operations in the Gulf of Aden under*
21 *the ambit of Combined Task Force 151, and contribu-*
22 *tion of physical and military assets to the Defeat-*
23 *ISIS Coalition since 2014, has contributed to global*
24 *efforts to counter terrorism;*

1 (6) *in recognition of the enduring security part-*
 2 *nership between the United States and Singapore, the*
 3 *Secretary of State, in consultation with the Secretary*
 4 *of Defense, should, in negotiating the renewal of the*
 5 *“1990 Memorandum of Understanding Regarding the*
 6 *United States Use of Facilities in Singapore” that is*
 7 *due in 2020:*

8 (A) *reinforce Singapore’s status as a major*
 9 *security cooperation partner of the United*
 10 *States;*

11 (B) *enhance defense cooperation; and*

12 (C) *increase interoperability between the*
 13 *United States Armed Forces and Singaporean*
 14 *armed forces to promote peace and stability in*
 15 *the Asia-Pacific region.*

16 **SEC. 1250. MODIFICATION OF REPORT RELATING TO EN-**
 17 **HANCING DEFENSE AND SECURITY COOPERA-**
 18 **TION WITH INDIA.**

19 *Section 1292(a)(2) of the National Defense Authoriza-*
 20 *tion Act for Fiscal Year 2017 (Public Law 114–328; 22*
 21 *U.S.C. 2751 note) is amended—*

22 (1) *in subparagraph (B)—*

23 (A) *in clause (iv), by striking “and” at the*
 24 *end;*

1 (B) in clause (v), by striking the period at
2 the end and inserting “; and”; and

3 (C) by adding at the end the following:

4 “(vi) a description of defense coopera-
5 tion between the United States and India in
6 the Western Indian Ocean, including—

7 “(I) a description of military ac-
8 tivities of the United States and India,
9 separately, in the Western Indian
10 Ocean;

11 “(II) a description of military co-
12 operation activities between the United
13 States and India in the areas of hu-
14 manitarian assistance, counter ter-
15 rorism, counter piracy, maritime secu-
16 rity, and other areas as the Secretary
17 determines appropriate;

18 “(III) a description of how the
19 relevant geographic combatant com-
20 mands coordinate their activities with
21 the Indian military in the Western In-
22 dian Ocean;

23 “(IV) a description of the mecha-
24 nisms in place to ensure the relevant
25 geographic combatant commands

1 *maximize defense cooperation with*
 2 *India in the Western Indian Ocean;*
 3 *and*

4 “(V) *areas of future opportunity*
 5 *to increase military engagement with*
 6 *India in the Western Indian Ocean.”.*

7 (2) *by adding at the end the following:*

8 “(C) *DEFINITIONS.—In subparagraph*
 9 *(B)(vi):*

10 “(i) *RELEVANT GEOGRAPHIC COMBAT-*
 11 *ANT COMMANDS.—The term ‘relevant geo-*
 12 *graphic combatant commands’ means the*
 13 *United States Indo-Pacific Command,*
 14 *United States Central Command, and*
 15 *United States Africa Command.*

16 “(ii) *WESTERN INDIAN OCEAN.—The*
 17 *term ‘Western Indian Ocean’ means the*
 18 *area in the Indian Ocean extending from*
 19 *the west coast of India to the east coast of*
 20 *Africa.”.*

21 **SEC. 1250A. REPORT ON EXPANSION OF SECURITY CO-**
 22 **OPERATION AND ASSISTANCE TO PACIFIC IS-**
 23 **LAND COUNTRIES.**

24 (a) *IN GENERAL.—Not later than March 31, 2020, the*
 25 *Secretary of Defense and the Secretary of State shall jointly*

1 *submit to the appropriate congressional committees a report*
 2 *on the current status of security cooperation and assistance*
 3 *with Pacific Island countries and the feasibility of expand-*
 4 *ing such cooperation and assistance. At a minimum, the*
 5 *report shall include the following foreign countries:*

6 (1) *Papua New Guinea.*

7 (2) *Vanuatu.*

8 (3) *The Solomon Islands.*

9 (4) *Fiji.*

10 (5) *The Federated States of Micronesia.*

11 (6) *Palau.*

12 (7) *Kiribati.*

13 (8) *The Marshall Islands.*

14 (9) *Nauru.*

15 (10) *Tonga.*

16 (b) *MATTERS TO BE INCLUDED.—The report required*
 17 *by subsection (a) should include the following:*

18 (1) *An identification of elements of the theater*
 19 *campaign plan of the geographic combatant command*
 20 *concerned and the interagency integrated country*
 21 *strategy that will be advanced by expansion of secu-*
 22 *rity cooperation and assistance programs and activi-*
 23 *ties with countries identified in subsection (a).*

24 (2) *An assessment of each country's capabilities,*
 25 *a description of each country's capability enhance-*

1 *ment priorities, and a discussion of United States se-*
 2 *curity cooperation and assistance authorities (to in-*
 3 *clude the Indo-Pacific Maritime Security Initiative*
 4 *under section 333 of title 10, United States Code,*
 5 *International Military Education and Training, For-*
 6 *ign Military Financing, International Narcotics*
 7 *Control and Law Enforcement, and the transfer of ex-*
 8 *cess defense articles) and how such authorities may be*
 9 *utilized to enhance the priority capabilities of each*
 10 *such country.*

11 *(3) A description of absorption capacity and sus-*
 12 *tainability issues for each foreign country and a plan*
 13 *to resolve such issues.*

14 *(4) An identification of the estimated annual*
 15 *cost for such assistance and training for fiscal year*
 16 *2020 through fiscal year 2025.*

17 *(c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
 18 *FINED.—In this section, the term “appropriate congres-*
 19 *sional committees” means—*

20 *(1) the congressional defense committees;*

21 *(2) the Committee on Foreign Relations and the*
 22 *Subcommittee on State, Foreign Operations, and Re-*
 23 *lated Programs of the Committee on Appropriations*
 24 *of the Senate; and*

1 (3) *the Committee on Foreign Affairs and the*
2 *Subcommittee on State, Foreign Operations, and Re-*
3 *lated Programs of the Committee on Appropriations*
4 *of the House of Representatives.*

5 **SEC. 1250B. REPORT ON FOREIGN MILITARY ACTIVITIES IN**
6 **PACIFIC ISLAND COUNTRIES.**

7 (a) *IN GENERAL.*—Not later than 120 days after the
8 date of the enactment of this Act, the Under Secretary of
9 Defense for Intelligence, in coordination with the Director
10 of the Defense Intelligence Agency and the Director of Na-
11 tional Intelligence, shall submit to the congressional defense
12 committees a report specifying and analyzing—

13 (1) *strategic interests of foreign militaries in Pa-*
14 *cific Island countries, known or emerging foreign*
15 *partnerships or alliances with non-Pacific Island*
16 *countries, and foreign military training, exercises, or*
17 *operations in the region, excluding with countries*
18 *who are members of the Southeast Asia Treaty Orga-*
19 *nization;*

20 (2) *gaps in intelligence collection capabilities*
21 *and activities that prevent or may prevent a com-*
22 *prehensive understanding of current intelligence as-*
23 *sessments for Pacific Island countries; and*

24 (3) *plans to overcome any current intelligence*
25 *collection deficiencies, including an analysis of both*

1 *United States and allied and partner intelligence col-*
 2 *lection capabilities and activities.*

3 (b) *PACIFIC ISLAND COUNTRY DEFINED.*—*In this sec-*
 4 *tion, the term “Pacific Island country” includes any of the*
 5 *following countries: The Republic of Fiji, the Republic*
 6 *Kiribati, the Marshall Islands, the Federated States of Mi-*
 7 *cronesia, the Republic of Nauru, the Republic of Palau, the*
 8 *Independent State of Samoa, the Solomon Islands, the*
 9 *Kingdom of Tonga, Tuvalu, and the Republic of Vanuatu.*

10 **SEC. 1250C. REPORT ON ZTE COMPLIANCE WITH SUPER-**
 11 **SEDING SETTLEMENT AGREEMENT AND SU-**
 12 **PERSEDING ORDER.**

13 (a) *IN GENERAL.*—*Not later than 180 days after the*
 14 *date of the enactment of this Act, and annually thereafter,*
 15 *the President shall submit to Congress a report on the com-*
 16 *pliance of Zhongxing Telecommunications Equipment Cor-*
 17 *poration (ZTE Corporation) and ZTE Kangrun Tele-*
 18 *communications Ltd. (ZTE Kangrun) (collectively,*
 19 *“ZTE”) with the Superseding Settlement Agreement and*
 20 *Superseding Order reached with the Department of Com-*
 21 *merce on June 8, 2018.*

22 (b) *FORM.*—*The report required by subsection (a) shall*
 23 *be submitted in unclassified form and publicly accessible,*
 24 *but may include a classified annex.*

1 **SEC. 1250D. LIMITATION ON REMOVAL OF HUAWEI TECH-**
 2 **NOLOGIES CO. LTD. FROM ENTITY LIST OF**
 3 **BUREAU OF INDUSTRY AND SECURITY.**

4 *The Secretary of Commerce may not remove Huawei*
 5 *Technologies Co. Ltd. (in this section referred to as*
 6 *“Huawei”) from the entity list maintained by the Bureau*
 7 *of Industry and Security and set forth in Supplement No.*
 8 *4 to part 744 of title 15, Code of Federal Regulations, until*
 9 *the Secretary certifies to Congress that—*

10 *(1) neither Huawei nor any senior officers of*
 11 *Huawei have engaged in actions in violation of sanc-*
 12 *tions imposed by the United States or the United Na-*
 13 *tions in the 5-year period preceding the certification;*

14 *(2) Huawei has not engaged in theft of United*
 15 *States intellectual property in that 5-year period;*

16 *(3) Huawei does not pose an ongoing threat to*
 17 *United States telecommunications systems or critical*
 18 *infrastructure; and*

19 *(4) Huawei does not pose a threat to critical in-*
 20 *frastructure of allies of the United States.*

21 **SEC. 1250E. SENSE OF CONGRESS ON THE ENDURING**
 22 **UNITED STATES COMMITMENT TO THE FREE-**
 23 **LY ASSOCIATED STATES.**

24 *It is the sense of Congress that—*

25 *(1) the United States has strong and enduring*
 26 *interests in the security and prosperity of Oceania*

1 *and the Western Pacific region, including close rela-*
2 *tionships with the countries of Palau, the Marshall Is-*
3 *lands and the Federated States of Micronesia, with*
4 *whom the United States shares Compacts of Free As-*
5 *sociation;*

6 *(2) the United States and the Freely Associated*
7 *States share values including democracy and human*
8 *rights, as well as mutual interest in a free, open and*
9 *prosperous Indo-Pacific region;*

10 *(3) the United States should expand support to*
11 *the Freely Associated States on issues of concern, in-*
12 *cluding climate change mitigation, protection of the*
13 *marine environment and maritime law enforcement;*

14 *(4) the United States should expeditiously begin*
15 *negotiations on the renewal of the Compacts of Free*
16 *Association and conclude such negotiations prior to*
17 *the expiration of the current compacts in 2023 and*
18 *2024; and*

19 *(5) the United States honors the service of the*
20 *men and women of the Freely Associated States who*
21 *serve in the United States Armed Forces.*

1 **SEC. 1250F. REPORT BY DEFENSE INTELLIGENCE AGENCY**
2 **ON CERTAIN MILITARY CAPABILITIES OF**
3 **CHINA AND RUSSIA.**

4 (a) *REPORT.*—*The Director of the Defense Intelligence*
5 *Agency shall submit to the Secretary of Defense and the ap-*
6 *propriate congressional committees a report on the military*
7 *capabilities of China and Russia.*

8 (b) *MATTERS INCLUDED.*—*The report under subsection*
9 *(a) shall include, with respect to the military of China and*
10 *the military of Russia, the following:*

11 (1) *An update on the presence, status, and capa-*
12 *bility of the military with respect to any national*
13 *training centers similar to the Combat Training Cen-*
14 *ter Program of the United States.*

15 (2) *An analysis of a readiness deployment cycle*
16 *of the military, including—*

17 (A) *as compared to such a cycle of the*
18 *United States; and*

19 (B) *an identification of metrics used in the*
20 *national training centers of that military.*

21 (3) *A comprehensive investigation into the capa-*
22 *bility and readiness of the mechanized logistics of the*
23 *army of the military, including—*

24 (A) *an analysis of field maintenance,*
25 *sustainment maintenance, movement control,*
26 *intermodal operations, and supply; and*

1 (B) *how such functions under subparagraph*
 2 (A) *interact with specific echelons of that mili-*
 3 *tary.*

4 (4) *An assessment of the future of mechanized*
 5 *army logistics of the military.*

6 (c) *NONDUPLICATION OF EFFORTS.—The Defense In-*
 7 *telligence Agency may make use of or add to any existing*
 8 *reports completed by the Agency in order to respond to the*
 9 *reporting requirement under subsection (a).*

10 (d) *FORM.—The report under subsection (a) may be*
 11 *submitted in classified form.*

12 (e) *BRIEFING.—The Director shall provide a briefing*
 13 *to the Secretary and the committees specified in subsection*
 14 *(a) on the report under such subsection.*

15 (f) *APPROPRIATE CONGRESSIONAL COMMITTEES.—In*
 16 *this section, the term “appropriate congressional commit-*
 17 *tees” means—*

18 (1) *the Committee on Armed Services, the Per-*
 19 *manent Select Committee on Intelligence, and the*
 20 *Committee on Foreign Affairs of the House of Rep-*
 21 *resentatives; and*

22 (2) *the Committee on Armed Services, the Select*
 23 *Committee on Intelligence, and the Committee on*
 24 *Foreign Relations of the Senate.*

1 **SEC. 1250G. REPORT ON CYBERSECURITY ACTIVITIES WITH**
2 **TAIWAN.**

3 *Not later than 180 days after the date of the enactment*
4 *of this Act, the Secretary of Defense shall submit to the con-*
5 *gressional defense committees a report on the following:*

6 *(1) The feasibility of establishing a high-level,*
7 *interagency United States-Taiwan working group for*
8 *coordinating responses to emerging issues related to*
9 *cybersecurity.*

10 *(2) A discussion of the Department of Defense's*
11 *current and future plans to engage with Taiwan in*
12 *cybersecurity activities.*

13 *(3) A discussion of obstacles encountered in*
14 *forming, executing, or implementing agreements with*
15 *Taiwan for cybersecurity activities.*

16 *(4) Any other matters the Secretary of Defense*
17 *determines should be included.*

18 **SEC. 1250H. SENSE OF CONGRESS ON UNITED STATES-**
19 **INDIA DEFENSE RELATIONSHIP.**

20 *It is the sense of Congress that the United States should*
21 *strengthen and enhance its major defense partnership with*
22 *India and work toward the following mutual security and*
23 *diplomatic objectives:*

24 *(1) Expanding engagement in multilateral*
25 *frameworks, including the quadrilateral dialogue*
26 *among the United States, India, Japan, and Aus-*

1 *tralia, to promote regional security and defend shared*
 2 *values and common interests in the rules-based order.*

3 *(2) Increasing the frequency and scope of ex-*
 4 *changes between senior civilian officials and military*
 5 *officers of the United States and India to support the*
 6 *development and implementation of the major defense*
 7 *partnership.*

8 *(3) Exploring additional steps to implement the*
 9 *major defense partner designation to better facilitate*
 10 *interoperability, information sharing, and appro-*
 11 *priate technology transfers.*

12 *(4) Pursuing strategic initiatives to help develop*
 13 *the defense capabilities of India.*

14 *(5) Conducting additional combined exercises*
 15 *with India in the Persian Gulf, Indian Ocean, and*
 16 *western Pacific regions.*

17 *(6) Furthering cooperative efforts to promote sta-*
 18 *bility and security in Afghanistan.*

19 **SEC. 1250I. UNITED STATES-INDIA DEFENSE COOPERATION**
 20 **IN THE WESTERN INDIAN OCEAN.**

21 *(a) REPORT.—*

22 *(1) IN GENERAL.—Not later than 180 days after*
 23 *the date of the enactment of this Act, the Secretary of*
 24 *Defense shall submit to the relevant congressional*
 25 *committees a report on defense cooperation between*

1 *the United States and India in the Western Indian*
2 *Ocean.*

3 (2) *MATTERS TO BE INCLUDED.*—*The report re-*
4 *quired by paragraph (1) shall include the following:*

5 (A) *A description of military activities of*
6 *the United States and India, separately, in the*
7 *Western Indian Ocean.*

8 (B) *A description of military cooperation*
9 *activities between the United States and India*
10 *in the areas of humanitarian assistance, counter-*
11 *terrorism, counter piracy, maritime security,*
12 *and other areas as the Secretary determines ap-*
13 *propriate.*

14 (C) *A description of how the relevant geo-*
15 *graphic combatant commands coordinate their*
16 *activities with the Indian military in the West-*
17 *ern Indian Ocean.*

18 (D) *A description of the mechanisms in*
19 *place to ensure the relevant geographic combat-*
20 *ant commands maximize defense cooperation*
21 *with India in the Western Indian Ocean.*

22 (E) *A description of how the major defense*
23 *partnership with India will be utilized to en-*
24 *hance cooperation with India in the Western In-*
25 *dian Ocean.*

1 (F) *Areas of future opportunity to increase*
 2 *military engagement with India in the Western*
 3 *Indian Ocean.*

4 (3) *FORM.*—*The report required by paragraph*
 5 *(1) shall be submitted in unclassified form, but may*
 6 *include a classified annex.*

7 (b) *DEFINITIONS.*—*In this section:*

8 (1) *RELEVANT CONGRESSIONAL COMMITTEES.*—
 9 *The term “relevant congressional committees”*
 10 *means—*

11 (A) *the Committee on Foreign Relations, the*
 12 *Committee on Armed Services, and the Com-*
 13 *mittee on Appropriations of the Senate; and*

14 (B) *the Committee on Foreign Affairs, the*
 15 *Committee on Armed Services, and the Com-*
 16 *mittee on Appropriations of the House of Rep-*
 17 *resentatives.*

18 (2) *RELEVANT GEOGRAPHIC COMBATANT COM-*
 19 *MANDS.*—*The term “relevant geographic combatant*
 20 *commands” means the United States Indo-Pacific*
 21 *Command, United States Central Command, and*
 22 *United States Africa Command.*

23 (3) *WESTERN INDIAN OCEAN.*—*The term “West-*
 24 *ern Indian Ocean” means the area in the Indian*

1 *Ocean extending from the west coast of India to the*
2 *east coast of Africa.*

3 **SEC. 1250J. CHINESE FOREIGN DIRECT INVESTMENT IN**
4 **COUNTRIES OF THE ARCTIC REGION.**

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

6 *(1) China is projecting a physical presence in*
7 *the Arctic through upgrading to advanced icebreakers,*
8 *utilizing the Arctic Ocean more regularly through*
9 *subsidizing arctic shipping, deploying unmanned ice*
10 *stations, and engaging in large and sophisticated*
11 *data collection efforts in countries of the Arctic re-*
12 *gion, including Iceland, Greenland, and Canada.*

13 *(2) The 2017 Center for Naval Analysis (CNA)*
14 *report “Unconstrained Foreign Direct Investment: An*
15 *Emerging Challenge to Arctic Security” concluded*
16 *that China has been actively engaged in economies of*
17 *countries of the Arctic region.*

18 *(3) The CNA report documented a pattern of*
19 *strategic investment by China in the economies of*
20 *countries of the Arctic region, including the United*
21 *States, Canada, Greenland, Iceland, Norway, and*
22 *Russia, in areas such as raw land, oil and gas, min-*
23 *erals, and infrastructure.*

24 *(4) Chinese investments in countries of the Arctic*
25 *region are significant. For instance, Chinese foreign*

1 *direct investment constituted nearly 12 percent of*
2 *Greenland's gross domestic product for the period*
3 *from 2012 to 2017.*

4 *(5) China's 2018 Arctic Policy White Paper doc-*
5 *umented the Chinese intent to create a "Polar Silk*
6 *Road" in the Arctic.*

7 *(6) China's "Polar Silk Road" is an extension of*
8 *China's Belt and Road Initiative (BRI).*

9 *(7) China is increasingly using the BRI as the*
10 *impetus for increasing People's Liberation Army de-*
11 *ployments to regions where China has significant in-*
12 *vestments, primarily through BRI.*

13 *(8) China has demonstrated an interest in using*
14 *BRI to gain military access to strategic regions.*

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 De-*
22 *fense shall seek to enter into a contract with a feder-*
23 *ally-funded research and development center described*
24 *in paragraph (2) to complete an independent study*
25 *of Chinese foreign direct investment in countries of*

1 *the Arctic region, with a focus on the effects of such*
 2 *foreign direct investment on United States national*
 3 *security and near-peer competition in the Arctic re-*
 4 *gion.*

5 (2) *FEDERALLY-FUNDED RESEARCH AND DEVEL-*
 6 *OPMENT CENTER DESCRIBED.*—*A federally-funded re-*
 7 *search and development center described in this para-*
 8 *graph is a federally-funded research and development*
 9 *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 (b)*
 16 *shall include the following:*

17 (1) *Projects in the Arctic that are directly or in-*
 18 *directly 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 the
 9 United States, Russia, Canada, Greenland, Norway,
 10 and Iceland. The analysis should include—

11 (A) an assessment of the efficacy of mecha-
 12 nisms for screening foreign direct investment in
 13 the United States, Russia, Canada, Greenland,
 14 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 as-
 19 sess potential Chinese foreign direct investment
 20 in countries of the Arctic region;

21 (D) an assessment of the efficacy of methods
 22 for monitoring approved Chinese foreign direct
 23 investment in countries of the Arctic region; and

1 (E) an assessment of public reporting of the
2 decision to approve such Chinese foreign direct
3 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 becomes
15 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 Arctic
20 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 activi-
25 ties of China in the region are an extension of

1 *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 eco-*
10 *nomics activities, including illegal economic espi-*
11 *onage, intelligence gathering, and support for fu-*
12 *ture Chinese military activities in the region.*

13 *(E) The degree to which Arctic littoral*
14 *states are susceptible to the political and eco-*
15 *nomics risks of unregulated foreign direct invest-*
16 *ment.*

17 *(F) The vulnerability of semi-autonomous*
18 *regions, such as tribal lands, to Chinese foreign*
19 *direct investment, including the influence of legal*
20 *controls and political or economic manipulation*
21 *with respect to such vulnerability.*

22 *(G) The implications of China's Arctic de-*
23 *velopment and participation model with respect*
24 *to forecasting China's military, economy, terri-*
25 *torial, and political activities.*

1 (6) *Policy and legislative recommendations to*
 2 *enhance the position of the United States in affairs*
 3 *of the Arctic region, including—*

4 (A) *recommendations for how the United*
 5 *States would best interact with nongovernmental*
 6 *organizations such as the World Bank, Arctic*
 7 *Council, United Nations General Assembly, and*
 8 *International Maritime Organization;*

9 (B) *recommendation to pursue or not pur-*
 10 *sue the formation of an Arctic Development*
 11 *Bank and, if pursued, how to organize, fund,*
 12 *and operate the bank;*

13 (C) *measures the United States can take to*
 14 *promote regional governance and eliminate the*
 15 *soft-power influence from Chinese foreign direct*
 16 *investment, in particular, steps where the United*
 17 *States and Russia should cooperate; and*

18 (D) *the possibility of negotiating a regional*
 19 *arrangement to regulate foreign direct invest-*
 20 *ment in countries of the Arctic region.*

21 (d) *REPORT TO DEPARTMENT OF DEFENSE.—Not*
 22 *later than 720 days after the date of the enactment of this*
 23 *Act, the federally-funded research and development center*
 24 *with respect to which the Secretary of Defense has entered*
 25 *into a contract under subsection (b) shall submit to the Sec-*

1 *retary a report containing the study under subsections (b)*
 2 *and (c).*

3 *(e) REPORT TO CONGRESS.—Not later than 750 days*
 4 *after the date of the enactment of this Act, the Secretary*
 5 *of Defense shall submit to the appropriate congressional*
 6 *committees the report under subsection (d), without change.*

7 *(f) APPROPRIATE CONGRESSIONAL COMMITTEE DE-*
 8 *FINED.—In this section, the term “appropriate congres-*
 9 *sional committees” means—*

10 *(1) the congressional defense committees;*

11 *(2) the Committee on Foreign Relations and the*
 12 *Committee on Commerce, Science, and Transpor-*
 13 *tation of the Senate; and*

14 *(3) the Committee on Foreign Affairs and the*
 15 *Committee on Transportation and Infrastructure of*
 16 *the House of Representatives.*

17 **SEC. 1250K. SENSE OF CONGRESS ON NORTH KOREA.**

18 *It is the sense of Congress that—*

19 *(1) diplomacy is essential to address the illegal*
 20 *nuclear program of North Korea;*

21 *(2) every effort should be made to avoid a mili-*
 22 *tary confrontation with North Korea, as it would pose*
 23 *extreme risks to—*

24 *(A) United States military personnel;*

1 (B) noncombatants, including United States
2 citizens and citizens of United States allies; and

3 (C) regional security;

4 (3) the United States should pursue a sustained
5 and credible diplomatic process to achieve the
6 denuclearization of North Korea and an end to the
7 69-year-long Korean War; and

8 (4) until such time as North Korea no longer
9 poses a threat to the United States or United States
10 allies, the United States should, in concert with such
11 allies, continue to deter North Korea through credible
12 defense and deterrence posture.

13 ***Subtitle F—Matters Relating to***
14 ***Europe and NATO***

15 ***SEC. 1251. EXTENSION AND MODIFICATION OF NATO SPE-***
16 ***CIAL OPERATIONS HEADQUARTERS.***

17 (a) *AUTHORIZATION.*—Subsection (a) of section 1244
18 of the National Defense Authorization Act for Fiscal Year
19 2010 (Public Law 111–84; 123 Stat. 2541) is amended by
20 striking “2020” and inserting “2023”.

21 (b) *REPEAL OF CERTIFICATION; LIMITATION.*—Such
22 section is amended—

23 (1) by striking subsection (c); and

24 (2) by inserting after subsection (b) the following
25 new subsection:

1 “(c) *LIMITATION.*—Of the amounts made available
 2 under subsection (a) for fiscal year 2020, not more than
 3 90 percent of such amounts may be obligated or expended
 4 until the Secretary of Defense, acting through the Assistant
 5 Secretary of Defense for Special Operations and Low Inten-
 6 sity Conflict, submits to the congressional defense commit-
 7 tees a report on the rearrangement of responsibilities for
 8 overseeing and supporting NSHQ from U.S. Special Oper-
 9 ations Command to U.S. European Command in 2019, in-
 10 cluding—

11 “(1) a justification and description of the impact
 12 of such rearrangement; and

13 “(2) a description of how such rearrangement
 14 will strengthen the role of the NSHQ in fostering spe-
 15 cial operations capabilities within NATO.”.

16 (c) *ANNUAL REPORT.*—Such section, as so amended,
 17 is further amended by adding at the end the following new
 18 subsection:

19 “(d) *ANNUAL REPORT.*—Not later than March 1 of
 20 each year until 2024, the Secretary of Defense shall submit
 21 to the congressional defense committees and the Committee
 22 on Foreign Relations of the Senate and the Committee on
 23 Foreign Affairs of the House of Representatives a report re-
 24 garding support for the NSHQ. Each report shall include
 25 the following:

1 “(1) *The total amount of funding provided by*
2 *the United States and other NATO nations to the*
3 *NSHQ for operating costs of the NSHQ.*

4 “(2) *A description of the activities carried out*
5 *with such funding, including—*

6 “(A) *the amount of funding allocated for*
7 *each such activity;*

8 “(B) *the extent to which other NATO na-*
9 *tions participate in each such activity;*

10 “(C) *the extent to which each such activity*
11 *is carried out in coordination or cooperation*
12 *with the Joint Special Operations University;*

13 “(D) *the extent to which each such activity*
14 *is carried out in relation to other security co-*
15 *operation activities, exercises, or operations of*
16 *the Department of Defense;*

17 “(E) *the extent to which each such activity*
18 *is designed to meet the purposes set forth in*
19 *paragraphs (1) through (5) of subsection (b); and*

20 “(F) *an assessment of the extent to which*
21 *each such activity will promote the mission of*
22 *the NSHQ.*

23 “(3) *Other contributions, financial or in kind,*
24 *provided by the United States and other NATO na-*
25 *tions in support of the NSHQ.*

1 “(4) *Any other matters that the Secretary of De-*
 2 *fense considers appropriate.*”.

3 **SEC. 1252. MODIFICATION AND EXTENSION OF FUTURE**
 4 **YEARS PLAN AND PLANNING TRANSPARENCY**
 5 **FOR THE EUROPEAN DETERRENCE INITIA-**
 6 **TIVE.**

7 (a) *PLAN REQUIRED.*—Section 1273(a) of the National
 8 *Defense Authorization Act for Fiscal Year 2018 (Public*
 9 *Law 115–91; 131 Stat. 1696) is amended—*

10 (1) *in paragraph (1), by striking “the date of the*
 11 *enactment of this Act” and inserting “the date of the*
 12 *enactment of the National Defense Authorization Act*
 13 *for Fiscal Year 2020, and annually thereafter”; and*

14 (2) *in paragraph (2) to read as follows:*

15 “(2) *APPLICABILITY.*—The initial plan shall
 16 *apply with respect to fiscal year 2021 and at least the*
 17 *four succeeding fiscal years and each subsequent plan*
 18 *shall apply with respect to the next subsequent fiscal*
 19 *year and at least the four succeeding fiscal years.*”.

20 (b) *BUDGET DISPLAY INFORMATION.*—The Secretary
 21 *of Defense shall include in the materials submitted to Con-*
 22 *gress by the Secretary in support of the budget of the Presi-*
 23 *dent for fiscal year 2021 and each fiscal year thereafter (as*
 24 *submitted under section 1105 of title 31, United States*
 25 *Code), a detailed budget display for the European Deter-*

1 *rence Initiative that includes the following information (re-*
 2 *gardless of whether the funding line is for overseas contin-*
 3 *gency operations):*

4 *(1) With respect to procurement accounts—*

5 *(A) amounts displayed by account, budget*
 6 *activity, line number, line item, and line item*
 7 *title; and*

8 *(B) a description of the requirements for*
 9 *each such amounts specific to the Initiative.*

10 *(2) With respect to research, development, test,*
 11 *and evaluation accounts—*

12 *(A) amounts displayed by account, budget*
 13 *activity, line number, program element, and pro-*
 14 *gram element title; and*

15 *(B) a description of the requirements for*
 16 *each such amounts specific to the Initiative.*

17 *(3) With respect to operation and maintenance*
 18 *accounts—*

19 *(A) amounts displayed by account title,*
 20 *budget activity title, line number, and sub-*
 21 *activity group title; and*

22 *(B) a description of how such amounts will*
 23 *specifically be used.*

24 *(4) With respect to military personnel ac-*
 25 *counts—*

1 (A) amounts displayed by account, budget
2 activity, budget subactivity, and budget sub-
3 activity title; and

4 (B) a description of the requirements for
5 each such amounts specific to the Initiative.

6 (5) With respect to each project under military
7 construction accounts (including with respect to un-
8 specified minor military construction and amounts
9 for planning and design), the country, location,
10 project title, and project amount by fiscal year.

11 **SEC. 1253. PROTECTION OF EUROPEAN DETERRENCE INI-**
12 **TIATIVE FUNDS FROM DIVERSION FOR**
13 **OTHER PURPOSES.**

14 (a) *REPORT ON OBLIGATION OF FUNDS.*—

15 (1) *IN GENERAL.*—Not later than 15 days after
16 any obligation of funds in an amount of \$10,000,000
17 or more for the European Deterrence Initiative for
18 fiscal year 2020 and each fiscal year thereafter, the
19 Secretary of Defense shall submit to the congressional
20 defense committees a report on that obligation of such
21 funds for that fiscal year.

22 (2) *MATTERS TO BE INCLUDED.*—Each report
23 under paragraph (1) shall specify—

24 (A) the activities and forms of assistance for
25 which the Secretary obligated such funds; and

1 (B) the amount of the obligation.

2 (b) *END OF FISCAL YEAR REPORT.*—Not later than
3 November 30, 2020, and annually thereafter, the Secretary
4 of Defense shall submit to the congressional defense commit-
5 tees a report that contains—

6 (1) a detailed summary of funds obligated for the
7 European Deterrence Initiative for the preceding fis-
8 cal year; and

9 (2) a detailed comparison of funds obligated for
10 the European Deterrence Initiative for the preceding
11 fiscal year to amounts requested for the Initiative for
12 that fiscal year in the materials submitted to Con-
13 gress by the Secretary in support of the budget of the
14 President for that fiscal year as required by section
15 1252(b), including with respect to each of the ac-
16 counts described in paragraphs (1), (2), (3), (4), and
17 (5) of section 1252(b) and the information required
18 under each such paragraph.

19 **SEC. 1254. STATEMENT OF POLICY ON UNITED STATES MILI-**
20 **TARY INVESTMENT IN EUROPE.**

21 *It is the policy of the United States to develop, imple-*
22 *ment, and sustain a credible deterrent against aggression*
23 *and long-term strategic competition by the Government of*
24 *Russia in order to enhance regional and global security and*
25 *stability, including by the following:*

1 (1) *Increased United States presence in Europe,*
2 *including additional permanently stationed forces,*
3 *continued rotational deployments, increased pre-posi-*
4 *tioned military equipment, and sufficient and nec-*
5 *essary infrastructure additions and improvements*
6 *throughout Europe.*

7 (2) *Planning regarding the United States mili-*
8 *tary footprint in Europe to recognize the essential*
9 *role played by United States allies and partners in*
10 *establishing deterrence and advancing regional and*
11 *global security and stability.*

12 (3) *Commitment to the North Atlantic Treaty*
13 *Organization (NATO) and its founding values and*
14 *commitments by NATO allies to the common defense,*
15 *including NATO goals regarding defense investments,*
16 *and to NATO's founding principles of democracy, in-*
17 *dividual liberty, and the rule of law.*

18 (4) *Planning to ensure the United States mili-*
19 *tary footprint in Europe is holistic and geographi-*
20 *cally appropriate for a comprehensive response to the*
21 *challenges posed by the Government of Russia across*
22 *numerous European fronts.*

23 (5) *Commitment to United States Government*
24 *investment and prioritization of efforts in Europe,*
25 *particularly through efforts led by the Department of*

1 *State, to counter the Government of Russia’s global*
 2 *campaign to interfere in and undermine democratic*
 3 *systems of government, elections, values, and institu-*
 4 *tions, and disrupt United States alliances and part-*
 5 *nerships, through indirect action (such as information*
 6 *operations intended to influence), including robust in-*
 7 *formation sharing and cooperation with partners and*
 8 *allies to counter influence campaigns and sufficient*
 9 *cyber, counter-messaging, and intelligence resources.*

10 *(6) Planning to take into account the importance*
 11 *of strategic stability, arms control, and strategic dia-*
 12 *logue as they contribute to United States national se-*
 13 *curity, collective defense, and regional and global se-*
 14 *curity.*

15 *(7) Encouraging increased communication by*
 16 *NATO officials, to raise awareness of the Alliance’s*
 17 *mission, efforts, and concerns achieved by actively en-*
 18 *gaging with Congress and the executive branch.*

19 **SEC. 1255. LIMITATION ON TRANSFER OF F-35 AIRCRAFT TO**
 20 **TURKEY.**

21 *(a) LIMITATION.—Except as provided in subsection*
 22 *(b), no funds authorized to be appropriated or otherwise*
 23 *made available to the Department of Defense for fiscal year*
 24 *2020 may be obligated or expended—*

1 (1) *to transfer, facilitate the transfer, or author-*
 2 *ize the transfer of, any F-35 aircraft or related sup-*
 3 *port equipment or parts to Turkey;*

4 (2) *to transfer intellectual property, technical*
 5 *data, or material support necessary for or related to*
 6 *any maintenance or support of the F-35 aircraft nec-*
 7 *essary to establish Turkey's indigenous F-35 capa-*
 8 *bility; or*

9 (3) *to construct a storage facility for, or other-*
 10 *wise facilitate the storage in Turkey of, any F-35 air-*
 11 *craft transferred to Turkey.*

12 (b) *EXCEPTION.—The Secretary of Defense, jointly*
 13 *with the Secretary of State, may waive the limitation under*
 14 *subsection (a) only if such Secretaries submit to the appro-*
 15 *priate congressional committees a written certification that*
 16 *contains a determination of such Secretaries, and any rel-*
 17 *evant documentation that forms the basis for the determina-*
 18 *tion, that—*

19 (1) *the Government of Turkey has provided cred-*
 20 *ible assurances that Turkey will not accept delivery*
 21 *of the S-400 air and missile defense system from*
 22 *Russia; or*

23 (2) *if the Government of Turkey has previously*
 24 *accepted delivery of the S-400 air and missile defense*
 25 *system from the Russia, the Government of Turkey—*

1 (A) no longer possesses the S-400 air and
 2 missile defense system or any other equipment,
 3 materials, or personnel associated with such sys-
 4 tem; and

5 (B) has provided credible assurances that it
 6 will not in the future accept delivery of the S-
 7 400 air and missile defense system.

8 (c) *APPLICABILITY.*—The limitation under subsection
 9 (a) does not apply with respect to F-35 aircraft operated
 10 by the United States Armed Forces.

11 (d) *DEFINITIONS.*—In this section:

12 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
 13 *TEES.*—The term “appropriate congressional commit-
 14 tees” means—

15 (A) the congressional defense committees;
 16 and

17 (B) the Committee on Foreign Relations of
 18 the Senate and the Committee on Foreign Affairs
 19 of the House of Representatives.

20 (2) *TRANSFER.*—The term “transfer” includes,
 21 with respect to an F-35 aircraft, the physical reloca-
 22 tion of the F-35 aircraft outside of the United States.

1 **SEC. 1256. REPORT ON VALUE OF INVESTMENTS IN DUAL**
2 **USE INFRASTRUCTURE PROJECTS BY NATO**
3 **MEMBER STATES.**

4 (a) *IN GENERAL.*—Not later than June 1, 2020, the
5 Secretary of Defense, jointly with the Secretary of State,
6 shall submit to the appropriate congressional committees a
7 report on the value of investments in dual use infrastruc-
8 ture projects by the member states of the North Atlantic
9 Treaty Organization (NATO) in order to improve military
10 mobility and interoperability across Europe.

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

13 (1) *The value to collective deterrence provided by*
14 *investments in dual use infrastructure projects by the*
15 *member states of NATO in order to meet the military*
16 *mobility goals set out at the 2018 NATO Summit in*
17 *Brussels.*

18 (2) *An assessment of proposed dual use infra-*
19 *structure projects for NATO.*

20 (3) *A assessment of proposed of dual use infra-*
21 *structure projects with respect to which the United*
22 *States can provide support, including a recommended*
23 *prioritization of such projects.*

24 (c) *FORM.*—The report required by subsection (a) shall
25 be submitted in unclassified form, but may include a classi-
26 fied annex.

1 (d) *DEFINITIONS.—In this section:*

2 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
 3 *TEES.—The term “appropriate congressional commit-*
 4 *tees” means—*

5 (A) *the congressional defense committees;*
 6 *and*

7 (B) *the Committee on Foreign Relations of*
 8 *the Senate and the Committee on Foreign Affairs*
 9 *of the House of Representatives.*

10 (2) *DUAL USE INFRASTRUCTURE PROJECTS.—*
 11 *The term “dual use infrastructure projects” means*
 12 *those projects identified by the European Commission*
 13 *Action Plan on Military Mobility as necessary to im-*
 14 *prove the trans-European transport network (TEN-T)*
 15 *to meet the military requirements for military mobil-*
 16 *ity within and beyond the European Union.*

17 **SEC. 1257. SENSE OF CONGRESS ON SUPPORT FOR POLAND.**

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

19 (1) *Poland has been a valued member of the*
 20 *North Atlantic Treaty Organization (NATO) since*
 21 *1999 and an important ally of the United States,*
 22 *contributing to the collective defense of NATO allies*
 23 *and deterrence in Europe.*

24 (2) *Poland has made significant contributions of*
 25 *forces to United States and NATO-led military oper-*

1 *ations in Afghanistan, Iraq, Kosovo, and countering*
 2 *the Islamic State in Iraq and Syria.*

3 *(3) Poland contributed at least 2 percent of its*
 4 *gross domestic product to defense spending in 2018,*
 5 *meeting its commitment under the Wales Declaration.*

6 *(4) Poland currently hosts on a rotational basis*
 7 *United States forces from the Armored Combat Bri-*
 8 *gade Team, a Combat Aviation Brigade, a NATO en-*
 9 *hanced Forward Presence Battalion, and a U.S. Aegis*
 10 *Ashore missile defense site.*

11 *(b) SENSE OF CONGRESS.—It is the sense of Congress*
 12 *that—*

13 *(1) the United States reaffirms its support for*
 14 *the principle of collective defense in Article 5 of the*
 15 *North Atlantic Treaty for its NATO allies, including*
 16 *Poland;*

17 *(2) the United States appreciates the important*
 18 *role that Poland plays in NATO efforts to sustain*
 19 *credible deterrence in Europe;*

20 *(3) the United States supports continued defense*
 21 *cooperation and continued exploration of opportuni-*
 22 *ties for joint military cooperation, infrastructure en-*
 23 *hancement, and defense investment with Poland; and*

24 *(4) the current and planned projects in Poland*
 25 *funded by the European Deterrence Initiative should*

1 *be fully implemented in order to support existing and*
2 *future United States military activity.*

3 **SEC. 1258. EUROPEAN CENTER OF EXCELLENCE FOR COUN-**
4 **TERING HYBRID THREATS.**

5 *(a) IN GENERAL.—Of the amounts authorized to be*
6 *appropriated by this Act, the Secretary of Defense shall pro-*
7 *vide \$2,000,000 for the European Center of Excellence for*
8 *Countering Hybrid Threats (in this section referred to as*
9 *the “Center”) to—*

10 *(1) enhance the ability of military forces and ci-*
11 *vilian personnel of countries participating in the*
12 *Center to engage in joint hybrid warfare exercises or*
13 *coalition or international military operations; and*

14 *(2) improve interoperability between the armed*
15 *forces and the military forces of friendly foreign coun-*
16 *tries in the area of hybrid warfare.*

17 *(b) CERTIFICATION.—Not later than 180 days after the*
18 *date of the enactment of this Act, the Secretary of Defense*
19 *shall—*

20 *(1) certify to the Committee on Armed Services*
21 *of the Senate and the Committee on Armed Services*
22 *of the House of Representatives that the Secretary of*
23 *Defense has assigned executive agent responsibilities*
24 *for the Center to an appropriate organization within*
25 *the Department of Defense; and*

1 (2) *detail the steps being undertaken to strength-*
 2 *en the role of the Center in fostering hybrid warfare*
 3 *defense capabilities and coordination within NATO*
 4 *and the European Union.*

5 (c) *FUNDING.—*

6 (1) *INCREASE.—Notwithstanding the amounts*
 7 *set forth in the funding tables in division D, the*
 8 *amount authorized to be appropriated in section 301*
 9 *for operation and maintenance, Defense-wide, as spec-*
 10 *ified in the corresponding funding table in section*
 11 *4301, for Office of the Secretary of Defense, is hereby*
 12 *increased by \$2,000,000.*

13 (2) *OFFSET.—Notwithstanding the amounts set*
 14 *forth in the funding tables in division D, the amount*
 15 *authorized to be appropriated in section 201 for re-*
 16 *search, development, test, and evaluation, as specified*
 17 *in the corresponding funding table in section 4201,*
 18 *for Advanced Innovative Technology, is hereby re-*
 19 *duced by \$2,000,000.*

20 **SEC. 1259. SENSE OF CONGRESS ON EUROPEAN INVEST-**
 21 **MENTS IN NATIONAL SECURITY.**

22 *It is the sense of Congress that—*

23 (1) *the North Atlantic Treaty Organization*
 24 *(NATO) is central to United States-European defense*
 25 *matters; and*

1 (2) *military cooperation and coordination in*
 2 *Europe among NATO member countries should com-*
 3 *plement NATO efforts and not detract from NATO*
 4 *military system interoperability and burden sharing*
 5 *among NATO allies.*

6 **SEC. 1260. BRIEFING ON DEPARTMENT OF DEFENSE PRO-**
 7 **GRAM TO PROTECT UNITED STATES STU-**
 8 **DENTS AGAINST FOREIGN AGENTS.**

9 *Not later than 240 days after the date of the enactment*
 10 *of this Act, the Secretary of Defense shall provide a briefing*
 11 *to the congressional defense committees on the program de-*
 12 *scribed in section 1277 of the National Defense Authoriza-*
 13 *tion Act for Fiscal Year 2018 (Public Law 115–91), includ-*
 14 *ing an assessment on whether the program is beneficial to*
 15 *students interning, working part time, or in a program that*
 16 *will result in employment post-graduation with Depart-*
 17 *ment of Defense components and contractors.*

18 **SEC. 1260A. NATO SUPPORT ACT.**

19 (a) *FINDINGS.—Congress finds that:*

20 (1) *The North Atlantic Treaty Organization*
 21 *(NATO), which came into being through the North At-*
 22 *lantic Treaty, which entered into force on April 4,*
 23 *1949, between the United States of America and the*
 24 *other founding members of the North Atlantic Treaty*
 25 *Organization, has served as a pillar of international*

1 *peace and stability, a critical component of United*
2 *States security, and a deterrent against adversaries*
3 *and external threats.*

4 *(2) The House of Representatives affirmed in H.*
5 *Res. 397, on June 27, 2017, that—*

6 *(A) NATO is one of the most successful*
7 *military alliances in history, deterring the out-*
8 *break of another world war, protecting the terri-*
9 *torial integrity of its members, and seeing the*
10 *Cold War through to a peaceful conclusion;*

11 *(B) NATO remains the foundation of*
12 *United States foreign policy to promote a Eu-*
13 *rope that is whole, free, and at peace;*

14 *(C) the United States is solemnly committed*
15 *to the North Atlantic Treaty Organization's*
16 *principle of collective defense as enumerated in*
17 *Article 5 of the North Atlantic Treaty; and*

18 *(D) the House of Representatives—*

19 *(i) strongly supports the decision at the*
20 *NATO Wales Summit in 2014 that each al-*
21 *liance member would aim to spend at least*
22 *2 percent of its nation's gross domestic*
23 *product on defense by 2024;*

1 (ii) condemns any threat to the sov-
 2 ereignty, territorial integrity, freedom and
 3 democracy of any NATO ally; and

4 (iii) welcomes the Republic of Monte-
 5 negro as the 29th member of the NATO Alli-
 6 ance.

7 (b) *STATEMENT OF POLICY.*—It is the policy of the
 8 United States—

9 (1) to remain a member in good standing of
 10 NATO;

11 (2) to reject any efforts to withdraw the United
 12 States from NATO, or to indirectly withdraw from
 13 NATO by condemning or reducing contributions to
 14 NATO structures, activities, or operations, in a man-
 15 ner that creates a de facto withdrawal;

16 (3) to continue to work with NATO members to
 17 meet their 2014 Wales Defense Investment Pledge
 18 commitments; and

19 (4) to support robust United States funding for
 20 the European Deterrence Initiative, which increases
 21 the ability of the United States and its allies to deter
 22 and defend against Russian aggression.

23 (c) *PROHIBITION ON THE USE OF FUNDS TO WITH-*
 24 DRAW FROM NATO.—Notwithstanding any other provision
 25 of law, no funds are authorized to be appropriated, obli-

1 *gated, or expended to take any action to withdraw the*
 2 *United States from the North Atlantic Treaty, done at*
 3 *Washington, DC on April 4, 1949, between the United*
 4 *States of America and the other founding members of the*
 5 *North Atlantic Treaty Organization.*

6 **SEC. 1260B. EXTENSION AND MODIFICATION OF SECURITY**
 7 **ASSISTANCE FOR BALTIC COUNTRIES FOR**
 8 **JOINT PROGRAM FOR INTEROPERABILITY**
 9 **AND DETERRENCE AGAINST AGGRESSION.**

10 (a) *ADDITIONAL MAJOR DEFENSE ARTICLES AND*
 11 *SERVICES.*—Subsection (c) of section 1279D of the National
 12 *Defense Authorization Act for Fiscal Year 2018 (22 U.S.C.*
 13 *2753 note) is amended—*

14 (1) *in the matter preceding paragraph (1), by*
 15 *inserting “major” before “defense articles and serv-*
 16 *ices”;*

17 (2) *in paragraph (5), by inserting “major” be-*
 18 *fore “defense articles and services”;*

19 (3) *by redesignating paragraph (5), as so*
 20 *amended, as paragraph (6); and*

21 (4) *by inserting after paragraph (4) the fol-*
 22 *lowing new paragraph:*

23 “(5) *Intelligence, surveillance, and reconnais-*
 24 *sance equipment.*”.

1 (b) *FUNDING.*—Subsection (f) of such section 1279D
2 is amended—

3 (1) in paragraph (2), by striking
4 “\$100,000,000” and inserting “\$125,000,000”; and
5 (2) by adding at the end the following new para-
6 graph:

7 “(3) *MATCHING AMOUNT.*—The amount of assist-
8 ance provided under subsection (a) for procurement
9 described in subsection (b) may not exceed the aggre-
10 gate amount contributed to such procurement by the
11 Baltic nations.”.

12 (c) *EXTENSION.*—Subsection (g) of such section 1279D
13 is amended by striking “December 31, 2020” and inserting
14 “December 31, 2021”.

15 (d) *CONFORMING AMENDMENT.*—Subsection (b) of
16 such section 1279D is amended by inserting “major” before
17 “defense articles and services” each place it appears.

18 (e) *REPORT ON USE OF FUNDING AUTHORITY.*—Not
19 later than January 1, 2021, the Secretary of Defense shall
20 submit to the congressional defense committees a report that
21 includes the following:

22 (1) Whether the authority to provide assistance
23 pursuant to section 1279D was used in the previous
24 calendar year.

1 (2) *A description of the manner in which funds*
 2 *made available for assistance through such authority,*
 3 *if any, were used during such year.*

4 (3) *Whether alternative sources of funding exist*
 5 *to provide the assistance described in section 1279D.*

6 (4) *Whether any alternative authorities exist*
 7 *under which the Secretary can provide such assist-*
 8 *ance.*

9 ***Subtitle G—Other Matters***

10 ***SEC. 1261. SENSE OF CONGRESS ON UNITED STATES PART-*** 11 ***NERS AND ALLIES.***

12 *It is the sense of Congress that—*

13 (1) *United States partners and allies are critical*
 14 *to achieving United States national security interests*
 15 *and defense objectives around the world;*

16 (2) *strong military-to-military relationships*
 17 *with partners and allies have helped to solidify and*
 18 *undergird the post-World War II international order*
 19 *and enhanced the United States' security through*
 20 *common defense; and*

21 (3) *the United States should pursue a long-term*
 22 *policy to strengthen existing military-to-military re-*
 23 *lationships and cooperation with partners and allies*
 24 *to achieve mutual objectives, and build new relation-*
 25 *ships based on common values and shared interests.*

1 **SEC. 1262. MODIFICATION TO REPORT ON LEGAL AND POL-**
 2 **ICY FRAMEWORKS FOR THE USE OF MILITARY**
 3 **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 striking*
 8 *“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 Mili-*
 19 *tary Force (Public Law 107–40), including—*

20 *“(i) the legal and factual basis for such*
 21 *determination; and*

22 *“(ii) a description of whether force has*
 23 *been used against each such foreign force,*
 24 *irregular force, group, or individual; and*

25 *“(B) the criteria and any changes to the*
 26 *criteria for designating a foreign force, irregular*

1 *force, group, or individual as lawfully targetable,*
 2 *as a high value target, and as formally or func-*
 3 *tionally a member of a group covered under the*
 4 *Authorization for Use of Military Force.”; and*
 5 *(4) in subsection (c), by adding at the end the*
 6 *following: “The unclassified portion of each report*
 7 *shall, at a minimum, include each change made to*
 8 *the legal and policy frameworks during the preceding*
 9 *year and the legal, factual, and policy justifications*
 10 *for such changes, and shall be made available to the*
 11 *public at the same time it is submitted to the appro-*
 12 *priate congressional committees.”.*

13 **SEC. 1263. LIMITATION ON AVAILABILITY OF CERTAIN**
 14 **FUNDS UNTIL REPORT SUBMITTED ON DE-**
 15 **PARTMENT OF DEFENSE AWARDS AND DIS-**
 16 **CIPLINARY ACTION AS A RESULT OF THE 2017**
 17 **INCIDENT IN NIGER.**

18 *Of the funds authorized to be appropriated by this Act*
 19 *or otherwise made available for fiscal year 2020 for Oper-*
 20 *ation and Maintenance, Defense-Wide, Office of the Sec-*
 21 *retary of Defense, for Travel of Persons, not more than 80*
 22 *percent of such funds may be obligated or expended until*
 23 *the date on which the Secretary of Defense submits to the*
 24 *congressional defense committees a report that contains a*
 25 *description of each award and disciplinary action issued,*

1 *by rank, as a result of the AR 15–6 investigation findings*
 2 *relating to the incident in Niger in 2017. The report shall*
 3 *be submitted in a format that protects personally identifi-*
 4 *able information and is consistent with national security.*

5 **SEC. 1264. INDEPENDENT ASSESSMENT OF SUFFICIENCY OF**
 6 **RESOURCES AVAILABLE TO UNITED STATES**
 7 **SOUTHERN COMMAND AND UNITED STATES**
 8 **AFRICA COMMAND.**

9 *(a) IN GENERAL.—The Secretary of Defense shall seek*
 10 *to enter into a contract with a not-for-profit entity or feder-*
 11 *ally funded research and development center independent*
 12 *of the Department of Defense to conduct an assessment of*
 13 *the sufficiency of resources available to United States*
 14 *Southern Command and United States Africa Command*
 15 *to carry out their respective missions.*

16 *(b) MATTERS TO BE INCLUDED.—The assessment de-*
 17 *scribed in subsection (a) shall include—*

18 *(1) an assessment of the sufficiency of the re-*
 19 *sources available to United States Southern Com-*
 20 *mand and United States Africa Command, including*
 21 *personnel, human resources, and financial resources,*
 22 *in promoting United States national security inter-*
 23 *ests;*

24 *(2) an assessment of the level of regional exper-*
 25 *tise and experience of the leadership of each such com-*

1 *batant command and their subordinate organizations,*
2 *service components, and task forces, to include per-*
3 *sonnel from agencies other than the Department of*
4 *Defense;*

5 *(3) a description of the strategic objectives and*
6 *end states in the geographic region for which each*
7 *such combatant command has responsibility and a*
8 *comparison of the importance and priority of the re-*
9 *sources available to each such combatant command to*
10 *perform its mission; and*

11 *(4) an assessment of the ability of each such*
12 *combatant command to carry out such strategic objec-*
13 *tives and end states, including an assessment of re-*
14 *sources available, forces available, and other inter-*
15 *agency resources available to the combatant com-*
16 *mand.*

17 *(c) ACCESS TO INFORMATION.—The not-for-profit enti-*
18 *ty or federally funded research and development center with*
19 *which the Secretary enters into the contract under sub-*
20 *section (a) shall have full and direct access to all informa-*
21 *tion related to resources available to United States Southern*
22 *Command and United States Africa Command.*

23 *(d) REPORT.—*

24 *(1) IN GENERAL.—Not later than 240 days after*
25 *the date of the enactment of this Act, the not-for-profit*

1 *entity or federally funded research and development*
 2 *center with which the Secretary of Defense enters into*
 3 *the contract under subsection (a) shall submit to the*
 4 *Secretary of Defense, the Secretary of State, and the*
 5 *Administrator of the United States Agency for Inter-*
 6 *national Development a report that contains the as-*
 7 *essment required by subsection (a).*

8 (2) *SUBMISSION TO CONGRESS.—Not later than*
 9 *1 year after the date of the enactment of this Act, the*
 10 *Secretary of Defense shall submit to the appropriate*
 11 *congressional committees—*

12 (A) *a copy of such report without change;*

13 *and*

14 (B) *any comments, changes, recommenda-*
 15 *tions, or other information of the Secretary of*
 16 *Defense, the Secretary of State, and the Adminis-*
 17 *trator of the United States Agency for Inter-*
 18 *national Development relating to the assessment*
 19 *required by subsection (a) and contained in such*
 20 *report.*

21 (e) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
 22 *FINED.—In this section, the term “appropriate congres-*
 23 *sional committees” means—*

24 (1) *the congressional defense committees; and*

1 (2) *the Committee on Foreign Relations of the*
 2 *Senate and the Committee on Foreign Affairs of the*
 3 *House of Representatives.*

4 **SEC. 1265. RULE OF CONSTRUCTION RELATING TO USE OF**
 5 **MILITARY FORCE.**

6 *Nothing in this Act or any amendment made by this*
 7 *Act may be construed to authorize the use of military force.*

8 **SEC. 1266. RULE OF CONSTRUCTION RELATING TO USE OF**
 9 **MILITARY FORCE AGAINST VENEZUELA.**

10 *Nothing in this Act or any amendment made by this*
 11 *Act may be construed to authorize the use of military force*
 12 *against Venezuela.*

13 **SEC. 1267. SENSE OF CONGRESS ON ACQUISITION BY TUR-**
 14 **KEY OF PATRIOT SYSTEM.**

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

16 (1) *The Government of Turkey has indicated in*
 17 *a communication to Congress that there remains an*
 18 *opportunity to meet Turkey's requirement for an air*
 19 *and missile defense capability through the acquisition*
 20 *of the Patriot system from the United States.*

21 (2) *The acquisition of the Patriot system could*
 22 *remove the need to acquire the S-400 air and missile*
 23 *defense system from Russia, which is incompatible*
 24 *with the integrated air and missile defense system of*
 25 *the North Atlantic Treaty Organization (NATO) and*

1 *should preclude Turkey's participation in the F-35*
2 *Joint Strike Fighter (JSF) consortium program with*
3 *the United States.*

4 **(b) SENSE OF CONGRESS.—Congress—**

5 *(1) supports the efforts of the United States Gov-*
6 *ernment to achieve a satisfactory arrangement with*
7 *Turkey by which Turkey acquires the Patriot system*
8 *to defend its airspace, which would preserve Turkey*
9 *as a production partner in the F-35 JSF consortium*
10 *program;*

11 *(2) encourages the Department of Defense to se-*
12 *cure the deployment of a Patriot system to Turkey,*
13 *under United States or NATO operational control, for*
14 *the purpose of providing Turkey with an interim ca-*
15 *pability to address urgent vulnerabilities in Turkey's*
16 *air and missile defense during the period in which an*
17 *agreement is reached for Turkey's acquisition of the*
18 *Patriot system; and*

19 *(3) notes that any such deployment of the Pa-*
20 *triot or a NATO interoperable system in the interim*
21 *is contingent on Turkey's commitment to cancel the*
22 *S-400 air and missile defense system acquisition.*

1 **SEC. 1268. AMENDMENTS RELATING TO CIVILIAN CASUALTY**
 2 **MATTERS.**

3 (a) *MODIFICATION OF RESPONSIBILITY FOR POLICY*
 4 *ON CIVILIAN CASUALTY MATTERS.*—Section 936 of the John
 5 S. McCain National Defense Authorization Act for Fiscal
 6 Year 2019 (Public Law 115–232; 10 U.S.C. 134 note) is
 7 amended—

8 (1) in subsection (b)—

9 (A) in paragraph (3)—

10 (i) by inserting “appropriate to the
 11 specific regional circumstances” after “pub-
 12 licly available means”; and

13 (ii) by inserting “or in-person” after
 14 “Internet-based”;

15 (B) in paragraph (5)—

16 (i) in subparagraph (A), by inserting
 17 “, including for acknowledging the status of
 18 any individuals killed or injured who were
 19 initially reported as lawful targets, but sub-
 20 sequently determined not to be lawful tar-
 21 gets” after “operations”; and

22 (ii) in subparagraph (B)—

23 (I) by inserting “or other assist-
 24 ance” after “payments”; and

1 (II) by striking “necessary” and
2 inserting “reasonable and culturally
3 appropriate”; and

4 (C) in paragraph (7), by striking “and” at
5 the end;

6 (D) by redesignating paragraph (8) as
7 paragraph (10); and

8 (E) by inserting after paragraph (7) the fol-
9 lowing:

10 “(8) uniform processes and standards across the
11 combatant commands for integrating civilian protec-
12 tion into operational planning, including assessments
13 of the optimal staffing models for tracking, analyzing,
14 and responding to civilian casualties in named mili-
15 tary operations of various sizes and compositions, to
16 include multinational coalition operations;

17 “(9) cultivating, developing, retaining, and dis-
18 seminating lessons learned about the proximate cause
19 or causes of civilian casualties, and practices devel-
20 oped to prevent, mitigate, or respond to such casual-
21 ties; and”;

22 (2) by redesignating subsection (c) as subsection
23 (d);

24 (3) by inserting after subsection (b) the fol-
25 lowing:

1 “(c) *COORDINATION.*—

2 “(1) *IN GENERAL.*—*The senior civilian official*
 3 *designated under subsection (a) shall develop and im-*
 4 *plement steps to increase coordination with the Chiefs*
 5 *of Mission and other appropriate positions in the De-*
 6 *partment of State in any country with respect to*
 7 *which the policy required pursuant to subsection (a)*
 8 *is relevant.*

9 “(2) *MATTERS FOR COORDINATION.*—*The coordi-*
 10 *nation required by paragraph (1) shall include the*
 11 *following:*

12 “(A) *The development of publicly available*
 13 *means, appropriate to the specific regional cir-*
 14 *cumstances, including an internet-based or in-*
 15 *person mechanism, for submission to the United*
 16 *States Government of allegations of civilian cas-*
 17 *ualties resulting from United States military op-*
 18 *erations.*

19 “(B) *The offering of reasonable and cul-*
 20 *turally appropriate ex gratia payments or other*
 21 *assistance to civilians who have been injured, or*
 22 *to the families of civilians killed, as a result of*
 23 *United States military operations.”;*

24 (4) *by inserting after subsection (d), as redesign-*
 25 *ated, the following:*

1 “(e) *BRIEFING*.—Not later than 180 days after the
 2 date of the enactment of this subsection, the senior civilian
 3 official designated under subsection (a) shall brief the con-
 4 gressional defense committees and the Committee on For-
 5 eign Relations of the Senate and the Committee on Foreign
 6 Affairs of the House of Representatives on—

7 “(1) the updates made to the policy developed by
 8 the senior civilian official pursuant to this section;
 9 and

10 “(2) the efforts of the Department to implement
 11 such updates.”.

12 (b) *MODIFICATION OF ANNUAL REPORT ON CIVILIAN*
 13 *CASUALTIES IN CONNECTION WITH UNITED STATES MILI-*
 14 *TARY OPERATIONS*.—Section 1057 of the National Defense
 15 Authorization Act for Fiscal Year 2018 (Public Law 115–
 16 91) is amended—

17 (1) in subsection (a), by striking “congressional
 18 defense committees” and inserting “appropriate con-
 19 gressional committees”; and

20 (2) in subsection (b)—

21 (A) in paragraph (3), by striking the period
 22 at the end and inserting the following: “and,
 23 when relevant, makes *ex gratia* payments or pro-
 24 vides other assistance to the victims or their fam-
 25 ilies, including—

1 “(A) *whether interviews were conducted*
2 *with witnesses and survivors of United States le-*
3 *thal actions, directly or through a third party or*
4 *intermediary;*

5 “(B) *whether the investigation relied on*
6 *public reports or other nongovernmental sources;*
7 *and*

8 “(C) *the process, criteria, and methodology*
9 *used to assess external allegations of civilian cas-*
10 *ualties, including the sources of such allega-*
11 *tions.”;*

12 “(B) *in paragraph (4), by adding at the end*
13 *before the period the following: “, including any*
14 *assistance and support, as appropriate, provided*
15 *for civilians displaced by such operations”;*

16 “(C) *by redesignating paragraph (6) as*
17 *paragraph (9); and*

18 “(D) *by inserting after paragraph (5) the fol-*
19 *lowing:*

20 “(6) *A list of allegations where the Department*
21 *could confirm United States military activity but*
22 *could not confirm civilian casualties due to lack of*
23 *evidence, and any steps taken to further corroborate*
24 *the allegations.*

1 “(7) *A list of allegations that the Department*
 2 *could not fully assess in a Civilian Casualty Assess-*
 3 *ment Review (CCAR) due to lack of information and*
 4 *any steps taken to obtain additional information*
 5 *needed to conduct a CCAR.*

6 “(8) *A description of the specific criteria the De-*
 7 *partment employed during the CCAR to determine*
 8 *that a civilian casualty is more likely than not to*
 9 *have occurred.*”; and

10 (3) *by adding at the end the following:*

11 “(f) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
 12 *FINED.—In this section, the term ‘appropriate congres-*
 13 *sional committees’ means—*

14 “(1) *the congressional defense committees; and*

15 “(2) *the Committee on Foreign Relations of the*
 16 *Senate and the Committee on Foreign Affairs of the*
 17 *House of Representatives.*”.

18 **SEC. 1269. LIMITATION ON THE PRODUCTION OF NUCLEAR**

19 **PROLIFERATION ASSESSMENT STATEMENTS.**

20 (a) *LIMITATION.—The Secretary of State may not pro-*
 21 *vide to the President, and the President may not submit*
 22 *to Congress, a Nuclear Proliferation Assessment Statement*
 23 *described in subsection a. of section 123 of the Atomic En-*
 24 *ergy Act of 1954 (42 U.S.C. 2153) with respect to a pro-*
 25 *posed cooperation agreement with any country that has not*

1 *signed and implemented an Additional Protocol with the*
2 *International Atomic Energy Agency, other than a country*
3 *with which, as of June 19, 2019, there is in effect a civilian*
4 *nuclear cooperation agreement pursuant to such section*
5 *123.*

6 (b) *WAIVER.—The limitation under subsection (a)*
7 *shall be waived with respect to a particular country if—*

8 (1) *the President submits to the appropriate con-*
9 *gressional committees a request to enter into a pro-*
10 *posed cooperation agreement with such country that*
11 *includes a report describing the manner in which*
12 *such agreement would advance the national security*
13 *and defense interests of the United States and not*
14 *contribute to the proliferation of nuclear weapons;*
15 *and*

16 (2) *there is enacted a joint resolution approving*
17 *the waiver of such limitation with respect to such*
18 *agreement.*

19 (c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
20 *FINED.—In this section, the term “appropriate congres-*
21 *sional committees” means—*

22 (1) *the congressional defense committees;*

23 (2) *the Committee on Energy and Commerce, the*
24 *Committee on Foreign Affairs, and the Permanent*

1 *Select Committee on Intelligence of the House of Rep-*
 2 *resentatives; and*

3 *(3) the Committee on Energy and Natural Re-*
 4 *sources, the Committee on Foreign Relations, and the*
 5 *Select Committee on Intelligence of the Senate.*

6 **SEC. 1270. RESTRICTION ON EMERGENCY AUTHORITY RE-**
 7 **LATING TO ARMS SALES UNDER THE ARMS**
 8 **EXPORT CONTROL ACT.**

9 *Section 36 of the Arms Export Control Act (22 U.S.C.*
 10 *2776) is amended by adding at the end the following:*

11 “(j) *RESTRICTION ON EMERGENCY AUTHORITY RE-*
 12 *LATING TO ARMS SALES UNDER THIS ACT.*—A determina-
 13 *tion of the President that an emergency exists which re-*
 14 *quires a proposed transfer of defense articles or defense serv-*
 15 *ices to be in the national security interest of the United*
 16 *States, thus waiving the congressional review requirements*
 17 *pursuant to section 3(d)(2) or subsection (b)(1), (c)(2), or*
 18 *(d)(2) of this section—*

19 “(1) *shall apply only if—*

20 “(A) *the President—*

21 “(i) *consults with the Committee on*
 22 *Foreign Affairs of the House of Representa-*
 23 *tives and the Committee on Foreign Rela-*
 24 *tions of the Senate regarding the determina-*
 25 *tion that an emergency exists not later than*

1 *three days after the date on which the Presi-*
2 *dent issues the determination; and*

3 *“(ii) includes in the certification to be*
4 *submitted to Congress with respect to the*
5 *emergency—*

6 *“(I) a determination and jus-*
7 *tification for each individual letter of*
8 *offer, license, or approval for the de-*
9 *fense articles or defense services; and*

10 *“(II) a specific and detailed de-*
11 *scription of how such waiver of the*
12 *congressional review requirements di-*
13 *rectly responds to or addresses the cir-*
14 *cumstances of the emergency;*

15 *“(B) the delivery of the defense articles or*
16 *defense services will take place not later than 90*
17 *days after the date on which the President issues*
18 *the determination; and*

19 *“(C) the President submits the Committee*
20 *on Foreign Affairs of the House of Representa-*
21 *tives and the Committee on Foreign Relations of*
22 *the Senate a report on the defense articles or de-*
23 *fense services that were delivered, including the*
24 *type of defense articles or defense services, not*
25 *later than 30 days after the date of delivery; and*

1 “(2) shall not apply in the case of a license or
 2 other authorization that includes manufacturing or
 3 co-production of the articles or services outside the
 4 United States if such manufacturing or co-production
 5 has not been previously licensed or authorized.”.

6 **SEC. 1270A. REPORT ON ANNUAL DEFENSE SPENDING BY**
 7 **ALLY AND PARTNER COUNTRIES.**

8 (a) *IN GENERAL*.—Not later than 6 months after the
 9 date of enactment of this Act, the Secretary of Defense shall
 10 submit to the congressional defense committees, the Com-
 11 mittee on Foreign Affairs of the House of Representatives,
 12 and the Committee on Foreign Relations of the Senate a
 13 report that includes a description of—

14 (1) the annual defense spending of each mutual
 15 defense treaty ally and major non-NATO ally, includ-
 16 ing the nominal budget figure and the share of such
 17 spending as a percentage of the ally’s gross domestic
 18 product, for the fiscal year immediately preceding the
 19 fiscal year in which the report is submitted;

20 (2) the activities of each such ally in contrib-
 21 uting to military or stability operations in which the
 22 Armed Forces participate;

23 (3) any limitations that each such ally places on
 24 the use of the Armed Forces of such ally for such mili-
 25 tary or stability operations; and

1 (4) *any actions undertaken by the United States*
 2 *or other countries to minimize or modify such limita-*
 3 *tions.*

4 (b) *FORM.*—*The report required by subsection (a) shall*
 5 *be submitted in unclassified form but may contain a classi-*
 6 *fied annex.*

7 (c) *DEFINITIONS.*—*In this section:*

8 (1) *MUTUAL DEFENSE TREATY ALLY.*—*The term*
 9 *“mutual defense treaty ally” means a country that is*
 10 *a party to a treaty of mutual defense with the United*
 11 *States.*

12 (2) *MAJOR NON-NATO ALLY.*—*The term “major*
 13 *non-NATO ally” means a country so designated pur-*
 14 *suant to section 2350a or section 517 of the Foreign*
 15 *Assistance Act of 1961.*

16 **SEC. 1270B. SENSE OF CONGRESS ON THE UNITED STATES-**
 17 **ISRAEL RELATIONSHIP.**

18 *It is the sense of Congress that—*

19 (1) *since 1948, Israel has been one of the United*
 20 *States’ strongest friends and allies;*

21 (2) *Israel is a stable, democratic country in a re-*
 22 *gion often marred by turmoil;*

23 (3) *it is essential to the strategic interest of the*
 24 *United States to continue to offer full security assist-*
 25 *ance and related support to Israel; and*

1 (4) *such assistance and support is especially*
 2 *vital as Israel confronts a number of potential chal-*
 3 *lenges at the present time, including continuing*
 4 *threats from Iran.*

5 **SEC. 1270C. SENSE OF CONGRESS ON STABILITY OF THE**
 6 **CAUCASUS REGION AND THE CONTINUATION**
 7 **OF THE NAGORNO KARABAKH CEASE-FIRE.**

8 *It is the sense of Congress that United States interests*
 9 *in the stability of the Caucasus region and the continuation*
 10 *of the Nagorno Karabakh cease-fire will be advanced by an*
 11 *agreement among regional stakeholders on—*

12 (1) *the non-deployment of snipers, heavy arms,*
 13 *and new weaponry along the line-of-contact;*

14 (2) *the deployment of gun-fire locator systems on*
 15 *the line-of-contact; and*

16 (3) *an increase in the number of Organization*
 17 *for Security and Co-operation in Europe observers*
 18 *along the line-of-contact.*

19 **SEC. 1270D. WESTERN HEMISPHERE RESOURCE ASSESS-**
 20 **MENT.**

21 (a) *IN GENERAL.—Not later than 180 days after the*
 22 *date of the enactment of this Act, the President, acting*
 23 *through the Secretary of Defense, the Secretary of State, and*
 24 *the Administrator of United States Agency for Inter-*
 25 *national Aid, shall submit to the appropriate congressional*

1 *committees an accounting of and an assessment of the suffi-*
2 *ciency of resources available to the United States Southern*
3 *Command (SOUTHCOM), United States Northern Com-*
4 *mand (NORTHCOM), Department of State, and United*
5 *States Agency for International Aid (USAID), to carry out*
6 *their respective missions in the Western hemisphere.*

7 (b) *MATTERS TO BE INCLUDED.*—*The assessment de-*
8 *scribed in subsection (a) shall include each of the following:*

9 (1) *An accounting and description of the funds*
10 *available to SOUTHCOM, NORTHCOM, the Depart-*
11 *ment of State, and USAID.*

12 (2) *A list of bilateral and multilateral military*
13 *training and exercises with allies and partner coun-*
14 *tries in the Western Hemisphere.*

15 (3) *A description of the security force activities*
16 *of the United States in the Western Hemisphere.*

17 (4) *A description of the activities of the Depart-*
18 *ments of State and Defense in addressing security*
19 *challenges in the Western Hemisphere.*

20 (5) *Cyber domain activities of the United States*
21 *and those actions in concert with allied and partner*
22 *countries in the Western Hemisphere.*

23 (6) *A description of the funding for all inter-*
24 *national military education and training programs.*

1 (7) *An overview of all foreign military sales and*
2 *foreign military financing programs with partner*
3 *countries in the Western Hemisphere.*

4 (8) *A list of investments, programs, or partner-*
5 *ships in the Western Hemisphere by China, Iran,*
6 *Russia, or other adversarial groups or countries that*
7 *threaten the national security of the United States.*

8 (9) *Recommendations for actions the Department*
9 *of Defense, the Department of State, and USAID*
10 *could take to advance United States national security*
11 *interests in the Western Hemisphere.*

12 (c) *FORM; ENTITY.—*

13 (1) *FORM.—The accounting and assessment re-*
14 *quired by subsection (a) shall be submitted in unclas-*
15 *sified form but may include a classified annex.*

16 (2) *ENTITY.—The Secretary of Defense shall pro-*
17 *vide for the assessment required by subsection (a) to*
18 *be performed by an independent, non-governmental*
19 *institute described in section 501(c)(3) of the Internal*
20 *Revenue Code of 1986, and exempt from tax under*
21 *section 501(a) of such Code, that has recognized cre-*
22 *denials and expertise in national security and mili-*
23 *tary affairs.*

1 (d) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
 2 *FINED.*—*The term “appropriate congressional committees”*
 3 *means—*

4 (1) *the Committee on Armed Services, the Com-*
 5 *mittee on Appropriations, and the Committee on For-*
 6 *oreign Affairs of the House of Representatives; and*

7 (2) *the Committee on Armed Services, the Com-*
 8 *mittee on Appropriations, and the Committee on For-*
 9 *oreign Relations of the Senate.*

10 **SEC. 1270E. STRATEGY TO IMPROVE THE EFFORTS OF THE**
 11 **NIGERIAN MILITARY TO PREVENT, MITIGATE,**
 12 **AND RESPOND TO CIVILIAN HARM.**

13 (a) *STRATEGY.*—

14 (1) *REPORT.*—*Not later than 180 days after the*
 15 *date of the enactment of this Act, the President shall*
 16 *transmit to the appropriate congressional committees*
 17 *a report that contains a plan for assisting the Nige-*
 18 *rian military to improve its efforts to prevent, miti-*
 19 *gate, and respond to civilian harm arising from its*
 20 *military presence and operations.*

21 (2) *UPDATES.*— *Not later than one year after*
 22 *the transmission of the report required under para-*
 23 *graph (1) and annually thereafter, the President shall*
 24 *provide to the appropriate congressional committees*

1 *an update on progress made with respect to the plan*
2 *contained in such report.*

3 *(b) MATTERS TO BE INCLUDED.—The report required*
4 *by subsection (a)(1) shall include the following:*

5 *(1) Any steps being taken by the United States*
6 *Government to ensure that the Nigerian Air Force is*
7 *able to prevent and minimize civilian harm in the*
8 *operation of 12 A-29 Super Tucano aircraft and as-*
9 *sociated weapons acquired from the United States, in-*
10 *cluding training planned or provided on air-to-*
11 *ground integration measures specifically intended to*
12 *minimize civilian harm.*

13 *(2) Whether the training described in paragraph*
14 *(1) is provided by United States Government or con-*
15 *tract personnel.*

16 *(3) An assessment of the effectiveness of such*
17 *training or other assistance in preventing civilian*
18 *casualties from ground and air operations.*

19 *(4) An assessment of efforts by the Government*
20 *of Nigeria to improve civilian protection, account-*
21 *ability for human rights violations, and transparency*
22 *in the defense institutions and security sector force,*
23 *including the status of any national protection of ci-*
24 *vilians policies, and a description of the key United*

1 *States diplomatic and military efforts available to*
 2 *promote progress relating to such matters.*

3 *(5) Any other matters the President considers*
 4 *appropriate.*

5 *(c) FORM.—The report required under subsection*
 6 *(a)(1) shall be submitted in unclassified form, but may in-*
 7 *clude a classified annex.*

8 *(d) APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
 9 *FINED.—In this section, the term “appropriate congres-*
 10 *sional committees” means—*

11 *(1) the Committee on Armed Services and the*
 12 *Committee on Foreign Relations, the Committee on*
 13 *Appropriations of the Senate; and*

14 *(2) the Committee on Armed Services, the Com-*
 15 *mittee on Foreign Affairs, and the Committee on Ap-*
 16 *propriations of the House of Representatives.*

17 **SEC. 1270F. LIMITATION ON USE OF FUNDS FROM THE SPE-**
 18 **CIAL DEFENSE ACQUISITION FUND.**

19 *Section 114(c) of title 10, United States Code, is*
 20 *amended by adding at the end the following new paragraph:*

21 *“(4) Notwithstanding paragraph (3), none of the*
 22 *funds made available from the Special Defense Acqui-*
 23 *sition Fund for any fiscal year may be made avail-*
 24 *able to provide any assistance to Saudi Arabia or the*
 25 *United Arab Emirates if such assistance could be*

1 *used by either country to conduct or continue hos-*
 2 *tilities in Yemen.”.*

3 **SEC. 1270G. PROHIBITION ON THE USE OF EMERGENCY AU-**
 4 **THORITIES FOR THE SALE OR TRANSFER OF**
 5 **DEFENSE ARTICLES AND SERVICES TO SAUDI**
 6 **ARABIA AND THE UNITED ARAB EMIRATES.**

7 *None of the funds authorized to be appropriated or oth-*
 8 *erwise made available by this or any other Act may be made*
 9 *available to process a commercial sale or foreign military*
 10 *sale, or to transfer, deliver, or facilitate the transfer or de-*
 11 *livery, of any defense article or service to Saudi Arabia or*
 12 *the United Arab Emirates pursuant to any certification of*
 13 *emergency circumstances submitted in accordance with sec-*
 14 *tion 36(b) of the Arms Export Control Act (22 U.S.C.*
 15 *2776(b)) with respect to such countries, including any such*
 16 *certification submitted to Congress before the date of the en-*
 17 *actment of this section.*

18 **SEC. 1270H. PROHIBITION ON SUPPORT FOR MILITARY PAR-**
 19 **TICIPATION AGAINST THE HOUTHIS.**

20 *(a) PROHIBITION RELATING TO SUPPORT.—None of*
 21 *the funds authorized to be appropriated or otherwise made*
 22 *available by this Act may be made available to provide the*
 23 *following forms of United States support to Saudi-led coal-*
 24 *ition’s operations against the Houthis in Yemen:*

1 (1) *Sharing intelligence for the purpose of ena-*
2 *bling coalition strikes.*

3 (2) *Providing logistical support for coalition*
4 *strikes, including by providing maintenance or trans-*
5 *ferring spare parts to coalition members flying war-*
6 *planes engaged in anti-Houthi bombings.*

7 (b) *PROHIBITION RELATING TO MILITARY PARTICIPA-*
8 *TION.—None of the funds authorized to be appropriated or*
9 *otherwise made available by this Act may be made available*
10 *for any civilian or military personnel of the Department*
11 *of Defense to command, coordinate, participate in the move-*
12 *ment of, or accompany the regular or irregular military*
13 *forces of the Saudi and United Arab Emirates-led coalition*
14 *forces in hostilities against the Houthis in Yemen or in situ-*
15 *ations in which there exists an imminent threat that such*
16 *coalition forces become engaged in such hostilities, unless*
17 *and until the President has obtained specific statutory au-*
18 *thorization, in accordance with section 8(a) of the War*
19 *Powers Resolution (50 U.S.C. 1547(a)).*

20 (c) *RULE OF CONSTRUCTION.—The prohibitions under*
21 *this section may not be construed to apply with respect to*
22 *United States Armed Forces engaged in operations directed*
23 *at al Qaeda or associated forces.*

1 **SEC. 1270I. REPEAL OF PROHIBITION ON TRANSFER OF AR-**
 2 **TICLES ON THE UNITED STATES MUNITIONS**
 3 **LIST TO CYPRUS.**

4 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
 5 *that—*

6 (1) *the direct sale or transfer of arms by the*
 7 *United States to Cyprus would advance United States*
 8 *security interests in Europe by helping to reduce the*
 9 *dependence of the Government of Cyprus on other*
 10 *countries for defense-related materiel, including coun-*
 11 *tries that pose challenges to United States interests*
 12 *around the world; and*

13 (2) *it is in the interest of the United States—*

14 (A) *to continue to support United Nations-*
 15 *facilitated efforts toward a comprehensive solu-*
 16 *tion to the division of Cyprus; and*

17 (B) *for the Republic of Cyprus to join*
 18 *NATO's Partnership for Peace program.*

19 (b) *MODIFICATION OF PROHIBITION.*—*Section 620C(e)*
 20 *of the Foreign Assistance Act of 1961 (22 U.S.C. 2373(e))*
 21 *is amended by adding at the end of the following new para-*
 22 *graph:*

23 “(3) *The requirement under paragraph (1) shall*
 24 *not apply to any sale or other provision of any de-*
 25 *fense article or defense service to Cyprus if the end-*
 26 *user of such defense or defense service is Cyprus.”.*

1 (c) *EXCLUSION OF THE GOVERNMENT OF THE REPUB-*
 2 *LIC OF CYPRUS FROM CERTAIN RELATED REGULATIONS.—*

3 *Beginning on the date of the enactment of this Act, the Sec-*
 4 *retary of State shall not apply a policy of denial for ex-*
 5 *ports, re-exports, or transfers of defense articles and defense*
 6 *services destined for or originating in the Republic of Cy-*
 7 *prus if—*

8 (1) *the request is made by or on behalf of Cy-*
 9 *prus; and*

10 (2) *the end-user of such defense articles or de-*
 11 *fense services is Cyprus.*

12 (d) *EXCEPTION.—This exclusion shall not apply to*
 13 *any denial based upon credible human rights concerns.*

14 (e) *LIMITATIONS ON THE TRANSFER OF ARTICLES ON*
 15 *THE UNITED STATES MUNITIONS LIST TO THE REPUBLIC*
 16 *OF CYPRUS.—*

17 (1) *IN GENERAL.—The policy of denial for ex-*
 18 *ports, re-exports, or transfers of defense articles on the*
 19 *United States Munitions List to the Republic of Cy-*
 20 *prus shall remain in place unless the President deter-*
 21 *mines and certifies to the appropriate congressional*
 22 *committees not less than annually that—*

23 (A) *the Government of the Republic of Cy-*
 24 *prus is continuing to cooperate with the United*
 25 *States Government in efforts to implement re-*

1 *forms on anti-money laundering regulations and*
2 *financial regulatory oversight; and*

3 *(B) the Government of the Republic of Cy-*
4 *prus has made and is continuing to take the*
5 *steps necessary to deny Russian military vessels*
6 *access to ports for refueling and servicing.*

7 (2) *WAIVER.—The President may waive the lim-*
8 *itations contained in this subsection for one fiscal*
9 *year if the President determines that it is essential to*
10 *the national security interests of the United States to*
11 *do so.*

12 (3) *APPROPRIATE CONGRESSIONAL COMMITTEES*
13 *DEFINED.—In this section, the term “appropriate*
14 *congressional committees” means—*

15 (A) *the Committee on Foreign Relations*
16 *and the Committee on Armed Services of the*
17 *Senate; and*

18 (B) *the Committee on Foreign Affairs and*
19 *the Committee on Armed Services of the House*
20 *of Representatives.*

1 **SEC. 1270J. PROHIBITION ON USE OF FUNDS FOR SHORTER-**
 2 **OR INTERMEDIATE-RANGE GROUND**
 3 **LAUNCHED BALLISTIC OR CRUISE MISSILE**
 4 **SYSTEMS.**

5 (a) *SENSE OF CONGRESS.—It is the sense of Congress*
 6 *that—*

7 (1) *Secretary of State Mike Pompeo’s February*
 8 *1, 2019, announcement of the decision of the United*
 9 *States to withdraw from the INF Treaty, without*
 10 *proper consultation with Congress, is a serious breach*
 11 *of Congress’s proper constitutional role as a co-equal*
 12 *branch of government;*

13 (2) *United States withdrawal from the INF*
 14 *Treaty will free Russia to deploy greater quantities of*
 15 *the SSC–8 missile to the detriment of United States*
 16 *national security and that of our allies in Europe*
 17 *and the Indo-Pacific region;*

18 (3) *the North Atlantic Treaty Organization*
 19 *(NATO) alliance makes critical contributions to*
 20 *United States national security, and the failure to*
 21 *weigh the concerns of NATO allies risks weakening*
 22 *the joint resolve necessary to counter Russia’s aggres-*
 23 *sive behavior;*

24 (4) *as opposed to withdrawing from the INF*
 25 *Treaty, the United States should continue to advance*
 26 *other diplomatic, economic, and military measures*

1 outlined in the “Trump Administration INF Treaty
2 Integrated Strategy” to resolve the concerns related to
3 Russia’s violation of the INF Treaty and to reach
4 agreement on measures to ensure the INF Treaty’s fu-
5 ture viability; and

6 (5) further, in lieu of withdrawing from the INF
7 Treaty, the United States should look at options to ex-
8 pand arms control treaties to include China in an ef-
9 fort to limit its short- and intermediate-range mis-
10 siles.

11 (b) *PROHIBITION.*—None of the funds authorized to be
12 appropriated by this Act or otherwise made available for
13 the Department of Defense for fiscal year 2020 may be made
14 available for the research, development, testing, evaluation,
15 procurement, or deployment of a United States shorter- or
16 intermediate-range ground launched ballistic or cruise mis-
17 sile system with a range between 500 and 5,500 kilometers
18 until the following has been submitted to the appropriate
19 committees of Congress:

20 (1) A report from the Secretary of Defense, joint-
21 ly with the Secretary of State and the Director of Na-
22 tional Intelligence, that includes—

23 (A) a detailed diplomatic proposal for nego-
24 tiating an agreement to obtain the strategic sta-
25 bility benefits of the INF Treaty;

1 (B) an assessment of the implications, in
2 terms of the military threat to the United States
3 and its allies in Europe and the Indo-Pacific re-
4 gion, of Russian deployment of intermediate-
5 range cruise and ballistic missiles without re-
6 striction;

7 (C) identification of what types of tech-
8 nologies and programs the United States would
9 need to pursue to offset the additional Russian
10 capabilities, and at what cost;

11 (D) identification of what mission require-
12 ments will be met by INF Treaty-type systems;
13 and

14 (E) details regarding ramifications of a col-
15 lapse of the INF Treaty on the ability to gen-
16 erate consensus among States Parties to the NPT
17 Treaty ahead of the 2020 NPT Review Con-
18 ference, and assesses the degree to which Russia
19 will use the United States unilateral withdrawal
20 to sow discord within the NATO alliance.

21 (2) A copy or copies of at least one Memo-
22 randum of Understanding from a NATO or Indo-Pa-
23 cific ally that commits it to host deployment of any
24 such ballistic or cruise missile system on its own ter-
25 ritory, and in the case of deployment on the Euro-

1 *pean continent, has the concurrence of the North At-*
 2 *lantic Council.*

3 *(3) An unedited copy of an analysis of alter-*
 4 *natives conducted by the Chairman of the Joint*
 5 *Chiefs of Staff and the Director of Cost Assessment*
 6 *and Program Evaluation that considers other ballistic*
 7 *or cruise missile systems, to include sea- and air-*
 8 *launched missiles, that could be deployed to meet cur-*
 9 *rent capability gaps due to INF Treaty restrictions,*
 10 *and further to include cost, schedule, and operational*
 11 *considerations.*

12 *(c) FORM.—The documents required by paragraphs*
 13 *(1), (2), and (3) of subsection (b) shall be submitted in un-*
 14 *classified form, but may contain a classified annex.*

15 *(d) RULE OF CONSTRUCTION.—Nothing in this section*
 16 *may be construed to authorize the use of funds described*
 17 *in subsection (b) for the research, development, testing, eval-*
 18 *uation, procurement, or deployment of INF Treaty-type*
 19 *systems in the United States or its territories.*

20 *(e) DEFINITIONS.—In this section:*

21 *(1) APPROPRIATE CONGRESSIONAL COMMIT-*
 22 *TEES.—The term “appropriate committees of Con-*
 23 *gress” means—*

24 *(A) the congressional defense committees;*

25 *and*

1 (B) *the Committee on Foreign Relations of*
 2 *the Senate and the Committee on Foreign Affairs*
 3 *of the House of Representatives.*

4 (2) *INF TREATY.*—*The term “INF Treaty”*
 5 *means the Treaty between the United States of Amer-*
 6 *ica and the Union of Soviet Socialist Republics on*
 7 *the Elimination of Their Intermediate-Range and*
 8 *Shorter-Range Missiles, together with the Memo-*
 9 *randum of Understanding and Two Protocols, signed*
 10 *at Washington December 8, 1987, and entered into*
 11 *force June 1, 1988.*

12 (3) *NPT TREATY.*—*The term “NPT Treaty”*
 13 *means the Treaty on the Non-Proliferation of Nuclear*
 14 *Weapons, signed at Washington July 1, 1968.*

15 **SEC. 1270K. REPORT ON IMPLICATIONS OF CHINESE MILI-**
 16 **TARY PRESENCE IN DJIBOUTI.**

17 (a) *IN GENERAL.*—*Not later than 180 days after the*
 18 *date of the enactment of this Act, the Secretary of Defense*
 19 *shall submit to the appropriate congressional committees a*
 20 *report that contains a comprehensive strategy to address se-*
 21 *curity concerns posed by the Chinese People’s Liberation*
 22 *Army Support Base in Djibouti to United States military*
 23 *installations and logistics chains in sub-Saharan Africa*
 24 *and the Middle East.*

1 (b) *MATTERS TO BE INCLUDED.*—*The report required*
2 *by subsection (a) shall include the following:*

3 (1) *An assessment of the potential military, in-*
4 *telligence, and logistical threats facing key regional*
5 *United States military infrastructure, supply chains,*
6 *and staging grounds due to the proximity of major*
7 *Chinese military assets in Djibouti.*

8 (2) *An assessment of the efforts taken by Camp*
9 *Lemonnier to improve aviation safety in the after-*
10 *math of the recent Chinese military targeting of*
11 *American flight crews with military-grade lasers.*

12 (3) *An assessment of Djibouti's Chinese-held pub-*
13 *lic debt and the strategic vulnerabilities such may*
14 *present if China moves to claim the Port of Djibouti*
15 *or other key logistical assets in repayment.*

16 (4) *A description of the specific operational chal-*
17 *lenges facing United States military and supply*
18 *chains in the Horn of Africa and the Middle East in*
19 *the event that access to the strategically significant*
20 *Port of Djibouti becomes limited or lost in its en-*
21 *tirety, as well as a comprehensive contingency strat-*
22 *egy to maintain full operational capacity in*
23 *AFRICOM and CENTCOM through other ports and*
24 *transport hubs.*

1 (5) *An identification of measures to mitigate*
 2 *risk of escalation between United States and Chinese*
 3 *military assets in Djibouti.*

4 (6) *Any other matters the Secretary of Defense*
 5 *considers appropriate.*

6 (c) *FORM.—The report required under subsection (a)*
 7 *shall be submitted in unclassified form, but may include*
 8 *a classified annex.*

9 (d) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
 10 *FINED.—In this section, the term “appropriate congres-*
 11 *sional committees” means—*

12 (1) *the Committee on Armed Services, the Com-*
 13 *mittee on Foreign Relations, the Committee on Ap-*
 14 *propriations, and the Select Committee on Intel-*
 15 *ligence of the Senate; and*

16 (2) *the Committee on Armed Services, the Com-*
 17 *mittee on Foreign Affairs, the Committee on Appro-*
 18 *priations, and the Permanent Select Committee on*
 19 *Intelligence of the House of Representatives.*

20 **SEC. 1270L. REPORT ON EFFORTS TO COMBAT BOKO HARAM**
 21 **IN NIGERIA AND THE LAKE CHAD BASIN.**

22 (a) *SENSE OF CONGRESS.—Congress—*

23 (1) *strongly condemns the ongoing violence and*
 24 *the systematic gross human rights violations against*

1 *the people of Nigeria and the Lake Chad Basin car-*
 2 *ried out by Boko Haram;*

3 *(2) expresses its support for the people of Nigeria*
 4 *and the Lake Chad Basin who wish to live in a*
 5 *peaceful, economically prosperous, and democratic re-*
 6 *gion; and*

7 *(3) calls on the President to support Nigerian,*
 8 *Lake Chad Basin, and international community ef-*
 9 *forts to ensure accountability for crimes against hu-*
 10 *manity committed by Boko Haram against the people*
 11 *of Nigeria and the Lake Chad Basin, particularly the*
 12 *young girls kidnapped from Chibok and other inter-*
 13 *nally displaced persons affected by the actions of Boko*
 14 *Haram.*

15 *(b) REPORT.—*

16 *(1) IN GENERAL.—Not later than 90 days after*
 17 *the date of the enactment of this Act, the Secretary of*
 18 *Defense, the Secretary of State, and the Attorney Gen-*
 19 *eral shall jointly submit to Congress a report on ef-*
 20 *forts to combat Boko Haram in Nigeria and the Lake*
 21 *Chad Basin.*

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

24 *(A) A description of initiatives undertaken*
 25 *by the Department of Defense to assist the Gov-*

ernment of Nigeria and countries in the Lake
Chad Basin to develop capacities to deploy spe-
cial forces to combat Boko Haram.

(B) A description of United States activities
to enhance the capacity of Nigeria and countries
in the Lake Chad Basin to investigate and pros-
ecute human rights violations perpetrated
against the people of Nigeria and the Lake Chad
Basin by Boko Haram, al-Qaeda affiliates, and
other terrorist organizations, in order to promote
respect for rule of law in Nigeria and the Lake
Chad Basin.

**SEC. 1270M. REPORT ON SAUDI LED COALITION STRIKES IN
YEMEN.**

(a) *IN GENERAL.*—Not later than 90 days after the
date of the enactment of this Act, and annually thereafter
for two years, the Secretary of Defense, in consultation with
the Secretary of State, shall submit to the appropriate con-
gressional committees a report detailing the number of civil-
ian casualties caused by the Saudi led coalition in Yemen,
including an assessment of the coalition members' willing-
ness and ability to prevent civilian casualties.

(b) *MATTERS TO BE INCLUDED.*—Each such report
shall also contain information relating to whether—

1 (1) coalition members followed the norms and
2 practices the United States military employs to avoid
3 civilian casualties and ensure proportionality; and

4 (2) strikes executed by coalition members are in
5 compliance with the United States' interpretation of
6 the laws governing armed conflict and proportion-
7 ality.

8 (c) *APPROPRIATE CONGRESSIONAL COMMITTEE DE-*
9 *FINED.*—*In this section, the term “appropriate congres-*
10 *sional committees” means—*

11 (1) the congressional defense committees; and

12 (2) the Committee on Foreign Relations and the
13 Select Committee on Intelligence of the Senate; and

14 (3) the Committee on Foreign Affairs and the
15 Permanent Select Committee on Intelligence of the
16 House of Representatives.

17 **SEC. 1270N. PROHIBITION ON IN-FLIGHT REFUELING TO**
18 **NON-UNITED STATES AIRCRAFT THAT EN-**
19 **GAGE IN HOSTILITIES IN THE ONGOING CIVIL**
20 **WAR IN YEMEN.**

21 *For the two-year period beginning on the date of the*
22 *enactment of this Act, the Department of Defense may not*
23 *provide in-flight refueling pursuant to section 2342 of title*
24 *10, United States Code, or any other applicable statutory*
25 *authority to non-United States aircraft that engage in hos-*

1 *ilities in the ongoing civil war in Yemen unless and until*
 2 *a declaration of war or a specific statutory authorization*
 3 *for such use of United States Armed Forces has been en-*
 4 *acted.*

5 **SEC. 12700. UNITED STATES STRATEGY FOR LIBYA.**

6 *(a) REPORT REQUIRED.—Not later than 120 days*
 7 *after the date of enactment of this Act, the President shall*
 8 *submit to the appropriate congressional committees a report*
 9 *that contains a strategy for Libya.*

10 *(b) ELEMENTS.—The report required by subsection (a)*
 11 *shall include the following elements:*

12 *(1) An explanation of the strategy for Libya, in-*
 13 *cluding a description of the ends, ways, and means*
 14 *inherent to the strategy.*

15 *(2) An explanation of the legal authorities sup-*
 16 *porting the strategy.*

17 *(3) A detailed description of U.S. counterter-*
 18 *rorism and security partnerships with Libyan actors.*

19 *(4) A detailed description of Libyan security ac-*
 20 *tors and an assessment of how those actors advance*
 21 *or undermine stability in Libya and or U.S. strategic*
 22 *interests in Libya.*

23 *(5) A detailed description of how Libyan secu-*
 24 *rity actors support or obstruct civilian authorities*

1 *and U.N. led efforts towards a political settlement of*
2 *the conflict.*

3 *(6) A detailed description of the military activi-*
4 *ties of external actors in Libya, including Russia,*
5 *Egypt, France, Qatar, the Kingdom of Saudi Arabia,*
6 *Turkey, and the United Arab Emirates, including as-*
7 *sessments of whether those activities:*

8 *(A) have undermined progress towards sta-*
9 *bilization, including the United Nations-led ne-*
10 *gotiations;*

11 *(B) involve United States-origin equipment*
12 *and violate contractual conditions of acceptable*
13 *use of such equipment; or*

14 *(C) violate or seek to violate the United Na-*
15 *tions arms embargo on Libya imposed pursuant*
16 *to United Nations Security Council Resolution*
17 *1970 (2011).*

18 *(7) A plan to integrate the United States diplo-*
19 *matic, development, military, and intelligence re-*
20 *sources necessary to implement the strategy.*

21 *(8) A detailed description of the roles of the*
22 *United States Armed Forces in supporting the strat-*
23 *egy.*

24 *(9) Any other matters as the President considers*
25 *appropriate.*

1 (c) *FORM.*—*The report required by subsection (a) shall*
 2 *be submitted in unclassified form, but may include a classi-*
 3 *fied annex.*

4 (d) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
 5 *FINED.*—*In this section, the term “appropriate congres-*
 6 *sional committees” means—*

7 (1) *the Committee on Armed Services, the Com-*
 8 *mittee on Foreign Relations, the Committee on Ap-*
 9 *propriations, and the Select Committee on Intel-*
 10 *ligence of the Senate; and*

11 (2) *the Committee on Armed Services, the Com-*
 12 *mittee on Foreign Affairs, the Committee on Appro-*
 13 *priations, and the Permanent Select Committee on*
 14 *Intelligence of the House of Representatives.*

15 **SEC. 1270P. SENSE OF CONGRESS RELATING TO MONGOLIA.**

16 *It is the sense of Congress that—*

17 (1) *the United States and Mongolia have a*
 18 *shared interest in supporting and preserving Mongo-*
 19 *lia’s democracy, including Mongolia’s ability to pur-*
 20 *sue an independent foreign policy, defend against*
 21 *threats to its sovereignty, and maintain territorial*
 22 *integrity;*

23 (2) *Mongolia has consistently contributed forces*
 24 *to support United States combat operations in Iraq*

1 *and Afghanistan and has a strong record of troop*
 2 *contributions to international peacekeeping missions;*

3 *(3) as one of NATO’s nine “partners across the*
 4 *globe”, Mongolia shares the United States’ vision of a*
 5 *rules-based order in the strategically important Indo-*
 6 *Pacific region;*

7 *(4) the United States should continue to take*
 8 *steps to remain Mongolia’s preferred security partner;*

9 *(5) defense cooperation, a strong military-to-*
 10 *military relationship, and increased interoperability*
 11 *between the United States and the armed forces of*
 12 *Mongolia are in the interest of the United States; and*

13 *(6) annual multilateral military exercises in*
 14 *Mongolia support peacekeeping and humanitarian as-*
 15 *sistance and disaster response capacity of United*
 16 *States partners and allies, and further United States*
 17 *regional objectives.*

18 **SEC. 1270Q. REPORT ON RELATIONSHIP BETWEEN LEBA-**
 19 **NESE ARMED FORCES AND HIZBALLAH.**

20 *(a) IN GENERAL.—Not later than 90 days after the*
 21 *date of the enactment of this Act, the President shall submit*
 22 *a report to Congress—*

23 *(1) identifying all military officers, commanders,*
 24 *advisors, officials, or other personnel with significant*
 25 *influence over the policies or activities of the Lebanese*

1 *Armed Forces who are members of, paid by, or sig-*
 2 *nificantly influenced by Hizballah; and*

3 *(2) describing military activities conducted by*
 4 *the Lebanese Armed Forces to disarm Hizballah pur-*
 5 *suant to United Nations Security Council Resolution*
 6 *(UNSCR) 1701 (2006).*

7 *(b) FORM.—The report required by subsection (a) shall*
 8 *be submitted in an unclassified form but may have a classi-*
 9 *fied annex.*

10 **SEC. 1270R. IMPOSITION OF SANCTIONS RELATING TO CEN-**
 11 **TRAL AMERICA.**

12 *(a) IN GENERAL.—No later than 180 days after the*
 13 *date of the enactment of this Act, the President shall impose*
 14 *the sanctions described in subsection (b) on—*

15 *(1) each of the individuals listed in the report*
 16 *provided by to Congress by the Department of State*
 17 *on April 3, 2019, pursuant to section 1287 of the*
 18 *John S. McCain National Defense Authorization Act*
 19 *for Fiscal Year 2019 (Public Law 115–232); and*

20 *(2) each of the individuals listed in the report*
 21 *provided to Congress by the Department of State on*
 22 *May 15, 2019, pursuant to section 7019(d) of the De-*
 23 *partment of State, Foreign Operations, and Related*
 24 *Programs Appropriations Act, 2019 (division F of*
 25 *Public Law 116–6).*

1 (b) *SANCTIONS DESCRIBED.*—*The sanctions described*
 2 *in this subsection are the sanctions described in section*
 3 *1263(b) of the Global Magnitsky Human Rights Account-*
 4 *ability Act (subtitle F of title XII of Public Law 114–328;*
 5 *22 U.S.C. 2656 note).*

6 (c) *WAIVER.*—*The President may waive the imposition*
 7 *of sanctions under this section if the President determines*
 8 *that such waiver would be in the national security interests*
 9 *of the United States.*

10 **SEC. 1270S. PROHIBITION RELATING TO JOINT TASK FORCE**
 11 **WITH GUATEMALA.**

12 (a) *IN GENERAL.*—*None of the funds authorized to be*
 13 *appropriated or otherwise made available by this Act may*
 14 *be made available to transfer or purchase vehicles for any*
 15 *joint task force including the Ministry of Defense or the*
 16 *Ministry of the Interior of Guatemala unless the Secretary*
 17 *of Defense certifies to the appropriate congressional commit-*
 18 *tees that such ministries have made a credible commitment*
 19 *to use such equipment only for the uses for which they were*
 20 *intended.*

21 (b) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
 22 *FINED.*—*In this section, the term “appropriate congres-*
 23 *sional committees” means—*

1 (1) *the Committee on Armed Services, the Com-*
 2 *mittee on Appropriations, and the Committee on For-*
 3 *ign Affairs of the House of Representatives; and*

4 (2) *the Committee on Armed Services, the Com-*
 5 *mittee on Appropriations, and the Committee on For-*
 6 *ign Relations of the Senate.*

7 **SEC. 1270T. PROHIBITION ON USE OF FUNDS TO ESTABLISH**
 8 **ANY MILITARY INSTALLATION OR BASE FOR**
 9 **THE PURPOSE OF PROVIDING FOR THE PER-**
 10 **MANENT STATIONING OF UNITED STATES**
 11 **ARMED FORCES IN SOMALIA.**

12 *None of the funds authorized to be appropriated by this*
 13 *Act or otherwise made available to the Department of De-*
 14 *fense for fiscal year 2020 may be obligated or expended to*
 15 *establish any military installation or base for the purpose*
 16 *of providing for the permanent stationing of United States*
 17 *Armed Forces in Somalia.*

18 **SEC. 1270U. REPORT ON HOSTILITIES INVOLVING UNITED**
 19 **STATES ARMED FORCES.**

20 (a) *IN GENERAL.*—*The President shall report to the*
 21 *congressional defense committees, the Committee on Foreign*
 22 *Relations of the Senate, and the Committee on Foreign Af-*
 23 *airs of the House of Representatives within 48 hours any*
 24 *incident in which United States Armed Forces are involved*

1 *in an attack or hostilities, including in an offensive or de-*
2 *fensive capacity, unless the President—*

3 *(1) reports the incident within 48 hours pursu-*
4 *ant to section 4 of the War Powers Resolution (50*
5 *U.S.C. 1543); or*

6 *(2) has determined prior to the incident and re-*
7 *ported pursuant to section 1264 of the National De-*
8 *fense Authorization Act for Fiscal Year 2018 (50*
9 *U.S.C. 1549) that the United States Armed Forces in-*
10 *volved in the incident would be operating under spe-*
11 *cific statutory authorization, within the meaning of*
12 *section 5(b) of the War Powers Resolution (50 U.S.C.*
13 *1544(b)).*

14 *(b) MATTERS TO BE INCLUDED.—The report required*
15 *by subsection (a) shall include, for each such incident—*

16 *(1) the statutory and operational authorities*
17 *under which the United States Armed Forces were op-*
18 *erating, including any relevant executive orders and*
19 *an identification of the operational activities author-*
20 *ized under such executive orders;*

21 *(2) the date, location, duration, and other par-*
22 *ties involved;*

23 *(3) a description of the United States Armed*
24 *Forces involved and the mission of such Armed*
25 *Forces;*

1 (4) *the numbers of any combatant casualties and*
 2 *civilian casualties; and*

3 (5) *any other information the President deter-*
 4 *mines appropriate.*

5 (c) *FORM.*—*The report required by subsection (a) shall*
 6 *be submitted in unclassified form, but may include a classi-*
 7 *fied annex.*

8 **SEC. 1270V. REPORTS AND BRIEFINGS ON USE OF MILITARY**
 9 **FORCE AND SUPPORT OF PARTNER FORCES.**

10 (a) *IN GENERAL.*—*Not later than 180 days after the*
 11 *date of the enactment of this Act, and every 180 days there-*
 12 *after, the President shall submit to the congressional defense*
 13 *committees, the Committee on Foreign Relations of the Sen-*
 14 *ate, and the Committee on Foreign Affairs of the House of*
 15 *Representatives a report on specific actions taken pursuant*
 16 *to the Authorization for Use of Military Force (Public Law*
 17 *107–40; 50 U.S.C. 1541 et seq.) and support for partner*
 18 *forces against those nations or organizations described in*
 19 *such law, during the preceding 180-day period.*

20 (b) *MATTERS TO BE INCLUDED.*—*The report required*
 21 *by subsection (a) shall include, with respect to the time pe-*
 22 *riod for which the report was submitted, the following:*

23 (1) *A list of each nation or organization with re-*
 24 *spect to which force has been used pursuant to the Au-*
 25 *thorization for Use of Military Force, including the*

1 *legal and factual basis for the determination that au-*
2 *thority under such law applies with respect to each*
3 *such nation or organization.*

4 (2) *An intelligence assessment of the risk to the*
5 *United States posed by each such nation or organiza-*
6 *tion.*

7 (3) *A list of the countries in which operations*
8 *were conducted pursuant such law.*

9 (4) *A list of all lethal actions in which United*
10 *States Armed Forces participated, including—*

11 (A) *a delineation of whether any country in*
12 *which such action occurred was or was not des-*
13 *ignated as an area of active hostilities;*

14 (B) *the number of lawfully targetable indi-*
15 *viduals injured or killed and the number of high-*
16 *value targets injured or killed for each such spe-*
17 *cific instance of lethal action; and*

18 (C) *a description of the circumstances sur-*
19 *rounding each instance of a strike taken in So-*
20 *malia, Yemen, and any other country not des-*
21 *ignated an area of active hostilities that did not*
22 *target a high value target.*

23 (5) *A list of each partner force supported and*
24 *each country in which United States Armed Forces*
25 *have commanded, coordinated, participated in the*

1 *movement of, accompanied, or otherwise supported*
2 *foreign forces, irregular forces, groups, or individuals*
3 *on operations in which such forces, groups or individ-*
4 *uals have engaged in hostilities, either offensively or*
5 *defensively, including—*

6 *(A) a delineation of instances in which such*
7 *United States Armed Forces were or were not*
8 *operating under the Authorization for Use of*
9 *Military Force;*

10 *(B) the purpose for which the United States*
11 *Armed Forces were deployed to the country in*
12 *which the use of force occurred, including the*
13 *program or funding authority under which such*
14 *Armed Forces were operating;*

15 *(C) a determination of whether the foreign*
16 *forces, irregular forces, groups, or individuals*
17 *against which such hostilities occurred are cov-*
18 *ered by the Authorization for Use of Military*
19 *Force;*

20 *(D) a description of the United States*
21 *Armed Forces involvement in such hostilities, in-*
22 *cluding whether the Armed Forces—*

23 *(i) directed the operation that led to*
24 *hostilities, and, if so, the objective of such*
25 *operation;*

1 (ii) accompanied the partner force at
 2 any point during the mission or operation
 3 in which the hostilities occurred;

4 (iii) engaged directly in combat; or

5 (iv) provided intelligence, reconnais-
 6 sance, or surveillance, medivac, refueling,
 7 airlift, or any other type of enabling sup-
 8 port to the partner forces during hostilities.

9 (6) *A description of the actual and proposed con-*
 10 *tributions, including financing, equipment, training,*
 11 *troops, and logistical support, provided by each for-*
 12 *ign country that participates in any international*
 13 *coalition with the United States to combat a nation*
 14 *or organization described in the Authorization for Use*
 15 *of Military Force.*

16 (c) *FORM.*—*The information required under para-*
 17 *graphs (1) and (2) of subsection (b) shall be submitted in*
 18 *unclassified form.*

19 (d) *OTHER REPORTS.*—*If United States Armed Forces*
 20 *engage in hostilities, offensively or defensively, against any*
 21 *nation, organization, or person pursuant to statutory or*
 22 *constitutional authorities other than Authorization for Use*
 23 *of Military Force, the President shall comply with the re-*
 24 *porting requirements under—*

1 (1) *this section to the same extent and in the*
 2 *same manner as if such actions had been taken under*
 3 *Authorization for Use of Military Force;*

4 (2) *the War Powers Resolution (50 U.S.C. 1541*
 5 *et seq.); and*

6 (3) *any other applicable provision of law.*

7 (e) *BRIEFINGS.*—*At least once during each 180-day pe-*
 8 *riod described in subsection (a), the President shall provide*
 9 *to the congressional defense committees, the Committee on*
 10 *Foreign Relations of the Senate, and the Committee on For-*
 11 *ign Affairs of the House of Representatives a briefing on*
 12 *the matters covered by the report required under this section*
 13 *for such period.*

14 **SEC. 1270W. REPEAL OF AUTHORIZATION FOR THE USE OF**
 15 **MILITARY FORCE.**

16 *The Authorization for Use of Military Force Against*
 17 *Iraq Resolution of 2002 (Public Law 107–243; 50 U.S.C.*
 18 *1541 note) is repealed.*

19 ***Subtitle H—Baltic Reassurance Act***

20 **SEC. 1271. FINDINGS.**

21 *Congress finds the following:*

22 (1) *Russia seeks to diminish the North Atlantic*
 23 *Treaty Organization (NATO) and recreate its sphere*
 24 *of influence in Europe using coercion, intimidation,*
 25 *and outright aggression.*

1 (2) *Deterring Russia from such aggression is*
2 *vital for transatlantic security.*

3 (3) *The illegal occupation of Crimea by Russia*
4 *and its continued engagement of destabilizing and*
5 *subversive activities against independent and free*
6 *states is of increasing concern.*

7 (4) *Russia also continues to disregard treaties,*
8 *international laws and rights to freedom of naviga-*
9 *tion, territorial integrity, and sovereign international*
10 *borders.*

11 (5) *Russia's continued occupation of Georgian*
12 *and Ukrainian territories and the sustained military*
13 *buildup in Russia's Western Military District and*
14 *Kaliningrad has threatened continental peace and*
15 *stability.*

16 (6) *The Baltic countries of Estonia, Latvia, and*
17 *Lithuania are particularly vulnerable to an increas-*
18 *ingly aggressive and subversive Russia.*

19 (7) *In a declaration to celebrate 100 years of*
20 *independence of Estonia, Latvia, and Lithuania*
21 *issued on April 3, 2018, the Trump Administration*
22 *reaffirmed United States commitments to these Baltic*
23 *countries to "improve military readiness and capa-*
24 *bilities through sustained security assistance" and*
25 *"explore new ideas and opportunities, including air*

1 *defense, bilaterally and in NATO, to enhance deter-*
2 *rence across the region”.*

3 *(8) These highly valued NATO allies of the*
4 *United States have repeatedly demonstrated their*
5 *commitment to advancing mutual interests as well as*
6 *those of the NATO alliance.*

7 *(9) The Baltic countries also continue to partici-*
8 *pate in United States-led exercises to further promote*
9 *coordination, cooperation, and interoperability*
10 *among allies and partner countries, and continue to*
11 *demonstrate their reliability and commitment to pro-*
12 *vide for their own defense.*

13 *(10) Lithuania, Latvia, and Estonia each hosts*
14 *a respected NATO Center of Excellence that provides*
15 *expertise to educate and promote NATO allies and*
16 *partners in areas of vital interest to the alliance.*

17 *(11) United States support and commitment to*
18 *allies across Europe has been a lynchpin for peace*
19 *and security on the continent for over 70 years.*

20 **SEC. 1272. SENSE OF CONGRESS.**

21 *It is the sense of Congress as follows:*

22 *(1) The United States is committed to the secu-*
23 *rity of the Baltic countries and should strengthen co-*
24 *operation and support capacity-building initiatives*

1 *aimed at improving the defense and security of such*
2 *countries.*

3 *(2) The United States should lead a multilateral*
4 *effort to develop a strategy to deepen joint capabilities*
5 *with Lithuania, Latvia, Estonia, NATO allies, and*
6 *other regional partners, to deter against aggression*
7 *from Russia in the Baltic region, specifically in areas*
8 *that would strengthen interoperability, joint capabili-*
9 *ties, and military readiness necessary for Baltic coun-*
10 *tries to strengthen their national resilience.*

11 *(3) The United States should explore the feasi-*
12 *bility of providing additional air and missile defense*
13 *systems in the Baltic region, including through*
14 *leveraging cost-sharing mechanisms and multilateral*
15 *deployment with NATO allies to reduce financial bur-*
16 *dens on host countries.*

17 **SEC. 1273. DEFENSE ASSESSMENT.**

18 *(a) IN GENERAL.—Not later than 1 year after the date*
19 *of the enactment of this Act, the Secretary of Defense and*
20 *the Secretary of State shall jointly conduct a comprehen-*
21 *sive, multilateral assessment of the military requirements*
22 *of such countries to deter and resist aggression by Russia*
23 *that—*

24 *(1) provides an assessment of past and current*
25 *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 and*
5 *recommendations, by undertaking activities in the fol-*
6 *lowing areas:*

7 *(A) Activities to increase the rotational and*
8 *forward presence, improve the capabilities, and*
9 *enhance the posture and response readiness of the*
10 *United States or forces of NATO in the Baltic*
11 *region.*

12 *(B) Activities to improve air defense sys-*
13 *tems, including modern air-surveillance capa-*
14 *bilities.*

15 *(C) Activities to improve counter-unmanned*
16 *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 hardened*
21 *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 re-*
13 *duce financial burden.*

14 (b) *REPORT.—Not later than 1 year after the date of*
15 *the enactment of this Act, the Secretary of Defense and the*
16 *Secretary of State jointly shall submit to the appropriate*
17 *congressional committees a report, which shall be submitted*
18 *in unclassified form but may include a classified annex,*
19 *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 from*
23 *such assessment.*

24 (3) *An assessment of the resource requirements to*
25 *achieve the objectives described in subsection (a)(1)*

1 *with respect to the national defense capability of Bal-*
 2 *tic countries, including potential investments by host*
 3 *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 in*
 16 *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 Com-*
 23 *mittee on Foreign Affairs, the Permanent Select Com-*
 24 *mittee on Intelligence, and the Committee on Appro-*
 25 *priations of the House of Representatives; and*

1 (2) *the Committee on Armed Services, the Com-*
 2 *mittee on Foreign Relations, the Select Committee on*
 3 *Intelligence, and the Committee on Appropriations of*
 4 *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 adding*
 19 *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 addi-*
 22 *tion to the other information required to be contained in*
 23 *a certification submitted to the Congress under this sub-*
 24 *section, or a similar certification prior to finalization of*
 25 *a letter of offer to sell, each such certification shall include*

1 *the amount of any charge or charges for the proportionate*
2 *amount of any nonrecurring costs of research, development,*
3 *and production of the major defense equipment that was*
4 *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 re-*
10 *duction comprises;*

11 “(iii) *a justification for issuance of the waiver or*
12 *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 *ign 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 existing*
21 *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 Con-
16 trol 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 reduce
23 nonrecurring costs with respect to the sale of major
24 defense equipment for \$14,000,000 or more under this
25 Act, a report on—

1 “(A) the total number of such requests that
 2 have been approved or denied during the quarter,
 3 including the total number of such requests that
 4 are currently under review and pending a deci-
 5 sion; 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 approved,
 17 the actual amount of nonrecurring costs that are
 18 waived or reduced that are attributable to quan-
 19 tities of major defense equipment sold under such
 20 request.”.

21 (c) *REPEAL OF WAIVER AUTHORITY IN CASE OF*
 22 *SALES OF MAJOR DEFENSE EQUIPMENT ALSO BEING PRO-*
 23 *CURED FOR USE BY UNITED STATES ARMED FORCES.—*
 24 *Section 21(e)(2) of the Arms Export Control Act (22 U.S.C.*
 25 *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 in-*
 4 *serting “Except as provided subparagraphs*
 5 *(D) and (E), the President”; and*

6 *(ii) by striking “that—” and all that*
 7 *follows through “(i) imposition” and insert-*
 8 *ing “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 or*
 15 *charges for a proportionate amount of any non-*
 16 *recurring costs that would otherwise be considered ap-*
 17 *propriate 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 under*
 22 *paragraph (1)(B) of a charge or charges that are*
 23 *valued at \$16,000,000 or more under this Act*
 24 *with respect to a sale to the country or organiza-*
 25 *tion.*

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 or*
4 *charges under paragraph (1)(B) with respect to*
5 *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 the*
13 *charge or charges which would otherwise be considered*
14 *appropriate under paragraph (1)(B) for a particular*
15 *sale to a country or international organization of*
16 *major defense equipment for \$10,000,000 or more*
17 *under this Act, the President shall submit to the*
18 *Speaker of the House of Representatives, the Com-*
19 *mittee on Foreign Affairs of the House of Representa-*
20 *tives, and to the chairman of the Committee on For-*
21 *eign Relations of the Senate a notification with re-*
22 *spect 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 FOR*
 4 *ADMINISTRATIVE SERVICES.—Section 21(e) of the Arms*
 5 *Export Control Act (22 U.S.C. 2761(e)) is amended—*

6 *(1) in paragraph (1), by inserting “subject to*
 7 *paragraph (4),” before “administrative services”; and*

8 *(2) by adding at the end the following new para-*
 9 *graph:*

10 *“(4)(A) For each fiscal year beginning on or*
 11 *after the date of the enactment of the Return Expenses*
 12 *Paid and Yielded Act, the President shall—*

13 *“(i) determine a maximum aggregate*
 14 *amount of charges for administrative services*
 15 *that would be required by paragraph (1)(A)*
 16 *based on the ability of the Department of Defense*
 17 *to issue and administer letters of offer for sale of*
 18 *defense articles or the sale of defense services pur-*
 19 *suant to this section or pursuant to section 22 of*
 20 *this Act; and*

21 *“(ii) submit to Congress a report that con-*
 22 *tains the determination and specifies the max-*
 23 *imum aggregate amount of charges for adminis-*
 24 *trative services.*

1 “(B)(i) *Except as provided in clause (ii), charges*
 2 *for administrative services that are required by para-*
 3 *graph (1)(A) may not exceed the maximum aggregate*
 4 *amount of charges for administrative services deter-*
 5 *mined under subparagraph (A) for the fiscal year in-*
 6 *volved.*

7 “(ii) *The President may waive the requirement*
 8 *of clause (i) on a case-by-case basis if the amount of*
 9 *charges for administrative services that are required*
 10 *by paragraph (1)(A) with respect to a sale of defense*
 11 *articles or a sale of defense services would exceed the*
 12 *maximum aggregate amount of charges for adminis-*
 13 *trative services determined under subparagraph (A)*
 14 *for the fiscal year.”.*

15 (e) *MODIFICATION OF ADMINISTRATIVE EXPENSES.—*

16 (1) *IN GENERAL.—Section 43(b) of the Arms Ex-*
 17 *port Control Act (22 U.S.C. 2792(b) is amended—*

18 (A) *in paragraph (1), by adding “and” at*
 19 *the end;*

20 (B) *in paragraph (2), by striking “; and”*
 21 *and inserting a period; and*

22 (C) *by striking paragraph (3).*

23 (2) *CONFORMING AMENDMENT.—Section*
 24 21(e)(1)(A) *of the Arms Export Control Act (22*

1 *U.S.C. 2761(e)(1)(A)) is amended by striking “and*
2 *section 43(c)”.*

3 *(f) BIENNIAL REVIEW AND MODIFICATION OF USER*
4 *CHARGES.—*

5 *(1) IN GENERAL.—Notwithstanding any other*
6 *provision of law, the Secretary of Defense, acting*
7 *through the Director of the Defense Security Coopera-*
8 *tion Agency, shall, not less than once every two*
9 *years—*

10 *(A) carry out a review of user charges*
11 *under the foreign military sales program and,*
12 *based on the results of the review, modify the*
13 *user charges as appropriate; and*

14 *(B) submit to the appropriate congressional*
15 *committees a report that contains the results of*
16 *the review carried out under subparagraph (A)*
17 *and a description of any user charges that, based*
18 *on the results of the review, were modified under*
19 *subparagraph (A).*

20 *(2) APPROPRIATE CONGRESSIONAL COMMITTEES*
21 *DEFINED.—In this subsection, the term “appropriate*
22 *congressional committees” means—*

23 *(A) the Committee on Armed Services and*
24 *the Committee on Foreign Affairs of the House*
25 *of Representatives; and*

1 (B) *the Committee on Armed Services and*
 2 *the Committee on Foreign Relations of the Sen-*
 3 *ate.*

4 **SEC. 1283. REVIEW AND REPORT ON USE AND MANAGE-**
 5 **MENT OF ADMINISTRATIVE SURCHARGES**
 6 **UNDER THE FOREIGN MILITARY SALES PRO-**
 7 **GRAM.**

8 (a) *REVIEW.*—

9 (1) *IN GENERAL.*—*The Secretary of Defense, act-*
 10 *ing through the Director of the Defense Security Co-*
 11 *operation Agency, shall review options for expanding*
 12 *the use of administrative surcharges under the foreign*
 13 *military sales program, including practices for man-*
 14 *aging administrative surcharges and contract admin-*
 15 *istrative services surcharges.*

16 (2) *MATTERS TO BE INCLUDED.*—*The review*
 17 *conducted under paragraph (1) shall include the fol-*
 18 *lowing:*

19 (A) *A determination of which specific ex-*
 20 *penses are incurred by the United States Govern-*
 21 *ment in operation of the foreign military sales*
 22 *program that the administrative surcharge does*
 23 *not currently pay for.*

24 (B) *The estimated annual cost of each of*
 25 *such specific expenses.*

1 (C) *An assessment of the costs and benefits*
2 *of funding such specific expenses through the ad-*
3 *ministrative surcharge, including any data to*
4 *support such an assessment.*

5 (D) *An assessment of how the Department*
6 *of Defense could calculate an upper bound of a*
7 *target range for the administrative surcharge ac-*
8 *count and the contract administration services*
9 *surcharge account, including an assessment of*
10 *the costs and benefits of setting such a bound.*

11 (E) *An assessment of how the Department*
12 *of Defense calculates the lower bound, or safety*
13 *level, for the administrative surcharge account*
14 *and the contract administration services sur-*
15 *charge account, including what specific factors*
16 *inform the calculation and whether such a meth-*
17 *od for calculating the safety level is still valid or*
18 *should be revisited.*

19 (F) *An assessment of the process used by the*
20 *Department of Defense to review and set rates*
21 *for the administrative surcharge and the contract*
22 *administration services surcharge, including the*
23 *extent to which outside parties are consulted and*
24 *any proposals of the Department of Defense may*

1 *have for better ensuring that the fee rates are set*
2 *appropriately.*

3 *(G) Such other matters as the Secretary of*
4 *Defense determines to be appropriate.*

5 *(b) REPORT.—Not later than 120 days after the date*
6 *of the enactment of this Act, the Secretary of Defense, acting*
7 *through the Director of the Defense Security Cooperation*
8 *Agency, shall submit to the congressional defense committees*
9 *a report on—*

10 *(1) the findings of the review conducted under*
11 *paragraph (1); and*

12 *(2) any legislative changes needed to allow the*
13 *surcharge under the foreign military sales program to*
14 *pay for any expenses currently not covered by admin-*
15 *istrative surcharge under the foreign military sales*
16 *program.*

17 **SEC. 1284. PERFORMANCE MEASURES TO MONITOR FOR-**
18 **EIGN MILITARY SALES PROGRAM.**

19 *(a) IN GENERAL.—The Secretary of Defense, acting*
20 *through the Director of the Defense Security Cooperation*
21 *Agency and in consultation with the heads of other relevant*
22 *components of the Department of Defense, shall enhance the*
23 *ability of the Department of Defense to monitor the per-*
24 *formance of the foreign military sales program by taking*
25 *the following actions:*

1 (1) *Develop performance measures to monitor the*
2 *timeliness of deliveries of defense articles and defense*
3 *services to purchasers in accordance with the delivery*
4 *schedule for each sale under the foreign military sales*
5 *program.*

6 (2) *Identify key choke points, processes, and*
7 *tasks that contribute most significantly to delays,*
8 *shortcomings, and issues in the foreign military sales*
9 *program.*

10 (3) *Review existing performance measures for the*
11 *foreign military sales program to determine whether*
12 *such measures need to be updated, replaced, or sup-*
13 *plemented to ensure that all key aspects of the foreign*
14 *military sales program's efficiency and service of*
15 *United States national interests are able to be mon-*
16 *itored and informed by reliable data.*

17 (b) *REPORT ON PERFORMANCE MEASURES.—*

18 (1) *IN GENERAL.—Not later than 180 days after*
19 *the date of the enactment of this Act, the Secretary of*
20 *Defense, acting through the Director of the Defense*
21 *Security Cooperation Agency, shall submit to the ap-*
22 *propriate congressional committees a report that lists*
23 *the performance measures developed and identified*
24 *under subsection (a).*

1 (2) *MATTERS TO BE INCLUDED.*—*The report re-*
2 *quired by paragraph (1) shall—*

3 (A) *define the performance measures, in-*
4 *cluding targets set for the performance measures;*

5 (B) *identify the data systems used to mon-*
6 *itor the performance measures;*

7 (C) *identify any concerns related to the reli-*
8 *ability of the data used to monitor the perform-*
9 *ance measures; and*

10 (D) *report the results for the performance*
11 *measures for the most recent fiscal year.*

12 (3) *PLAN.*—*If the performance measures devel-*
13 *oped and identified under subsection (a) cannot be*
14 *included in the report required by paragraph (1) for*
15 *the most recent fiscal year based on reliable and ac-*
16 *cessible data, the report shall include a plan for en-*
17 *sureing that such data will be monitored within a de-*
18 *finied period of time.*

19 (4) *UPDATE.*—

20 (A) *IN GENERAL.*—*For each fiscal year*
21 *after the fiscal year in which the report required*
22 *by subsection (b) is submitted to the appropriate*
23 *congressional committees, the Secretary of De-*
24 *fense shall submit to such committees an update*
25 *of the report required by paragraph (1).*

1 (B) *MATTERS TO BE INCLUDED.*—Each up-
2 date of the report required by paragraph (1)
3 shall also include the following:

4 (i) *For any performance measures that*
5 *indicate a decreased level of performance*
6 *from the prior year—*

7 (I) *a description of the factors*
8 *that led to such decreased level of per-*
9 *formance; and*
10 (II) *plans to improve such level of*
11 *performance.*

12 (ii) *For any performance measures*
13 *that remain unable to be monitored due to*
14 *lack of reliable and accessible data, an up-*
15 *date on plans to improve the monitoring of*
16 *data.*

17 (c) *BRIEFING.*—Not later than 180 days after the date
18 on which the Secretary of Defense, acting through the Direc-
19 tor of the Defense Security Cooperation Agency, submits to
20 the appropriate congressional committees the report re-
21 quired by subsection (b), the Comptroller General of the
22 United States shall provide a briefing to such committees
23 on the report, including an evaluation of the performance
24 measures developed and identified under subsection (a).

1 **SEC. 1285. REPORT AND BRIEFING ON ADMINISTRATIVE**
2 **BUDGETING OF FOREIGN MILITARY SALES**
3 **PROGRAM.**

4 (a) *IN GENERAL.*—Not later than one year after the
5 date of the enactment of this Act, the Comptroller General
6 of the United States shall provide a briefing to the congressional defense committees and submit to the appropriate
7 congressional committees a report on the methodology used
8 by the Department of Defense to determine future-year
9 needs for administrative surcharges under the foreign military sales program.

12 (b) *MATTERS TO BE INCLUDED.*—The briefing and report required by subsection (a) shall include the following:

14 (1) *A description of the methodology the Department of Defense used to develop the overall administrative budget of the foreign military sales program and the administrative budgets for each other relevant component of the Department of Defense that receives funds from the foreign military sales program.*

20 (2) *An assessment of the extent to which the methodology described in paragraph (1) reflects relevant best practices.*

23 (3) *Any other related matters the Comptroller General determines to be appropriate.*

1 **SEC. 1286. TRAINING PROGRAM FOR RELEVANT OFFICIALS**
 2 **AND STAFF OF THE DEFENSE SECURITY CO-**
 3 **OPERATION AGENCY.**

4 (a) *IN GENERAL.*—The Secretary of Defense, acting
 5 through the Director of the Defense Security Cooperation
 6 Agency, shall establish and implement a program to provide
 7 training to relevant officials and staff of the Defense Secu-
 8 rity Cooperation Agency for purposes of carrying out this
 9 Act and the amendments made by this Act.

10 (b) *REPORT.*—Not later than one year after the date
 11 of the enactment of this Act, the Secretary of Defense, acting
 12 through the Director of the Defense Security Cooperation
 13 Agency, shall submit to the appropriate congressional com-
 14 mittees a report on the implementation of the program re-
 15 quired by subsection (a).

16 **SEC. 1287. DEFINITIONS.**

17 *In this subtitle:*

18 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
 19 *TEES.*—Except as otherwise provided, the term “ap-
 20 propriate congressional committees” means—

21 (A) *the congressional defense committees;*

22 *and*

23 (B) *the Committee on Foreign Relations of*
 24 *the Senate and the Committee on Foreign Affairs*
 25 *of the House of Representatives.*

1 (2) *FOREIGN MILITARY SALES PROGRAM.*—*The*
 2 *term “foreign military sales program” means the pro-*
 3 *gram authorized under chapter 2 of the Arms Export*
 4 *Control Act (22 U.S.C. 2761 et seq.).*

5 ***Subtitle J—Matters Relating to***
 6 ***Burma***

7 ***SEC. 1291. LIMITATION ON SECURITY ASSISTANCE AND SE-***
 8 ***CURITY COOPERATION.***

9 (a) *IN GENERAL.*—*Except as provided in subsection*
 10 *(b), for the period beginning on the date of the enactment*
 11 *of this subtitle and ending on the date described in sub-*
 12 *section (c), the United States may not provide any security*
 13 *assistance or engage in any security cooperation with any*
 14 *of the military or security forces of Burma.*

15 (b) *EXCEPTIONS; WAIVER.*—

16 (1) *EXCEPTIONS.*—

17 (A) *CERTAIN EXISTING AUTHORITIES.*—*Not-*
 18 *withstanding subsection (a), the Secretary of De-*
 19 *fense shall retain the authority granted by sec-*
 20 *tion 1253 of the Carl Levin and Howard P.*
 21 *“Buck” McKeon National Defense Authorization*
 22 *Act for Fiscal Year 2015 (22 U.S.C. 2151 note).*
 23 *The limitation in subsection (a) of this section*
 24 *may not be construed to limit the authority to*
 25 *provide the Government of Burma with assist-*

1 *ance necessary to make available the activities*
2 *described in subsection (a) of such section 1253.*

3 (B) *HOSPITALITY.*—*Notwithstanding sub-*
4 *section (a), the Secretary of State and the United*
5 *States Agency for International Development*
6 *may provide assistance authorized under part I*
7 *of the Foreign Assistance Act of 1961 (22 U.S.C.*
8 *2151 et seq.) to provide hospitality during re-*
9 *search, dialogues, meetings, or other activities by*
10 *the parties attending the Union Peace Conference*
11 *21st Century Panglong or related processes seek-*
12 *ing inclusive, sustainable reconciliation.*

13 (2) *WAIVER.*—*The Secretary of State, with re-*
14 *spect to security assistance, and the Secretary of State*
15 *in consultation with the Secretary of Defense, with re-*
16 *spect to security cooperation programs and activities*
17 *of the Department of Defense, may waive on a case-*
18 *by-case basis the limitation under subsection (a) if*
19 *the Secretary submits to the appropriate congress-*
20 *sional committees, not later than 30 days before such*
21 *waiver enters into effect—*

22 (A) *a list of the activities and participants*
23 *to which such waiver would apply;*

1 (B) a certification, including a justifica-
 2 tion, that the waiver is in the national security
 3 interest of the United States; and

4 (C) a certification that none of the partici-
 5 pants included in the list described in subpara-
 6 graph (A) have committed any of the acts de-
 7 scribed in subparagraph (A) or (B) of section
 8 1282(b)(1) or committed any other gross viola-
 9 tion of human rights, as such term is defined for
 10 purposes of section 362 of title 10, United States
 11 Code.

12 (c) *CERTIFICATION OF SIGNIFICANT PROGRESS.*—The
 13 date described in this subsection is the earlier of the date
 14 that is 8 years after the date of the enactment of this subtitle
 15 or the date on which the Secretary of State certifies to the
 16 appropriate congressional committees the following:

17 (1) *The military and security forces of Burma—*

18 (A) *have demonstrated significant progress*
 19 *in abiding by international human rights stand-*
 20 *ards and are undertaking meaningful security*
 21 *sector reform, including reforms that enhance*
 22 *transparency and accountability, to prevent fu-*
 23 *ture abuses;*

24 (B) *adhere to international humanitarian*
 25 *law;*

1 (C) pledge to stop future human rights
2 abuses;

3 (D) support efforts to carry out comprehen-
4 sive independent investigations of alleged abuses;

5 (E) are taking steps to hold accountable any
6 members of such forces determined to be respon-
7 sible for human rights abuses; and

8 (F) cease their attacks against ethnic mi-
9 nority groups and participate in the conclusion
10 of a nationwide cease-fire agreement, political
11 accommodation, and constitutional change, in-
12 cluding the provision of citizenship to the
13 Rohingya.

14 (2) The Government of Burma, including the
15 military and security forces—

16 (A) allows full humanitarian access to com-
17 munities in areas affected by conflict, including
18 Rohingya communities in Rakhine State;

19 (B) cooperates with the United Nations
20 High Commissioner for Refugees and organiza-
21 tions affiliated with the United Nations to en-
22 sure the protection of displaced persons and the
23 safe, voluntary, sustainable, and dignified return
24 of refugees and internally displaced persons;

1 (C) defines a transparent plan that in-
2 cludes—

3 (i) a timeline for professionalizing the
4 military and security forces; and

5 (ii) a process by which the military
6 withdraws from ownership or control of pri-
7 vate-sector business enterprises and ceases
8 involvement in the illegal trade in natural
9 resources and narcotics; and

10 (D) establishes civilian control over the fi-
11 nances and assets of its military and security
12 forces, including that military expenditures are
13 subject to civilian oversight.

14 (d) *REPORT.*—

15 (1) *IN GENERAL.*—Not later than 180 days after
16 the date of the enactment of this subtitle, and annu-
17 ally thereafter, the Secretary of Defense and the Sec-
18 retary of State shall submit to the appropriate con-
19 gressional committees a report on the strategy and
20 plans for military-to-military engagement between the
21 United States Armed Forces and the military and se-
22 curity forces of Burma.

23 (2) *ELEMENTS REQUIRED.*—The report required
24 under paragraph (1) shall include the following:

1 (A) *A description and assessment of the*
2 *Government of Burma's strategy for security sec-*
3 *tor reform, including any plans to withdraw the*
4 *military from owning or controlling private-sec-*
5 *tor business entities and end involvement in the*
6 *illegal trade in jade and other natural resources,*
7 *reforms to end corruption and illicit drug traf-*
8 *ficking, and constitutional reforms to ensure ci-*
9 *vilian control.*

10 (B) *A list of ongoing military activities*
11 *conducted by the United States Government with*
12 *the Government of Burma, and a description of*
13 *the United States strategy for future military-to-*
14 *military engagements between the United States*
15 *and Burma's military and security forces.*

16 (C) *An assessment of the progress of the*
17 *military and security forces of Burma towards*
18 *developing a framework to implement human*
19 *right reforms, including—*

20 (i) *cooperation with civilian authori-*
21 *ties and independent international inves-*
22 *tigations to investigate and prosecute cases*
23 *of human rights abuses;*

1 (ii) steps taken to demonstrate respect
 2 for and implementation of the laws of war;
 3 and

4 (iii) a description of the elements of the
 5 military-to-military engagement between
 6 the United States and Burma that promote
 7 such implementation.

8 (D) An assessment of progress on the peace-
 9 ful settlement of armed conflicts between the Gov-
 10 ernment of Burma and ethnic minority groups,
 11 including actions taken by the military of
 12 Burma to adhere to cease-fire agreements, allow
 13 for safe, voluntary, sustainable, and dignified re-
 14 turns of displaced persons to their homes, and
 15 withdraw forces from conflict zones.

16 (E) An assessment of the manner and extent
 17 to which the Burmese military recruits and uses
 18 children as soldiers.

19 (F) An assessment of the Burmese's mili-
 20 tary's use of violence against women, sexual vio-
 21 lence, or other gender-based violence as a tool of
 22 terror, war, or ethnic cleansing.

23 (e) FORM.—

24 (1) IN GENERAL.—The certification described in
 25 subsection (c) and the report required by subsection

1 (d) shall be submitted in unclassified form but may
2 include a classified annex.

3 (2) *CERTIFICATION.*—The certification described
4 in subsection (c) shall be accompanied by a written
5 justification in unclassified form, that may contain a
6 classified annex, describing the Burmese military’s ef-
7 forts to implement reforms, end impunity for human
8 rights abuses, and increase transparency and ac-
9 countability.

10 **SEC. 1292. IMPOSITION OF EXISTING AND ADDITIONAL**
11 **SANCTIONS FOR THE VIOLATION OF HUMAN**
12 **RIGHTS AND THE COMMISSION OF HUMAN**
13 **RIGHTS ABUSES IN BURMA.**

14 (a) *SANCTIONS PURSUANT TO EXISTING AUTHORI-*
15 *TIES.*—The President shall impose sanctions—

16 (1) against officials in Burma, including Com-
17 mander in Chief of the Armed Forces of Myanmar
18 Min Aung Hlaing, under the Global Magnitsky
19 Human Rights Accountability Act (22 U.S.C. 2656
20 note); and

21 (2) against military-owned enterprises, includ-
22 ing the Myanmar Economic Corporation and Union
23 of Myanmar Economic Holding, under the Burmese
24 Freedom and Democracy Act (50 U.S.C. 1701 note),
25 the Tom Lantos Block Burmese JADE (Junta’s Anti-

1 *Democratic Efforts*) Act of 2008 (50 U.S.C. 1701
2 note), and other relevant statutory authorities.

3 (b) *ADDITIONAL SANCTIONS*.—For the 8-year period
4 beginning on the date that is 270 days after the date of
5 the enactment of this subtitle, the President shall impose
6 the sanctions described in subsection (c) with respect to each
7 foreign person that the President determines, based on cred-
8 ible evidence—

9 (1) is a current or former senior official of the
10 military or security forces of Burma who—

11 (A) knowingly perpetrated, ordered, or oth-
12 erwise directed serious human rights abuses in
13 Burma; or

14 (B) has taken significant steps to impede
15 investigations or prosecutions of alleged serious
16 human rights abuses, including against the
17 Rohingya community in Rakhine State;

18 (2) is an entity owned or controlled by any per-
19 son described in paragraph (1);

20 (3) is an entity, such as the Myanmar Economic
21 Cooperation or the Myanmar Economic Holding Cor-
22 poration, that is owned or controlled, directly or indi-
23 rectly, by the military or security forces of Burma,
24 including through collective or cooperative structures,
25 from which one or more persons described in para-

graph (1) derive significant revenue or financial benefit; or

(4) has knowingly—

(A) provided significant financial, material, or technological support—

(i) to a foreign person described in paragraph (1) in furtherance of any of the acts described in subparagraph (A) or (B) of such paragraph; or

(ii) to any entity owned or controlled by such person or an immediate family member of such person; or

(B) received significant financial, material, or technological support from a foreign person described in paragraph (1) or an entity owned or controlled by such person or an immediate family member of such person.

(c) *SANCTIONS DESCRIBED; EXCEPTIONS.*—

(1) *SANCTIONS.*—The sanctions described in this subsection are the following:

(A) *ASSET BLOCKING.*—Notwithstanding the requirements of section 202 of the International Emergency Economic Powers Act (50 U.S.C. 1701), the exercise of all powers granted to the President by such Act to the extent nec-

1 *essary to block and prohibit all transactions in*
 2 *all property and interests in property of a for-*
 3 *ign person the President determines meets one*
 4 *or more of the criteria described in subsection (b)*
 5 *if such property and interests in property are in*
 6 *the United States, come within the United*
 7 *States, or are or come within the possession or*
 8 *control of a United States person.*

9 *(B) INELIGIBILITY FOR ADMISSION.—In the*
 10 *case of a foreign person who is an individual,*
 11 *such person shall be—*

12 *(i) inadmissible to the United States;*

13 *(ii) ineligible to receive a visa or other*
 14 *documentation to enter the United States;*
 15 *and*

16 *(iii) otherwise ineligible to be admitted*
 17 *or paroled into the United States or to re-*
 18 *ceive any other benefit under the Immigra-*
 19 *tion and Nationality Act (8 U.S.C. 1101 et*
 20 *seq.).*

21 *(C) CURRENT VISAS REVOKED.—*

22 *(i) The issuing consular officer or the*
 23 *Secretary of State, (or a designee of the Sec-*
 24 *retary of State) shall, in accordance with*
 25 *section 221(i) of the Immigration and Na-*

1 *tionality Act (8 U.S.C. 1201(i)), revoke any*
 2 *visa or other entry documentation issued to*
 3 *a foreign person who is an individual re-*
 4 *gardless of when the visa or other entry doc-*
 5 *umentation is issued.*

6 *(ii) A revocation under clause (i) shall*
 7 *take effect immediately and automatically*
 8 *cancel any other valid visa or entry docu-*
 9 *mentation that is in the person's possession.*

10 *(D) APPLICABILITY TO FOREIGN ENTITIES*
 11 *AND FOREIGN GOVERNMENTS.—Subparagraphs*
 12 *(B) and (C) of this section shall also apply with*
 13 *respect to aliens who are officials of, agents or*
 14 *instrumentalities of, working or acting on behalf*
 15 *of, or otherwise associated with, a foreign entity*
 16 *or foreign government that is a foreign person*
 17 *subject to the imposition of sanctions under sub-*
 18 *section (b), if such aliens are determined by the*
 19 *Secretary of State to have knowingly authorized,*
 20 *conspired to commit, been responsible for, en-*
 21 *gaged in, or otherwise assisted or facilitated the*
 22 *actions described in such subsection.*

23 *(2) EXCEPTION TO COMPLY WITH UNITED NA-*
 24 *TIONS HEADQUARTERS AGREEMENT.—Sanctions*
 25 *under this section shall not apply with respect to an*

1 *alien if admitting or paroling the alien into the*
2 *United States is necessary to permit the United*
3 *States to comply with the Agreement regarding the*
4 *Headquarters of the United Nations, signed at Lake*
5 *Success June 26, 1947, and entered into force Novem-*
6 *ber 21, 1947, between the United Nations and the*
7 *United States, or other applicable international obli-*
8 *gations.*

9 *(d) PENALTIES.—Any person that violates, attempts*
10 *to violate, conspires to violate, or causes a violation of this*
11 *section or any regulation, license, or order issued to carry*
12 *out subsection (c) shall be subject to the penalties set forth*
13 *in subsections (b) and (c) of section 206 of the International*
14 *Emergency Economic Powers Act (50 U.S.C. 1705) to the*
15 *same extent as a person that commits an unlawful act de-*
16 *scribed in subsection (a) of that section.*

17 *(e) IMPLEMENTATION.—The President may exercise all*
18 *authorities provided under sections 203 and 205 of the*
19 *International Emergency Economic Powers Act (50 U.S.C.*
20 *1702 and 1704) to carry out this section and shall issue*
21 *such regulations, licenses, and orders as are necessary to*
22 *carry out this section.*

23 *(f) WAIVER.—The President may annually waive the*
24 *application of sanctions imposed on a foreign person pursu-*
25 *ant to subsection (b) if the President—*

1 (1) *determines that a waiver with respect to such*
 2 *foreign person is in the national interest of the*
 3 *United States; and*

4 (2) *not later than the date on which such waiver*
 5 *will take effect, submits to the following committees*
 6 *notice of and justification for such waiver:*

7 (A) *The Committee on Foreign Affairs, the*
 8 *Committee on Appropriations, and the Com-*
 9 *mittee on Financial Services of the House of*
 10 *Representatives.*

11 (B) *The Committee on Foreign Relations,*
 12 *the Committee on Appropriations, and the Com-*
 13 *mittee on Banking, Housing, and Urban Affairs*
 14 *of the Senate.*

15 (g) *EXCEPTION RELATING TO THE IMPORTATION OF*
 16 *GOODS.—*

17 (1) *IN GENERAL.—The authorities and require-*
 18 *ments to impose sanctions authorized under this sub-*
 19 *title shall not include the authority or requirement to*
 20 *impose sanctions on the importation of goods.*

21 (2) *GOOD DEFINED.—In this subsection, the term*
 22 *“good” means any article, natural or man-made sub-*
 23 *stance, material, supply or manufactured product, in-*
 24 *cluding inspection and test equipment, and excluding*
 25 *technical data.*

1 (h) *DEFINITIONS.—In this section—*

2 (1) *ADMITTED; ALIEN.—The terms “admitted”*
3 *and “alien” have the meanings given those terms in*
4 *section 101 of the Immigration and Nationality Act*
5 *(8 U.S.C. 1001).*

6 (2) *FOREIGN PERSON.—The term “foreign per-*
7 *son” means a person that is not a United States per-*
8 *son.*

9 (3) *KNOWINGLY.—The term “knowingly” means,*
10 *with respect to conduct, a circumstance, or a result,*
11 *means that a person has actual knowledge, or should*
12 *have known, of the conduct, the circumstance, or the*
13 *result.*

14 (4) *UNITED STATES PERSON.—The term “United*
15 *States person” means—*

16 (A) *a United States citizen, an alien law-*
17 *fully admitted for permanent residence to the*
18 *United States, or any other individual subject to*
19 *the jurisdiction of the United States; or*

20 (B) *an entity organized under the laws of*
21 *the United States or of any jurisdiction within*
22 *the United States, including a foreign branch of*
23 *such entity.*

1 **SEC. 1293. GUIDANCE RELATING TO THE MINING SECTOR**
2 **OF BURMA.**

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

4 *(1) In 2015, the nongovernmental organization*
5 *Global Witness estimated that the value of total pro-*
6 *duction of jade in Burma in 2014 was*
7 *\$31,000,000,000, almost 48 percent of the official*
8 *gross domestic product of Burma. As much as 80 per-*
9 *cent of that jade sold is smuggled out of Burma.*

10 *(2) Burma's military and associated entities, in-*
11 *cluding companies owned or controlled by Myanmar*
12 *Economic Corporation and Myanmar Economic*
13 *Holding Limited, their affiliated companies, and*
14 *companies owned or controlled by current and former*
15 *senior military officers or their family members, are*
16 *linked to the mining sector, including the gemstone*
17 *industry, and benefit financially from widespread il-*
18 *legal smuggling of jade and rubies from Burma.*

19 *(3) Illegal trafficking in precious and*
20 *semiprecious stones from Burma, including the trade*
21 *in high-value jade and rubies, deprives the people of*
22 *Burma and the civilian government of critical rev-*
23 *enue and instead benefits military-linked entities,*
24 *non-state armed groups, and transnational organized*
25 *criminal networks.*

1 (4) *In 2016, the Government of Burma began to*
2 *take steps to reform aspects of the mining sector, but*
3 *the Gemstone Law adopted in January 2019 does not*
4 *adequately address corruption and tax avoidance,*
5 *conflicts of interest, or the factors fueling conflict in*
6 *Kachin State and other gemstone mining areas.*

7 (5) *The lifting in October 2016 of United States*
8 *sanctions on the importation of jade and jadeite and*
9 *rubies from Burma allowed such gemstones to legally*
10 *enter the United States market, but some retailers*
11 *have refrained from sourcing gemstones of Burmese*
12 *origin due to governance and reputational concerns.*

13 (b) *SENSE OF CONGRESS.—It is the sense of Congress*
14 *that—*

15 (1) *notwithstanding Burma’s “Trafficking in*
16 *Persons” ranking, the President should continue to*
17 *provide assistance to Burma, pursuant to the waiver*
18 *authority under section 110(d)(4) of the Trafficking*
19 *Victims Protection Act of 2000 (22 U.S.C.*
20 *7107(d)(4)), in order to re-engage with the Govern-*
21 *ment of Burma with respect to the mining sector and*
22 *should make available technical, capacity-building*
23 *and other assistance through the Department of State*
24 *or the United States Agency for International Devel-*

1 *opment to support the Government of Burma in ef-*
 2 *forts to reform the gemstone industry; and*

3 *(2) companies that seek to import to the United*
 4 *States gemstones or minerals that may be of Burmese*
 5 *origin or articles of jewelry containing such gemstones*
 6 *should—*

7 *(A) obtain such materials exclusively from*
 8 *entities that satisfy the transparency criteria de-*
 9 *scribed in subsection (d)(2) or from third parties*
 10 *that can demonstrate that they sourced the mate-*
 11 *rials from entities that meet such criteria; and*

12 *(B) undertake robust due diligence proce-*
 13 *dures in line with the “Due Diligence Guidance*
 14 *for Responsible Business Conduct” and “Due*
 15 *Diligence Guidance for Responsible Supply*
 16 *Chains of Minerals from Conflict-Affected and*
 17 *High-Risk Areas” promulgated by the Organiza-*
 18 *tion for Economic Cooperation and Development.*

19 *(c) LIST OF PARTICIPATING WHITE-LIST ENTITIES.—*
 20 *Not later than 120 days after the date of the enactment of*
 21 *this subtitle, and annually thereafter until the date de-*
 22 *scribed in subsection (e), the Secretary of State shall submit*
 23 *to the appropriate congressional committees, and publish*
 24 *on a publicly available website, a list of each entity de-*
 25 *scribed in subsection (d)(1) that—*

1 (1) *participates in Burma’s mining sector;*

2 (2) *publicly discloses beneficial ownership, as*
 3 *such term is defined for purposes of the Myanmar Ex-*
 4 *tractive Industry Transparency Initiative*
 5 *(“Myanmar EITI”);*

6 (3) *is not owned or controlled, either directly or*
 7 *indirectly, by the Burmese military or security forces,*
 8 *any current or former senior Burmese military offi-*
 9 *cer, or any person sanctioned by the United States*
 10 *pursuant to any relevant sanctions authority; 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 and*
 19 *semiprecious gemstones from Burma or articles*
 20 *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 bene-*

1 *ficial 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 ap-*
 6 *plicable.*

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 for*
 14 *Responsible Supply Chains of Minerals from*
 15 *Conflict-Affected and High-Risk Areas, including*
 16 *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 Sec-*
 21 *retary shall issue guidance for entities in the United States*
 22 *private sector with respect to the best practices for supply-*
 23 *chain due diligence that are applicable to importation of*
 24 *gemstones or minerals that may be of Burmese origin or*
 25 *articles of jewelry containing such gemstones, including*

1 *with respect to transactions with entities approved for in-*
 2 *clusion in the list published pursuant subsection (c), in*
 3 *order to mitigate potential risks and legal liabilities associ-*
 4 *ated with the importation of such items.*

5 *(g) TERMINATION.—The date described in this section*
 6 *is the date on which the President certifies to the appro-*
 7 *priate congressional committees that the Government of*
 8 *Burma has taken substantial measures to reform the min-*
 9 *ing 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-owned*
 20 *enterprises to remove existing conflicts of interest.*

21 *(3) Monitor and undertake enforcement actions,*
 22 *as warranted, to ensure that entities—*

23 *(A) adhere to environmental and social im-*
 24 *pact assessment and management standards in*
 25 *accordance with international responsible min-*

1 *ing practices, the country's environmental con-*
 2 *servation law, and other applicable laws and*
 3 *regulations; and*

4 *(B) uphold occupational health and safety*
 5 *standards and codes of conduct that are aligned*
 6 *with the core labor standards of the Inter-*
 7 *national Labour Organisation and with domes-*
 8 *tic law.*

9 *(4) Address the transparent and fair distribution*
 10 *of benefits from natural resources, including through*
 11 *local benefit-sharing.*

12 *(5) Reform the process for valuation of gemstones*
 13 *at the mine-site, including developing an independent*
 14 *valuation system to prevent undervaluation and tax*
 15 *evasion.*

16 *(6) Require companies bidding for jade and ruby*
 17 *mining, finishing, or export permits to be independ-*
 18 *ently audited upon the request of the Government of*
 19 *Burma and making the results of all such audits pub-*
 20 *lic.*

21 *(7) Establish credible and transparent proce-*
 22 *dures for permit allocations that are independent*
 23 *from external influence, including scrutiny of appli-*
 24 *cants that prevents unscrupulous entities from gain-*

1 *ing access to concessions or the right to trade in min-*
 2 *erals 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 State*
 12 *shall submit to the appropriate congressional committees a*
 13 *report that—*

14 (1) *summarizes credible reports of serious human*
 15 *rights violations, including war crimes, committed*
 16 *against the Rohingya or other ethnic minorities in*
 17 *Burma between 2012 and the date of the submission*
 18 *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 of*
4 *Rakhine in Burma, starting on August 25, 2017,*
5 *constitute war crimes, crimes against humanity,*
6 *or genocide; or*

7 (B) *the situation faced by the Rohingya in*
8 *Rakhine State, between 2012 and the date of the*
9 *submission of the report, amounts to or has*
10 *amounted to the crime of apartheid.*

11 (b) *ELEMENTS.—The report required by subsection (a)*
12 *shall also include each of the following:*

13 (1) *A description of—*

14 (A) *each incident for which there is credible*
15 *evidence that the incident may constitute war*
16 *crimes, crimes against humanity, or genocide*
17 *committed by the Burmese military or security*
18 *forces against the Rohingya and other ethnic mi-*
19 *norities, including the identities of any other ac-*
20 *tors 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 credible*
24 *evidence that the incident may constitute war*
25 *crime, crimes against humanity, or genocide*

1 *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 such*
11 *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 of*
17 *any programs that the United States has already un-*
18 *dertaken 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, pro-*
22 *government militias, and all other armed groups op-*
23 *erating fighting in Rakhine, including programs to—*

24 *(A) train civilian investigators within and*
25 *outside of Burma and Bangladesh on how to*

1 *document, investigate, develop findings of, iden-*
 2 *tify, and locate alleged perpetrators of war*
 3 *crimes, crimes against humanity, or genocide in*
 4 *Burma;*

5 *(B) promote and prepare for a transitional*
 6 *justice process or processes for the perpetrators of*
 7 *war crimes, crimes against humanity, and geno-*
 8 *cide occurring in the State of Rakhine in 2017;*
 9 *and*

10 *(C) document, collect, preserve, and protect*
 11 *evidence of war crimes, crimes against human-*
 12 *ity, and genocide in Burma, including by pro-*
 13 *viding support for Burmese, Bangladeshi, for-*
 14 *foreign, and international nongovernmental organi-*
 15 *zations, the United Nations Human Rights*
 16 *Council's investigative team, and other entities*
 17 *engaged in such investigative activities.*

18 *(3) A detailed study of the feasibility and desir-*
 19 *ability of potential transitional justice mechanisms*
 20 *for Burma, such as an international tribunal, a hy-*
 21 *brid tribunal, or other international options, that in-*
 22 *cludes—*

23 *(A) a discussion of the use of universal ju-*
 24 *risdiction or of legal cases brought against the*
 25 *country of Burma by other sovereign countries at*

1 *the International Court of Justice to address war*
 2 *crimes, crimes against humanity, and genocide*
 3 *perpetrated in Burma;*

4 *(B) recommendations on which transitional*
 5 *justice mechanisms the United States should sup-*
 6 *port, why such mechanisms should be supported,*
 7 *and what type of support should be offered; and*

8 *(C) close consultation regarding transi-*
 9 *tional justice mechanisms with Rohingya rep-*
 10 *resentatives and those of other ethnic minorities*
 11 *who have suffered grave human rights abuses.*

12 *(c) PROTECTION OF WITNESSES AND EVIDENCE.—The*
 13 *Secretary of State shall ensure that the identification of*
 14 *witnesses and physical evidence for purposes of the report*
 15 *required by subsection (a) are not publicly disclosed in a*
 16 *manner that might place such persons at risk of harm or*
 17 *encourage the destruction of such evidence by the military*
 18 *or Government of Burma.*

19 *(d) CRIME OF APARTHEID.—In this section, the term*
 20 *“crime of apartheid” means inhumane acts that—*

21 *(1) are of a character similar to the acts referred*
 22 *to in subparagraphs (A) through (H) of section*
 23 *1285(2);*

24 *(2) are committed in the context of an institu-*
 25 *tionalized regime of systematic oppression and domi-*

1 *nation by one racial group over any other racial*
 2 *group; and*

3 *(3) are committed with the intention of main-*
 4 *taining such regime.*

5 *(e) AUTHORIZATION TO PROVIDE TECHNICAL ASSIST-*
 6 *ANCE.—The Secretary of State is authorized to provide as-*
 7 *sistance to support appropriate civilian or international*
 8 *entities that are undertaking the efforts described in sub-*
 9 *section (f) with respect to war crimes, crimes against hu-*
 10 *manity, and genocide perpetrated by the military and secu-*
 11 *rity forces of Burma, the Rakhine State government, pro-*
 12 *government militias, or any other armed groups fighting*
 13 *in Rakhine State.*

14 *(f) EFFORTS AGAINST HUMAN RIGHTS ABUSES.—The*
 15 *efforts described in this subsection are the following:*

16 *(1) Identifying suspected perpetrators of war*
 17 *crimes, crimes against humanity, and genocide.*

18 *(2) Collecting, documenting, and protecting evi-*
 19 *dence of such crimes and preserve the chain of custody*
 20 *for such evidence.*

21 *(3) Conducting criminal investigations.*

22 *(4) Supporting investigations conducted by other*
 23 *countries, as appropriate.*

24 *(g) AUTHORIZATION FOR TRANSITIONAL JUSTICE*
 25 *MECHANISMS.—The Secretary of State, taking into account*

1 *any relevant findings in the report required by subsection*
 2 *(a), is authorized to provide support for the creation and*
 3 *operation of transitional justice mechanisms, including a*
 4 *potential hybrid tribunal, to prosecute individuals sus-*
 5 *pected of committing war crimes, crimes against humanity,*
 6 *or genocide in Burma.*

7 **SEC. 1295. DEFINITIONS.**

8 *In this subtitle:*

9 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
 10 *TEES.—The term “appropriate congressional commit-*
 11 *tees” means—*

12 (A) *the Committee on Foreign Affairs and*
 13 *the Committee on Armed Services of the House*
 14 *of Representatives; and*

15 (B) *the Committee on Foreign Relations*
 16 *and the Committee on Armed Services of the*
 17 *Senate.*

18 (2) *CRIMES AGAINST HUMANITY.—The term*
 19 *“crimes against humanity” includes, when committed*
 20 *as part of a widespread or systematic attack directed*
 21 *against any civilian population, with knowledge of*
 22 *the attack—*

23 (A) *murder;*

24 (B) *deportation or forcible transfer of popu-*
 25 *lation;*

- 1 (C) torture;
 2 (D) extermination;
 3 (E) enslavement;
 4 (F) rape, sexual slavery, or any other form
 5 of sexual violence of comparable severity;
 6 (G) persecution against any identifiable
 7 group or collectivity on political, racial, na-
 8 tional, ethnic, cultural, religious, gender, or other
 9 grounds that are universally recognized as im-
 10 permissible under international law; and
 11 (H) enforced disappearance of persons.

12 (3) *GENOCIDE*.—The term “genocide” means any
 13 offense described in section 1091(a) of title 18, United
 14 States Code.

15 (4) *TRANSITIONAL JUSTICE*.—The term “transi-
 16 tional justice” means the range of judicial, non-
 17 judicial, formal, informal, retributive, and restorative
 18 measures employed by countries transitioning out of
 19 armed conflict or repressive regimes to redress legacies
 20 of atrocities and to promote long-term, sustainable
 21 peace.

22 (5) *WAR CRIME*.—The term “war crime” has the
 23 meaning given the term in section 2441(c) of title 18,
 24 United States Code.

1 ***Subtitle K—Saudi Arabia Human***
 2 ***Rights and Accountability***

3 ***SEC. 1296. REPORT ON INTELLIGENCE COMMUNITY ASSESS-***
 4 ***MENT RELATING TO THE KILLING OF WASH-***
 5 ***INGTON POST COLUMNIST JAMAL***
 6 ***KHASHOGGI.***

7 *(a) IN GENERAL.—Not later than 30 days after the*
 8 *date of the enactment of this Act, the Director of National*
 9 *Intelligence shall submit to the appropriate congressional*
 10 *committees a report consisting of—*

11 *(1) a determination and presentation of evidence*
 12 *with respect to the advance knowledge and role of any*
 13 *current or former official of the Government of Saudi*
 14 *Arabia or any current or former senior Saudi polit-*
 15 *ical figure over the directing, ordering, or tampering*
 16 *of evidence in the killing of Washington Post col-*
 17 *umnist Jamal Khashoggi; and*

18 *(2) a list of foreign persons that the Director of*
 19 *National Intelligence has high confidence—*

20 *(A) were responsible for, or complicit in, or-*
 21 *dering, controlling, or otherwise directing an act*
 22 *or acts contributing to or causing the death of*
 23 *Jamal Khashoggi;*

24 *(B) knowingly and materially assisted,*
 25 *sponsored, or provided financial, material, or*

1 *technological support for, or goods or services in*
2 *support of, an activity described in subpara-*
3 *graph (A); or*

4 *(C) impeded the impartial investigation of*
5 *the killing of Jamal Khashoggi, including*
6 *through the tampering of evidence relating to the*
7 *investigation.*

8 **(b) FORM.—**

9 **(1) IN GENERAL.—***The report required by sub-*
10 *section (a) shall be submitted in unclassified form,*
11 *but may include a classified annex.*

12 **(2) NAMES OF FOREIGN PERSONS LISTED.—***The*
13 *name of each foreign person listed in the report de-*
14 *scribed in subsection (a)(2) shall be included in the*
15 *unclassified portion of the report unless the Director*
16 *of National Intelligence determines that such disclo-*
17 *sure would undermine United States intelligence*
18 *sources and methods or threaten the national security*
19 *interests of the United States.*

20 **(c) DEFINED.—***In this section:*

21 **(1) APPROPRIATE CONGRESSIONAL COMMIT-**
22 **TEES.—***The term “appropriate congressional commit-*
23 *tees” means—*

1 (A) the Committee on Foreign Affairs and
 2 the Permanent Select Committee on Intelligence
 3 of the House of Representatives; and

4 (B) the Committee on Foreign Relations
 5 and the Select Committee on Intelligence of the
 6 Senate.

7 (2) *KNOWINGLY*.—The term “knowingly”, with
 8 respect to conduct, a circumstance, or a result, means
 9 that a person has actual knowledge, or should have
 10 known, of the conduct, the circumstance, or the result.

11 **SEC. 1296A. SANCTIONS WITH RESPECT TO FOREIGN PER-**
 12 **SONS THAT ENGAGE IN ACTIVITIES DE-**
 13 **SCRIBED IN SECTION 1281(a)(2).**

14 (a) *IMPOSITION OF SANCTIONS*.—On and after the
 15 date that is 120 days after the date of the enactment of
 16 this Act, the sanctions described in subsection (b) shall be
 17 imposed with respect to each foreign person listed in the
 18 report described in section 1281(a)(2).

19 (b) *SANCTIONS DESCRIBED*.—

20 (1) *IN GENERAL*.—The sanctions described in
 21 this subsection are the following:

22 (A) *INELIGIBILITY FOR VISAS AND ADMIS-*
 23 *SION TO THE UNITED STATES*.—

24 (i) *Inadmissibility to the United*
 25 *States*.

1 (ii) *Ineligibility to receive a visa or*
 2 *other documentation to enter the United*
 3 *States.*

4 (iii) *Ineligibility to otherwise be ad-*
 5 *mitted or paroled into the United States or*
 6 *to receive any other benefit under the Immi-*
 7 *gration and Nationality Act (8 U.S.C. 1101*
 8 *et seq.).*

9 (B) *CURRENT VISAS REVOKED.—*

10 (i) *Revocation of any visa or other*
 11 *entry documentation regardless of when the*
 12 *visa or other entry documentation is or was*
 13 *issued.*

14 (ii) *A revocation under clause (i)*
 15 *shall—*

16 (I) *take effect immediately; and*

17 (II) *automatically cancel any*
 18 *other valid visa or entry documenta-*
 19 *tion that is in the foreign person's pos-*
 20 *session.*

21 (2) *EXCEPTION TO COMPLY WITH INTER-*
 22 *NATIONAL OBLIGATIONS.—Sanctions under paragraph*
 23 *(1) shall not apply with respect to a foreign person*
 24 *if admitting or paroling the person into the United*
 25 *States is necessary to permit the United States to*

1 *comply with the Agreement regarding the Head-*
 2 *quarters of the United Nations, signed at Lake Suc-*
 3 *cess June 26, 1947, and entered into force November*
 4 *21, 1947, between the United Nations and the United*
 5 *States, or other applicable international obligations.*

6 (3) *WAIVER IN THE INTEREST OF NATIONAL SE-*
 7 *curity.—The President may waive the application of*
 8 *this section with respect to a foreign person who is A—*
 9 *1 visa eligible and who is present in or seeking ad-*
 10 *mission into the United States for purposes of official*
 11 *business if the President determines and transmits to*
 12 *the appropriate congressional committees written no-*
 13 *tice and justification not later than 15 days before the*
 14 *granting of such waiver, that such a waiver is in the*
 15 *national security interests of the United States.*

16 (c) *SUSPENSION OF SANCTIONS.—*

17 (1) *IN GENERAL.—The President may suspend*
 18 *in whole or in part the imposition of sanctions other-*
 19 *wise required under this section for periods not to ex-*
 20 *ceed 180 days if the President certifies to the appro-*
 21 *priate congressional committees that the following cri-*
 22 *teria have been met in Saudi Arabia:*

23 (A) *The Government of Saudi Arabia has*
 24 *released any individual who is a journalist,*
 25 *blogger, human rights defender, advocate for reli-*

1 *gious liberty, or civil society activist detained by*
2 *the Government of Saudi Arabia.*

3 *(B) The Government of Saudi Arabia is co-*
4 *operating in outstanding criminal proceedings*
5 *in the United States in which a Saudi citizen or*
6 *national departed from the United States while*
7 *the citizen or national was awaiting trial or sen-*
8 *tencing for a criminal offense committed in the*
9 *United States.*

10 *(C) The Government of Saudi Arabia is re-*
11 *fraining from the obstruction of the free expres-*
12 *sion of opinion and restriction of individuals*
13 *from engaging in public criticism of the political*
14 *sphere.*

15 *(D) The Government of Saudi Arabia has*
16 *made verifiable commitments to cease the prac-*
17 *tice of harming citizens of Saudi Arabia con-*
18 *ducting peaceful dissent, whether or not those*
19 *citizens reside in Saudi Arabia, including en-*
20 *forced repatriation, disappearance, arrest, im-*
21 *prisonment, or harassment.*

22 *(E) The Government of Saudi Arabia has*
23 *taken verifiable steps to hold accountable Saudi*
24 *violators of human rights, whether or not those*
25 *violations took place in Saudi Arabia.*

1 (F) *The Government of Saudi Arabia has*
2 *taken verifiable steps to repeal any law or regu-*
3 *lation that requires Saudi women to obtain ap-*
4 *proval from a male guardian in order to leave*
5 *the country.*

6 (G) *The Government of Saudi Arabia—*

7 (i) *has made public the names of all*
8 *individuals under prosecution for the mur-*
9 *der of Jamal Khashoggi and associated*
10 *crimes and the details of the charges such*
11 *individuals face;*

12 (ii) *has made public the trial pro-*
13 *ceedings and all evidence against the ac-*
14 *cused;*

15 (iii) *has invited international, inde-*
16 *pendent experts to monitor the trials;*

17 (iv) *has made public details of efforts*
18 *to establish the location of Mr. Khashoggi's*
19 *remains and associated findings and re-*
20 *turned his body to his family; and*

21 (v) *has made public the rationale for*
22 *why ten of the individuals initially de-*
23 *tained were later released without charge.*

24 (H) *The Government of Saudi Arabia has*
25 *disbanded any units of its intelligence or secu-*

1 *rity apparatus dedicated to the forced repatri-*
 2 *ation of dissidents in other countries.*

3 *(I) The Government of Saudi Arabia is co-*
 4 *operating with efforts to investigate the murder*
 5 *of Jamal Khashoggi being conducted by law en-*
 6 *forcement authorities in the United States and*
 7 *Turkey, or by the United Nations.*

8 *(2) REPORT.—Accompanying the certification*
 9 *described in paragraph (1), the President shall submit*
 10 *to the appropriate congressional committees a report*
 11 *that contains a detailed description of Saudi Arabia’s*
 12 *adherence to the criteria described in the certification.*

13 *(d) DEFINITIONS.—In this section:*

14 *(1) ADMITTED; ALIEN.—The terms “admitted”*
 15 *and “alien” have the meanings given those terms in*
 16 *section 101 of the Immigration and Nationality Act*
 17 *(8 U.S.C. 1101).*

18 *(2) APPROPRIATE CONGRESSIONAL COMMIT-*
 19 *TEES.—The term “appropriate congressional commit-*
 20 *tees” means—*

21 *(A) the Committee on Foreign Affairs, the*
 22 *Committee on the Judiciary, and the Permanent*
 23 *Select Committee on Intelligence of the House of*
 24 *Representatives; and*

1 (B) *the Committee on Foreign Relations,*
 2 *the Committee on the Judiciary, and the Select*
 3 *Committee on Intelligence of the Senate.*

4 (3) *FOREIGN PERSON.*—*The term “foreign per-*
 5 *son” has the meaning given such term in section*
 6 *595.304 of title 31, Code of Federal Regulations (as*
 7 *in effect on the day before the date of the enactment*
 8 *of this Act), except that such term does not include an*
 9 *entity (as such term is described in such section).*

10 (4) *FOREIGN PERSON WHO IS A-1 VISA ELIGI-*
 11 *BLE.*—*The term “foreign person who is A-1 visa eli-*
 12 *gible” means an alien described in section*
 13 *101(a)(15)(A)(i) of the Immigration and Nationality*
 14 *Act (8 U.S.C. 1101(a)(15)(A)(i)).*

15 (5) *UNITED STATES PERSON.*—*The term “United*
 16 *States person” means—*

17 (A) *a United States citizen or an alien law-*
 18 *fully admitted for permanent residence to the*
 19 *United States; or*

20 (B) *an entity organized under the laws of*
 21 *the United States or any jurisdiction within the*
 22 *United States, including a foreign branch of*
 23 *such an entity.*

1 **SEC. 1296B. REPORT ON SAUDI ARABIA'S HUMAN RIGHTS**
2 **RECORD.**

3 (a) *IN GENERAL.*—Not later than 30 days after the
4 date of the enactment of this Act, the Secretary of State,
5 in accordance with section 502B(c) of the Foreign Assist-
6 ance Act of 1961 (22 U.S.C. 2304(c)), shall submit to the
7 appropriate congressional committees a report in writing
8 that—

9 (1) includes the information required under
10 paragraph (1) of such section 502B(c) with respect to
11 Saudi Arabia;

12 (2) describes the extent to which officials of the
13 Government of Saudi Arabia, including members of
14 the military or security services, are responsible for or
15 complicit in gross violations of internationally recog-
16 nized human rights, including violations of the
17 human rights of journalists, bloggers, human rights
18 defenders, and those who support women's rights or
19 religious freedom;

20 (3) describes violations of human rights in Saudi
21 Arabia by officials of the Government of Saudi Ara-
22 bia, including against journalists, bloggers, human
23 rights defenders, and civil society activists;

24 (4) describes United States actions to address
25 Saudi violations of human rights, including against
26 journalists, bloggers, human rights defenders, and

1 *civil society activists, including demands for clemency*
2 *review of these cases;*

3 *(5) describes any intolerant content in edu-*
4 *cational materials published by Saudi Arabia’s Min-*
5 *istry of Education that are used in schools both inside*
6 *Saudi Arabia and at schools throughout the world;*
7 *and*

8 *(6) describes United States actions to encourage*
9 *Saudi Arabia to retrieve and destroy materials with*
10 *intolerant material and revise teacher manuals and*
11 *retrain teachers to reflect changes in educational ma-*
12 *terials and promote tolerance.*

13 *(b) FORM.—The report required by subsection (a) shall*
14 *be submitted in unclassified form, but may include a classi-*
15 *fied annex.*

16 *(c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
17 *FINED.—In the section, the term “appropriate congressional*
18 *committees” means—*

19 *(1) the Committee on Foreign Affairs and the*
20 *Permanent Select Committee on Intelligence of the*
21 *House of Representatives; and*

22 *(2) the Committee on Foreign Relations and the*
23 *Select Committee on Intelligence of the Senate.*

1 ***Subtitle L—Stop Financing of Al-***
 2 ***Shabaab Act***

3 **SEC. 1297. SHORT TITLE.**

4 *This subtitle may be cited as the “Stop Financing of*
 5 *al-Shabaab Act”.*

6 **SEC. 1297A. SENSE OF CONGRESS AND STATEMENT OF POL-**
 7 **ICY.**

8 *(a) SENSE OF CONGRESS.—It is the sense of Congress*
 9 *that—*

10 *(1) the Horn of Africa region remains integral*
 11 *to United States interests in Africa and the Indian*
 12 *Ocean region; and*

13 *(2) United States assistance and diplomatic sup-*
 14 *port for the Government of Somalia and its Federal*
 15 *Member States must be predicated upon measurable*
 16 *progress toward defined benchmarks with respect to*
 17 *efforts to counter al-Shabaab, including the enforce-*
 18 *ment of measures to combat illicit trafficking that fi-*
 19 *nances al-Shabaab.*

20 *(b) STATEMENT OF POLICY.—It is the policy of the*
 21 *United States to—*

22 *(1) combat any means by which al-Shabaab ob-*
 23 *tains funding through illicit trafficking;*

24 *(2) take into consideration compliance with and*
 25 *enforcement of the international bans on illicit traf-*

1 *ficking which finances al-Shabaab when providing*
 2 *United States assistance to any country;*

3 *(3) notify countries receiving United States secu-*
 4 *rity assistance which are identified by the Secretary*
 5 *of State or Secretary of Defense as major components*
 6 *of illicit trafficking routes that finance al-Shabaab,*
 7 *that continued assistance may depend on the full im-*
 8 *plementation of the obligations of such country to en-*
 9 *force as fully as possibly all restrictions against such*
 10 *trafficking; and*

11 *(4) ensure that continued United States security*
 12 *assistance to Kenya, including assistance coordinated*
 13 *through the Kenya-United States Liaison Office, and*
 14 *assistance to multilateral institutions such as the Af-*
 15 *rican Union Mission in Somalia (AMISOM) to com-*
 16 *bat al-Shabaab recruitment, attacks, and other oper-*
 17 *ations inside Kenya also includes assistance to enable*
 18 *the Kenya Defense Forces to end facilitation of traf-*
 19 *ficking that funds al-Shabaab encountered by the*
 20 *Kenya Defense Forces.*

21 **SEC. 1297B. REPORT.**

22 *(a) REPORT.—Subject to subsection (b), not later than*
 23 *90 days after the date of the enactment of this Act, the Sec-*
 24 *retary of State, in coordination with the Secretary of De-*

1 *fense, shall submit to the relevant Congressional committees*
2 *a report including the contents described in subsection (b).*

3 (b) *CONTENTS.—Each report described in subsection*
4 *(a) shall include the following:*

5 (1) *Information on efforts made by troop con-*
6 *tributors to AMISOM to enforce any international*
7 *bans on trafficked goods.*

8 (2) *A recommendation, including a justification*
9 *for such recommendation, with respect to making cer-*
10 *tain future United States security or other assistance*
11 *to any country conditional on enforcement of such*
12 *international bans on illicit trafficking that finances*
13 *al-Shabaab.*

14 (3) *The steps the Secretary of State and the Sec-*
15 *retary of Defense have taken to encourage ending the*
16 *facilitation of trafficking that finances al-Shabaab by*
17 *recipients of United States security assistance.*

18 (4) *A description of the engagement of employees*
19 *and contractors of the Department of State with na-*
20 *tional and regional Somali authorities, including au-*
21 *thorities in Jubaland, to encourage such Somali au-*
22 *thorities to implement their counter-trafficking obli-*
23 *gations.*

24 (5) *A description of efforts taken by the govern-*
25 *ments of countries with nationals who purchase sig-*

1 *nificant amounts of trafficked goods that finance al-*
 2 *Shabaab and a description of the steps the Secretary*
 3 *of State has taken to encourage such compliance.*

4 (6) *An assessment of prospective efforts to reduce*
 5 *the production and illicit trade of trafficked goods in*
 6 *Somalia, including the identification of alternative*
 7 *livelihoods, and means of securing income. The assess-*
 8 *ment may include recommendations from the Admin-*
 9 *istrator of the United States Agency for International*
 10 *Development.*

11 (c) *CLASSIFIED INFORMATION.—Each report required*
 12 *under subsection (a) shall be submitted in unclassified form*
 13 *but may contain a classified annex.*

14 (d) *DEFINITION.—In this section, the term “relevant*
 15 *Congressional committees” means—*

16 (1) *the Committee on Foreign Affairs and the*
 17 *Committee on Armed Services of the House of Rep-*
 18 *resentatives; and*

19 (2) *the Committee on Foreign Relations and the*
 20 *Committee on Armed Services of the Senate.*

21 ***TITLE XIII—COOPERATIVE*** 22 ***THREAT REDUCTION***

23 ***SEC. 1301. FUNDING ALLOCATIONS.***

24 *Of the \$338,700,000 authorized to be appropriated to*
 25 *the Department of Defense for fiscal year 2020 in section*

1 301 and made available by the funding table in division
 2 D for the Department of Defense Cooperative Threat Reduc-
 3 tion Program established under section 1321 of the Depart-
 4 ment of Defense Cooperative Threat Reduction Act (50
 5 U.S.C. 3711), the following amounts may be obligated for
 6 the purposes specified:

7 (1) For strategic offensive arms elimination,
 8 \$492,000.

9 (2) For chemical weapons destruction,
 10 \$12,856,000.

11 (3) For global nuclear security, \$33,919,000.

12 (4) For cooperative biological engagement,
 13 \$183,642,000.

14 (5) For proliferation prevention, \$79,869,000.

15 (6) For activities designated as Other Assess-
 16 ments/Administrative Costs, \$27,922,000.

17 **SEC. 1302. SPECIFICATION OF COOPERATIVE THREAT RE-**
 18 **DUCTION FUNDS.**

19 Funds appropriated pursuant to the authorization of
 20 appropriations in section 301 and made available by the
 21 funding table in division D for the Department of Defense
 22 Cooperative Threat Reduction Program shall be available
 23 for obligation for fiscal years 2020, 2021, and 2022.

1 **SEC. 1303. FUNDING FOR COOPERATIVE BIOLOGICAL EN-**
2 **GAGEMENT PROGRAM.**

3 (a) *INCREASE.*—Notwithstanding the amount set forth
4 in section 1301(4) for cooperative biological engagement
5 and the amounts authorized to be appropriated in section
6 301 for operation and maintenance for the Department of
7 Defense Cooperative Threat Reduction Program, as speci-
8 fied in the corresponding funding table in section 4301, the
9 amount for cooperative biological engagement is hereby in-
10 creased by \$20,000,000.

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 201 for research, development,
14 test, and evaluation, Defense-wide, as specified in the cor-
15 responding funding table in section 4201, for Advanced In-
16 novative Technologies, line 096, is hereby reduced by
17 \$20,000,000.

18 **SEC. 1304. COOPERATIVE THREAT REDUCTION PROGRAM**
19 **ENHANCEMENT.**

20 Not later than 180 days after the date of the enactment
21 of this Act, the Secretary of Defense, in coordination with
22 the Secretary of State, shall submit to the congressional de-
23 fense committees and the Committee on Foreign Affairs of
24 the House of Representatives and the Committee on Foreign
25 Relations of the Senate a report regarding the Cooperative
26 Threat Reduction Program (established pursuant to the De-

1 *partment of Defense Cooperate Threat Reduction Act (en-*
 2 *acted as subtitle B of title XIII of the Carl Levin and How-*
 3 *ard P. “Buck” McKeon National Defense Authorization Act*
 4 *for Fiscal Year 2015 (50 U.S.C. 3701 et seq.)), including*
 5 *recommendations to improve the implementation of such*
 6 *Program.*

7 **TITLE XIV—OTHER** 8 **AUTHORIZATIONS**

9 **Subtitle A—Military Programs**

10 **SEC. 1401. WORKING CAPITAL FUNDS.**

11 *Funds are hereby authorized to be appropriated for fis-*
 12 *cal year 2020 for the use of the Armed Forces and other*
 13 *activities and agencies of the Department of Defense for*
 14 *providing capital for working capital and revolving funds,*
 15 *as specified in the funding table in section 4501.*

16 **SEC. 1402. CHEMICAL AGENTS AND MUNITIONS DESTRUC-** 17 **TION, DEFENSE.**

18 *(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are*
 19 *hereby authorized to be appropriated for the Department*
 20 *of Defense for fiscal year 2020 for expenses, not otherwise*
 21 *provided for, for Chemical Agents and Munitions Destruc-*
 22 *tion, Defense, as specified in the funding table in section*
 23 *4501.*

24 *(b) USE.—Amounts authorized to be appropriated*
 25 *under subsection (a) are authorized for—*

1 (1) the destruction of lethal chemical agents and
2 munitions in accordance with section 1412 of the De-
3 partment of Defense Authorization Act, 1986 (50
4 U.S.C. 1521); and

5 (2) the destruction of chemical warfare materiel
6 of the United States that is not covered by section
7 1412 of such Act.

8 **SEC. 1403. DRUG INTERDICTION AND COUNTER-DRUG AC-**
9 **TIVITIES, DEFENSE-WIDE.**

10 *Funds are hereby authorized to be appropriated for the*
11 *Department of Defense for fiscal year 2020 for expenses, not*
12 *otherwise provided for, for Drug Interdiction and Counter-*
13 *Drug Activities, Defense-wide, as specified in the funding*
14 *table in section 4501.*

15 **SEC. 1404. DEFENSE INSPECTOR GENERAL.**

16 *Funds are hereby authorized to be appropriated for the*
17 *Department of Defense for fiscal year 2020 for expenses, not*
18 *otherwise provided for, for the Office of the Inspector Gen-*
19 *eral of the Department of Defense, as specified in the fund-*
20 *ing table in section 4501.*

21 **SEC. 1405. DEFENSE HEALTH PROGRAM.**

22 *Funds are hereby authorized to be appropriated for fis-*
23 *cal year 2020 for the Defense Health Program for use of*
24 *the Armed Forces and other activities and agencies of the*
25 *Department of Defense for providing for the health of eligi-*

1 ble beneficiaries, as specified in the funding table in section
2 4501.

3 **SEC. 1406. NATIONAL DEFENSE SEALIFT FUND.**

4 *Funds are hereby authorized to be appropriated for fis-*
5 *cal year 2020 for the National Defense Sealift Fund, as*
6 *specified in the funding tables in section 4501.*

7 ***Subtitle B—Other Matters***

8 **SEC. 1411. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT**

9 **DEPARTMENT OF DEFENSE-DEPARTMENT OF**

10 **VETERANS AFFAIRS MEDICAL FACILITY DEM-**

11 **ONSTRATION FUND FOR CAPTAIN JAMES A.**

12 **LOVELL HEALTH CARE CENTER, ILLINOIS.**

13 *(a) AUTHORITY FOR TRANSFER OF FUNDS.—Of the*
14 *funds authorized to be appropriated by section 1405 and*
15 *available for the Defense Health Program for operation and*
16 *maintenance, \$127,500,000 may be transferred by the Sec-*
17 *retary of Defense to the Joint Department of Defense-De-*
18 *partment of Veterans Affairs Medical Facility Demonstra-*
19 *tion Fund established by subsection (a)(1) of section 1704*
20 *of the National Defense Authorization Act for Fiscal Year*
21 *2010 (Public Law 111–84; 123 Stat. 2571). For purposes*
22 *of subsection (a)(2) of such section 1704, any funds so*
23 *transferred shall be treated as amounts authorized and ap-*
24 *propriated specifically for the purpose of such a transfer.*

1 **(b) USE OF TRANSFERRED FUNDS.**—*For the purposes*
 2 *of subsection (b) of such section 1704, facility operations*
 3 *for which funds transferred under subsection (a) may be*
 4 *used are operations of the Captain James A. Lovell Federal*
 5 *Health Care Center, consisting of the North Chicago Vet-*
 6 *erans Affairs Medical Center, the Navy Ambulatory Care*
 7 *Center, and supporting facilities designated as a combined*
 8 *Federal medical facility under an operational agreement*
 9 *covered by section 706 of the Duncan Hunter National De-*
 10 *fense Authorization Act for Fiscal Year 2009 (Public Law*
 11 *110–417; 122 Stat. 4500).*

12 **SEC. 1412. AUTHORIZATION OF APPROPRIATIONS FOR**
 13 **ARMED FORCES RETIREMENT HOME.**

14 *There is hereby authorized to be appropriated for fiscal*
 15 *year 2020 from the Armed Forces Retirement Home Trust*
 16 *Fund the sum of \$64,300,000 for the operation of the Armed*
 17 *Forces Retirement Home.*

1 **TITLE XV—AUTHORIZATION OF**
 2 **ADDITIONAL APPROPRIA-**
 3 **TIONS FOR OVERSEAS CON-**
 4 **TINGENCY OPERATIONS**
 5 **Subtitle A—Authorization of**
 6 **Appropriations**

7 **SEC. 1501. PURPOSE.**

8 *The purpose of this title is to authorize appropriations*
 9 *for the Department of Defense for fiscal year 2020 to pro-*
 10 *vide additional funds for overseas contingency operations*
 11 *being carried out by the Armed Forces.*

12 **SEC. 1502. PROCUREMENT.**

13 *Funds are hereby authorized to be appropriated for fis-*
 14 *cal year 2020 for procurement accounts for the Army, the*
 15 *Navy and the Marine Corps, the Air Force, and Defense-*
 16 *wide activities, as specified in the funding table in section*
 17 *4102.*

18 **SEC. 1503. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
 19 **TION.**

20 *Funds are hereby authorized to be appropriated for fis-*
 21 *cal year 2020 for the use of the Department of Defense for*
 22 *research, development, test, and evaluation, as specified in*
 23 *the funding table in section 4202.*

1 **SEC. 1504. OPERATION AND MAINTENANCE.**

2 *Funds are hereby authorized to be appropriated for fis-*
3 *cal year 2020 for the use of the Armed Forces and other*
4 *activities and agencies of the Department of Defense for ex-*
5 *penses, not otherwise provided for, for operation and main-*
6 *tenance, as specified in the funding table in section 4302.*

7 **SEC. 1505. MILITARY PERSONNEL.**

8 *Funds are hereby authorized to be appropriated for fis-*
9 *cal year 2020 for the use of the Armed Forces and other*
10 *activities and agencies of the Department of Defense for ex-*
11 *penses, not otherwise provided for, military personnel ac-*
12 *counts, as specified in the funding table in section 4402.*

13 **SEC. 1506. WORKING CAPITAL FUNDS.**

14 *Funds are hereby authorized to be appropriated for fis-*
15 *cal year 2020 for the use of the Armed Forces and other*
16 *activities and agencies of the Department of Defense for*
17 *providing capital for working capital and revolving funds,*
18 *as specified in the funding table in section 4502.*

19 **SEC. 1507. DRUG INTERDICTION AND COUNTER-DRUG AC-**
20 **TIVITIES, DEFENSE-WIDE.**

21 *Funds are hereby authorized to be appropriated for the*
22 *Department of Defense for fiscal year 2020 for expenses, not*
23 *otherwise provided for, for Drug Interdiction and Counter-*
24 *Drug Activities, Defense-wide, as specified in the funding*
25 *table in section 4502.*

1 **SEC. 1508. DEFENSE INSPECTOR GENERAL.**

2 *Funds are hereby authorized to be appropriated for the*
 3 *Department of Defense for fiscal year 2020 for expenses, not*
 4 *otherwise provided for, for the Office of the Inspector Gen-*
 5 *eral of the Department of Defense, as specified in the fund-*
 6 *ing table in section 4502.*

7 **SEC. 1509. DEFENSE HEALTH PROGRAM.**

8 *Funds are hereby authorized to be appropriated for the*
 9 *Department of Defense for fiscal year 2020 for expenses, not*
 10 *otherwise provided for, for the Defense Health Program, as*
 11 *specified in the funding table in section 4502.*

12 ***Subtitle B—Financial Matters***

13 **SEC. 1511. TREATMENT AS ADDITIONAL AUTHORIZATIONS.**

14 *The amounts authorized to be appropriated by this*
 15 *title are in addition to amounts otherwise authorized to be*
 16 *appropriated by this Act.*

17 **SEC. 1512. SPECIAL TRANSFER AUTHORITY.**

18 *(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—*

19 *(1) AUTHORITY.—Upon determination by the*
 20 *Secretary of Defense that such action is necessary in*
 21 *the national interest, the Secretary may transfer*
 22 *amounts of authorizations made available to the De-*
 23 *partment of Defense in this title for fiscal year 2019*
 24 *between any such authorizations for that fiscal year*
 25 *(or any subdivisions thereof). Amounts of authoriza-*
 26 *tions so transferred shall be merged with and be*

1 *available for the same purposes as the authorization*
 2 *to which transferred.*

3 (2) *LIMITATION.—The total amount of author-*
 4 *izations that the Secretary may transfer under the*
 5 *authority of this subsection may not exceed*
 6 *\$500,000,000.*

7 (b) *TERMS AND CONDITIONS.—*

8 (1) *IN GENERAL.—Transfers under this section*
 9 *shall be subject to the same terms and conditions as*
 10 *transfers under section 1001.*

11 (2) *ADDITIONAL LIMITATION ON TRANSFERS FOR*
 12 *DRUG INTERDICTION AND COUNTER DRUG ACTIVI-*
 13 *TIES.—The authority provided by subsection (a) may*
 14 *not be used to transfer any amount to Drug Interdic-*
 15 *tion and Counter Drug Activities, Defense-wide.*

16 (c) *ADDITIONAL AUTHORITY.—The transfer authority*
 17 *provided by this section is in addition to the transfer au-*
 18 *thority provided under section 1001.*

19 ***Subtitle C—Other Matters***

20 ***SEC. 1521. AFGHANISTAN SECURITY FORCES FUND.***

21 (a) *CONTINUATION OF PRIOR AUTHORITIES AND NO-*
 22 *TICE AND REPORTING REQUIREMENTS.—Funds available*
 23 *to the Department of Defense for the Afghanistan Security*
 24 *Forces Fund for fiscal year 2020 shall be subject to the con-*
 25 *ditions contained in—*

1 (1) *subsections (b) through (f) of section 1513 of*
 2 *the National Defense Authorization Act for Fiscal*
 3 *Year 2008 (Public Law 110–181; 122 Stat. 428); and*

4 (2) *section 1521(d)(1) of the National Defense*
 5 *Authorization Act for Fiscal Year 2017 (Public Law*
 6 *114–328; 130 Stat. 2577).*

7 **(b) EQUIPMENT DISPOSITION.—**

8 (1) **ACCEPTANCE OF CERTAIN EQUIPMENT.**—*Sub-*
 9 *ject to paragraph (2), the Secretary of Defense may*
 10 *accept equipment that is procured using amounts au-*
 11 *thorized to be appropriated for the Afghanistan Secu-*
 12 *rity Forces Fund by this Act and is intended for*
 13 *transfer to the security forces of the Ministry of De-*
 14 *fense and the Ministry of the Interior of the Govern-*
 15 *ment of Afghanistan, but is not accepted by such secu-*
 16 *rity forces.*

17 (2) **CONDITIONS ON ACCEPTANCE OF EQUIP-**
 18 **MENT.**—*Before accepting any equipment under the*
 19 *authority provided by paragraph (1), the Commander*
 20 *of United States forces in Afghanistan shall make a*
 21 *determination that such equipment was procured for*
 22 *the purpose of meeting requirements of the security*
 23 *forces of the Ministry of Defense and the Ministry of*
 24 *the Interior of the Government of Afghanistan, as*
 25 *agreed to by both the Government of Afghanistan and*

1 *the Government of the United States, but is no longer*
2 *required by such security forces or was damaged be-*
3 *fore transfer to such security forces.*

4 (3) *ELEMENTS OF DETERMINATION.*—*In making*
5 *a determination under paragraph (2) regarding*
6 *equipment, the Commander of United States forces in*
7 *Afghanistan shall consider alternatives to the accept-*
8 *ance of such equipment by the Secretary. An expla-*
9 *nation of each determination, including the basis for*
10 *the determination and the alternatives considered,*
11 *shall be included in the relevant quarterly report re-*
12 *quired under paragraph (5).*

13 (4) *TREATMENT AS DEPARTMENT OF DEFENSE*
14 *STOCKS.*—*Equipment accepted under the authority*
15 *provided by paragraph (1) may be treated as stocks*
16 *of the Department of Defense upon notification to the*
17 *congressional defense committees of such treatment.*

18 (5) *QUARTERLY REPORTS ON EQUIPMENT DIS-*
19 *POSITION.*—

20 (A) *IN GENERAL.*—*Not later than 90 days*
21 *after the date of the enactment of this Act and*
22 *every 90-day period thereafter during which the*
23 *authority provided by paragraph (1) is exer-*
24 *cised, the Secretary shall submit to the congres-*
25 *sional defense committees a report describing the*

1 *equipment accepted during the period covered by*
2 *such report under the following:*

3 *(i) This subsection.*

4 *(ii) Section 1521(b) of the National*
5 *Defense Authorization Act for Fiscal Year*
6 *2017 (Public Law 114–328; 130 Stat.*
7 *2575).*

8 *(iii) Section 1531(b) of the National*
9 *Defense Authorization Act for Fiscal Year*
10 *2016 (Public Law 114–92; 129 Stat. 1088).*

11 *(iv) Section 1532(b) of the Carl Levin*
12 *and Howard P. “Buck” McKeon National*
13 *Defense Authorization Act for Fiscal Year*
14 *2015 (Public Law 113–291; 128 Stat.*
15 *3613).*

16 *(v) Section 1531(d) of the National De-*
17 *fense Authorization Act for Fiscal Year*
18 *2014 (Public Law 113–66; 127 Stat. 938;*
19 *10 U.S.C. 2302 note).*

20 *(B) ELEMENTS.—Each report under sub-*
21 *paragraph (A) shall include a list of all equip-*
22 *ment that was accepted during the period cov-*
23 *ered by such report and treated as stocks of the*
24 *Department of Defense and copies of the deter-*

1 *minations made under paragraph (2), as re-*
2 *quired by paragraph (3).*

3 *(c) SECURITY OF AFGHAN WOMEN.—*

4 *(1) IN GENERAL.—Of the funds available to the*
5 *Department of Defense for the Afghan Security Forces*
6 *Fund for fiscal year 2020, it is the goal that*
7 *\$45,500,000, but in no event less than \$10,000,000,*
8 *shall be used for—*

9 *(A) the recruitment, integration, retention,*
10 *training, and treatment of women in the Afghan*
11 *National Defense and Security Forces; and*

12 *(B) the recruitment, training, and con-*
13 *tracting of female security personnel for future*
14 *elections.*

15 *(2) TYPES OF PROGRAMS AND ACTIVITIES.—Such*
16 *programs and activities may include—*

17 *(A) efforts to recruit and retain women into*
18 *the Afghan National Defense and Security*
19 *Forces, including the special operations forces;*

20 *(B) programs and activities of the Direc-*
21 *torate of Human Rights and Gender Integration*
22 *of the Ministry of Defense of Afghanistan and the*
23 *Office of Human Rights, Gender and Child*
24 *Rights of the Ministry of Interior of Afghanistan;*

1 (C) development and dissemination of gen-
2 der and human rights educational and training
3 materials and programs within the Ministry of
4 Defense and the Ministry of Interior of Afghani-
5 stan;

6 (D) efforts to address harassment and vio-
7 lence against women within the Afghan National
8 Defense and Security Forces;

9 (E) improvements to infrastructure that ad-
10 dress the requirements of women serving in the
11 Afghan National Defense and Security Forces,
12 including appropriate equipment for female se-
13 curity and police forces, and transportation for
14 policewomen to their station;

15 (F) support for Afghanistan National Police
16 Family Response Units;

17 (G) security provisions for high-profile fe-
18 male police and military officers; and

19 (H) programs to promote conflict preven-
20 tion, management, and resolution through the
21 meaningful participation of Afghan women in
22 the Afghan National Defense and Security Forces
23 by exposing Afghan women and girls to the ac-
24 tivities of and careers available with such forces,
25 encouraging their interest in such careers, or de-

1 *veloping their interest and skills necessary for*
 2 *service in such forces; and*

3 *(I) enhancements to the recruitment pro-*
 4 *grams of the Afghan National Defense and Secu-*
 5 *rity Forces through an aggressive program of ad-*
 6 *vertising and market research targeted at pro-*
 7 *spective female recruits for such forces and at*
 8 *those who may influence prospective female re-*
 9 *cruits.*

10 *(d) ASSESSMENT OF AFGHANISTAN PROGRESS ON OB-*
 11 *JECTIVES.—*

12 *(1) ASSESSMENT REQUIRED.—Not later than*
 13 *June 1, 2020, the Secretary of Defense shall, in con-*
 14 *sultation with the Secretary of State, submit to the*
 15 *Committee on Armed Services and the Committee on*
 16 *Foreign Affairs of the House of Representatives and*
 17 *the Committee on Armed Services and the Committee*
 18 *on Foreign Relations of the Senate an assessment de-*
 19 *scribing—*

20 *(A) the progress of the Government of the*
 21 *Islamic Republic of Afghanistan toward meeting*
 22 *shared security objectives; and*

23 *(B) the efforts of the Government of the Is-*
 24 *lamic Republic of Afghanistan to manage, em-*

1

ploy, and sustain the equipment and inventory
2 provided under subsection (a).

3 (2) *MATTERS TO BE INCLUDED.*—*In conducting*
4 *the assessment required by paragraph (1), the Sec-*
5 *retary of Defense shall include each of the following:*

6 (A) *A consideration of the extent to which*
7 *the Government of Afghanistan has a strategy*
8 *for, and has taken steps toward, increased ac-*
9 *countability and the reduction of corruption*
10 *within the Ministry of Defense and the Ministry*
11 *of Interior of Afghanistan.*

12 (B) *A consideration of the extent to which*
13 *the capability and capacity of the Afghan Na-*
14 *tional Defense and Security Forces have im-*
15 *proved as a result of Afghanistan Security*
16 *Forces Fund investment, including through*
17 *training, and an articulation of the metrics used*
18 *to assess such improvements.*

19 (C) *A consideration of the extent to which*
20 *the Afghan National Defense and Security Forces*
21 *have been able to increase pressure on the*
22 *Taliban, al-Qaeda, the Haqqani network, the Is-*
23 *lamic State of Iraq and Syria-Khorasan, and*
24 *other terrorist organizations, including by re-*

1 *taking territory, defending territory, and dis-*
2 *rupting attacks.*

3 *(D) A consideration of the distribution*
4 *practices of the Afghan National Defense and Se-*
5 *curity Forces and whether the Government of Af-*
6 *ghanistan is ensuring that supplies, equipment,*
7 *and weaponry supplied by the United States are*
8 *appropriately distributed to, and employed by,*
9 *security forces charged with fighting the Taliban*
10 *and other terrorist organizations.*

11 *(E) A consideration of the extent to which*
12 *the Government of Afghanistan has designated*
13 *the appropriate staff, prioritized the development*
14 *of relevant processes, and provided or requested*
15 *the allocation of resources necessary to support a*
16 *peace and reconciliation process in Afghanistan.*

17 *(F) A description of the ability of the Min-*
18 *istry of Defense and the Ministry of Interior of*
19 *Afghanistan to manage and account for pre-*
20 *viously divested equipment, including a descrip-*
21 *tion of any vulnerabilities or weaknesses of the*
22 *internal controls of such Ministry of Defense and*
23 *Ministry of Interior and any plan in place to*
24 *address shortfalls.*

1 (G) A description of the monitoring and
2 evaluation systems in place to ensure assistance
3 provided under subsection (a) is used only for
4 the intended purposes.

5 (H) A description of any significant irreg-
6 ularities in the divestment of equipment to the
7 Afghan National Defense and Security Forces
8 during the period beginning on May 1, 2019,
9 and ending on May 1, 2020, including any
10 major losses of such equipment or any inability
11 on the part of the Afghan National Defense and
12 Security Forces to account for equipment so pro-
13 cured.

14 (I) A description of the sustainment and
15 maintenance costs required during the period be-
16 ginning on May 1, 2019, and ending on May 1,
17 2020, for major weapons platforms previously
18 divested, and a plan for how the Afghan Na-
19 tional Defense and Security Forces intends to
20 maintain such platforms in the future.

21 (J) A consideration of the extent to which
22 the Government of Afghanistan is adhering to
23 conditions for receiving assistance established in
24 annual financial commitment letters or any

1 *other bilateral agreements with the United*
 2 *States.*

3 *(K) A consideration of the extent to which*
 4 *the Government of Afghanistan has made*
 5 *progress in achieving security sector benchmarks*
 6 *as outlined by the United States-Afghan Com-*
 7 *pact (commonly known as the “Kabul Com-*
 8 *pact”).*

9 *(L) Such other factors as the Secretaries*
 10 *consider appropriate.*

11 *(3) FORM.—The assessment required by para-*
 12 *graph (1) shall be submitted in unclassified form, but*
 13 *may include a classified annex.*

14 *(4) WITHHOLDING OF ASSISTANCE FOR INSUFFI-*
 15 *CIENT PROGRESS.—*

16 *(A) IN GENERAL.—If the Secretary of De-*
 17 *fense determines, in coordination with the Sec-*
 18 *retary of State and pursuant to the assessment*
 19 *under paragraph (1), that the Government of Af-*
 20 *ghanistan has made insufficient progress in the*
 21 *areas described in paragraph (2), the Secretary*
 22 *of Defense shall—*

23 *(i) withhold \$480,000,000, to be de-*
 24 *rived from amounts made available for as-*
 25 *sistance for the Afghan National Defense*

1 *and Security Forces, from expenditure or*
2 *obligation until the date on which the Sec-*
3 *retary certifies to Congress that the Govern-*
4 *ment of Afghanistan has made sufficient*
5 *progress; and*

6 (ii) *notify Congress not later than 30*
7 *days before withholding such funds.*

8 (B) *WAIVER.—If the Secretary of Defense*
9 *determines that withholding such assistance*
10 *would impede the national security objectives of*
11 *the United States by prohibiting, restricting, de-*
12 *laying, or otherwise limiting the provision of as-*
13 *sistance, the Secretary may waive the with-*
14 *holding requirement under subparagraph (A) if*
15 *the Secretary, in coordination with the Secretary*
16 *of State, certifies such determination to Congress*
17 *not later than 30 days before the effective date of*
18 *the waiver.*

19 (e) *ADDITIONAL REPORTING REQUIREMENTS.—The*
20 *Secretary of Defense shall include in the materials sub-*
21 *mitted in support of the budget for fiscal year 2021 that*
22 *is submitted by the President under section 1105(a) of title*
23 *31, United States Code, each of the following:*

24 (1) *The amount of funding provided in fiscal*
25 *year 2019 through the Afghanistan Security Forces*

1 *Fund to the Government of Afghanistan in the form*
 2 *of direct government-to-government assistance or on-*
 3 *budget assistance for the purposes of supporting any*
 4 *entity of such government, including the Afghan Na-*
 5 *tional Defense and Security Forces, the Afghan Min-*
 6 *istry of Interior, or the Afghan Ministry of Defense.*

7 *(2) The amount of funding provided and antici-*
 8 *pated to be provided, as of the date of the submission*
 9 *of the materials, in fiscal year 2020 through such*
 10 *Fund in such form.*

11 *(3) To the extent the amount described in para-*
 12 *graph (2) exceeds the amount described in paragraph*
 13 *(1), an explanation as to the reason why the such*
 14 *amount is greater and the specific entities and pur-*
 15 *poses that were supported by such increase.*

16 ***TITLE XVI—STRATEGIC PRO-***
 17 ***GRAMS, CYBER, AND INTEL-***
 18 ***LIGENCE MATTERS***

19 ***Subtitle A—Space Activities***

20 ***SEC. 1601. NATIONAL SECURITY SPACE LAUNCH PROGRAM.***

21 *(a) SENSE OF CONGRESS.—It is the sense of Congress*
 22 *that—*

23 *(1) ensuring opportunities for future competition*
 24 *in the National Security Space Launch program of*
 25 *the Air Force will decrease the overall cost of the pro-*

1 *gram and increase the likelihood of success with re-*
2 *spect to the Department of Defense stopping the use*
3 *of Russian-made RD–180 rocket engines, as required*
4 *by section 1608 of the Carl Levin and Howard P.*
5 *“Buck” McKeon National Defense Authorization Act*
6 *for Fiscal Year 2015 (Public Law 113–291; 10 U.S.C.*
7 *2271 note); and*

8 *(2) while Congress supports robust competition*
9 *within the National Security Space Launch program,*
10 *Congress recognizes the importance of providing a*
11 *regular launch manifest and incentives for a robust*
12 *industrial base to support national security require-*
13 *ments.*

14 *(b) PHASE TWO ACQUISITION STRATEGY.—In car-*
15 *rying out the phase two acquisition strategy, the Secretary*
16 *of the Air Force—*

17 *(1) shall ensure, except as provided by subsection*
18 *(c), that launch services are procured only from Na-*
19 *tional Security Space Launch providers that are*
20 *offerors using launch vehicles or families of launch ve-*
21 *hicles that meet all of the requirements of the Air*
22 *Force for the delivery of all required payloads to all*
23 *reference orbits; and*

24 *(2) may not substantially change the acquisition*
25 *schedule or mission performance requirements.*

1 (c) *COMPETITIVE PROCEDURES.*—If the Secretary of
2 the Air Force awards phase two contracts for more than
3 a total of 29 launches, the Secretary shall ensure that each
4 such contract for any launch after the 29th launch is
5 awarded using competitive procedures among all National
6 Security Space Launch providers.

7 (d) *FUNDING FOR CERTIFICATION AND INFRASTRUC-*
8 *TURE.*—

9 (1) *AUTHORITY.*—Pursuant to section 2371b of
10 title 10, United States Code, the Secretary of the Air
11 Force shall enter into an agreement described in
12 paragraph (2) with either National Security Space
13 Launch providers that have not entered into a phase
14 two contract for launch services occurring before fiscal
15 year 2022 or National Security Space Launch pro-
16 viders that have entered into a phase two contract but
17 have not entered into a launch services agreement for
18 such phase, or both.

19 (2) *AGREEMENTS.*—An agreement described in
20 this paragraph is an agreement that provides a Na-
21 tional Security Space Launch provider with not more
22 than \$500,000,000 for the provider to meet the certifi-
23 cation and infrastructure requirements that are—

24 (A) unique to national security space mis-
25 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 submit
7 to the appropriate congressional committees written notifi-
8 cation of the two National Security Space Launch pro-
9 viders selected during fiscal year 2020 by the Secretary of
10 the Air Force to be awarded phase two contracts not later
11 than 10 days before the Secretary publicly announces such
12 selection. The notification shall include, at a minimum—

13 (1) an identification of the selected providers;
14 (2) the evaluation criteria used in the selection;
15 (3) the total costs to the Air Force for such con-
16 tracts; and
17 (4) a risk assessment of the selected providers in
18 meeting national security requirements.

19 (f) *REPORT.*—Not later than 45 days after the date
20 on which the Secretary of the Air Force awards phase two
21 contracts during fiscal year 2020, the Secretary shall sub-
22 mit to the appropriate congressional committees a report
23 on—

24 (1) the total defense investments made with re-
25 spect to launch service agreements and engine devel-

1 *opment for each National Security Space Launch*
 2 *provider so awarded such phase two contracts; and*

3 *(2) how such investments in launch service pro-*
 4 *viders were accounted for in the evaluation of the of-*
 5 *fers for such phase two contracts.*

6 *(g) DEFINITIONS.—In this section:*

7 *(1) The term “appropriate congressional com-*
 8 *mittees” means—*

9 *(A) the congressional defense committees;*

10 *and*

11 *(B) the Permanent Select Committee on In-*
 12 *telligence of the House of Representatives and the*
 13 *Select Committee on Intelligence of the Senate.*

14 *(2) The term “phase two acquisition strategy”*
 15 *means the process by which the Secretary of the Air*
 16 *Force enters into phase two contracts and carries out*
 17 *launches under the National Security Space Launch*
 18 *program during fiscal years 2020 through 2024.*

19 *(3) The term “phase two contract” means a con-*
 20 *tract for launch services under the National Security*
 21 *Space Launch program during fiscal years 2020*
 22 *through 2024, as described in solicitation number*
 23 *FA8811–19–R–0002 of the Air Force.*

1 **SEC. 1602. PREPARATION TO IMPLEMENT PLAN FOR USE OF**
2 **ALLIED LAUNCH VEHICLES.**

3 (a) *PREPARATION.*—*The Secretary of Defense, in co-*
4 *ordination with the Director of National Intelligence, shall*
5 *take actions necessary to prepare to implement the plan de-*
6 *veloped pursuant to section 1603 of the National Defense*
7 *Authorization Act for Fiscal Year 2017 (Public Law 114–*
8 *328; 130 Stat. 2584) regarding using allied launch vehicles*
9 *to meet the requirements for achieving the policy relating*
10 *to assured access to space set forth in section 2273 of title*
11 *10, United States Code.*

12 (b) *ACTIONS REQUIRED.*—*In carrying out subsection*
13 *(a), the Secretary shall—*

14 (1) *identify the satellites of the United States*
15 *that would be appropriate to be launched on an allied*
16 *launch vehicle;*

17 (2) *assess the relevant provisions of Federal law,*
18 *regulations, and policies governing the launch of na-*
19 *tional security satellites and determine whether any*
20 *legislative, regulatory, or policy actions (including*
21 *with respect to waivers) would be necessary to allow*
22 *for the launch of a national security satellite on an*
23 *allied launch vehicle; and*

24 (3) *address any certification requirements nec-*
25 *essary for such use of allied launch vehicles and the*

1 *estimated cost, schedule, and actions necessary to cer-*
 2 *tify allied launch vehicles for such use.*

3 (c) *SUBMISSION TO CONGRESS.*—*Not later than 90*
 4 *days after the date of the enactment of this Act, the Sec-*
 5 *retary of Defense shall submit to the appropriate congres-*
 6 *sional committees a report on preparing to implement the*
 7 *plan described in subsection (a), including information re-*
 8 *garding each action required by paragraphs (1), (2), and*
 9 *(3) of subsection (b).*

10 (d) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
 11 *FINED.*—*In this section, the term “appropriate congres-*
 12 *sional committees” means—*

13 (1) *the congressional defense committees; and*

14 (2) *the Permanent Select Committee on Intel-*
 15 *ligence of the House of Representatives and the Select*
 16 *Committee on Intelligence of the Senate.*

17 **SEC. 1603. ANNUAL DETERMINATION ON PLAN ON FULL IN-**
 18 **TEGRATION AND EXPLOITATION OF OVER-**
 19 **HEAD PERSISTENT INFRARED CAPABILITY.**

20 *Section 1618(c) of the National Defense Authorization*
 21 *Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C.*
 22 *2431 note) is amended by striking “for a fiscal year” and*
 23 *inserting “for each fiscal year preceding fiscal year 2029”.*

1 **SEC. 1604. SPACE-BASED ENVIRONMENTAL MONITORING**
2 **MISSION REQUIREMENTS.**

3 (a) *NRO.*—

4 (1) *PROCUREMENT.*—*The Director of the Na-*
5 *tional Reconnaissance Office shall procure a modern-*
6 *ized pathfinder program free-flyer satellite that—*

7 (A) *addresses space-based environmental*
8 *monitoring mission requirements;*

9 (B) *reduces the risk that the Department of*
10 *Defense experiences a gap in meeting such re-*
11 *quirements during the period beginning January*
12 *1, 2023, and ending December 31, 2025; and*

13 (C) *is launched not later than January 1,*
14 *2023.*

15 (2) *PLAN.*—*Not later than 60 days after the date*
16 *of the enactment of this Act, the Director, in coordi-*
17 *nation with the Secretary of the Air Force, shall sub-*
18 *mit to the appropriate congressional committees a*
19 *plan for the Director to procure and launch the sat-*
20 *ellite under paragraph (1), including with respect*
21 *to—*

22 (A) *the requirements for such satellite, in-*
23 *cluding operational requirements;*

24 (B) *timelines for such procurement and*
25 *launch;*

1 (C) costs for such procurement and launch;

2 and

3 (D) the launch plan.

4 (3) *PROCEDURES.*—*The Director shall ensure*
5 *that the satellite under paragraph (1) is procured*
6 *using full and open competition through the use of*
7 *competitive procedures.*

8 (b) *AIR FORCE.*—*The Secretary of the Air Force shall*
9 *ensure that the electro-optical/infrared weather system sat-*
10 *ellite—*

11 (1) *meets space-based environmental monitoring*
12 *mission requirements;*

13 (2) *is procured using full and open competition*
14 *through the use of competitive procedures; and*

15 (3) *is launched not later than September 30,*
16 *2025.*

17 (c) *DEFINITIONS.*—*In this section:*

18 (1) *The term “appropriate congressional com-*
19 *mittees” means—*

20 (A) *the congressional defense committees;*

21 and

22 (B) *the Permanent Select Committee on In-*
23 *telligence of the House of Representatives and the*
24 *Select Committee on Intelligence of the Senate.*

1 (2) *The term “space-based environmental moni-*
 2 *toring mission requirements” means the national se-*
 3 *curity requirements for cloud characterization and*
 4 *theater weather imagery.*

5 **SEC. 1605. PROTOTYPE PROGRAM FOR MULTI-GLOBAL NAVI-**
 6 **GATION SATELLITE SYSTEM RECEIVER DE-**
 7 **VELOPMENT.**

8 (a) *PROTOTYPE MULTI-GNSS PROGRAM.*—*The Sec-*
 9 *retary of Defense shall establish under the Space Develop-*
 10 *ment Agency a program to prototype an M-code based,*
 11 *multi-global navigation satellite system receiver that is ca-*
 12 *pable of receiving covered signals to increase the resilience*
 13 *and capability of military position, navigation, and timing*
 14 *equipment against threats to the Global Positioning System*
 15 *and to deter the likelihood of attack on the worldwide Global*
 16 *Positioning System by reducing the benefits of such an at-*
 17 *tack.*

18 (b) *ELEMENTS.*—*In carrying out the program under*
 19 *subsection (a), the Secretary shall—*

20 (1) *with respect to each covered signal that could*
 21 *be received by the prototype receiver under such pro-*
 22 *gram, conduct an assessment of the relative benefits*
 23 *and risks of using that signal, including with respect*
 24 *to any existing or needed monitoring infrastructure*
 25 *that would alert users of the Department of Defense*

1 *of potentially corrupted signal information, and the*
2 *cyber risks and challenges of incorporating such sig-*
3 *nals into a properly designed receiver;*

4 *(2) ensure that monitoring systems are able to*
5 *include any monitoring network of the United States*
6 *or allies of the United States;*

7 *(3) conduct an assessment of the benefits and*
8 *risks, including with respect to the compatibility of*
9 *non-United States global navigation satellite system*
10 *signals with existing position, navigation, and timing*
11 *equipment of the United States, and the extent to*
12 *which the capability to receive such signals would im-*
13 *pect current receiver or antenna design; and*

14 *(4) conduct an assessment of the desirability of*
15 *establishing such program in a manner that—*

16 *(A) is a cooperative effort, coordinated with*
17 *the Secretary of State, between the United States*
18 *and the allies of the United States that may also*
19 *have interest in funding a multi-global naviga-*
20 *tion satellite system and M-code program; and*

21 *(B) the Secretary of Defense, in coordina-*
22 *tion with the Secretary of State, ensures that the*
23 *United States has access to sufficient insight into*
24 *trusted signals of allied systems to assure poten-*

1 *tial reliance by the United States on such sig-*
2 *nals.*

3 (c) *BRIEFING.*—*Not later than 90 days after the date*
4 *of the enactment of this Act, the Director of the Space Devel-*
5 *opment Agency, in coordination with the Air Force GPS*
6 *User Equipment Program office, shall provide to the con-*
7 *gressional defense committees a briefing on a plan to carry*
8 *out the program under subsection (a) that includes—*

9 (1) *the estimated cost, including total cost and*
10 *out-year funding requirements;*

11 (2) *the schedule for such program;*

12 (3) *a plan for how the results of the program*
13 *could be incorporated into future blocks of the Global*
14 *Positioning System military user equipment pro-*
15 *gram; and*

16 (4) *the recommendations and analysis contained*
17 *in the study sponsored by the Department of Defense*
18 *conducted by the MITRE Corporation on the risks,*
19 *benefits, and approaches to adding multi-global navi-*
20 *gation satellite system capabilities to military user*
21 *equipment.*

22 (d) *REPORT.*—*Not later than 120 days after the date*
23 *of the enactment of this Act, the Secretary of Defense shall*
24 *submit to the congressional defense committees, the Com-*
25 *mittee on Foreign Affairs of the House of Representatives,*

1 *and the Committee on Foreign Relations of the Senate a*
2 *report containing—*

3 *(1) an explanation of how the Secretary intends*
4 *to comply with section 1609 of the John S. McCain*
5 *National Defense Authorization Act for Fiscal Year*
6 *2019 (Public Law 115–232; 132 Stat. 2110);*

7 *(2) an outline of any potential cooperative efforts*
8 *acting in accordance with the North Atlantic Treaty*
9 *Organization, the European Union, or Japan that*
10 *would support such compliance;*

11 *(3) an assessment of the potential to host, or in-*
12 *corporate through software-defined payloads, Global*
13 *Positioning System M-code functionality onto allied*
14 *global navigation satellite system systems; and*

15 *(4) an assessment of new or enhanced moni-*
16 *toring capabilities that would be needed to incor-*
17 *porate global navigation satellite system functionality*
18 *into weapon systems of the Department.*

19 *(e) LIMITATION.—Of the funds authorized to be appro-*
20 *priated by this Act or otherwise made available for fiscal*
21 *year 2020 for increment 2 of the acquisition of military*
22 *Global Positioning System user equipment terminals, not*
23 *more than 75 percent may be obligated or expended until*
24 *the date on which the briefing has been provided under sub-*

1 *section (c) and the report has been submitted under sub-*
 2 *section (d).*

3 *(f) DEFINITIONS.—In this section:*

4 *(1) The term “allied systems” means—*

5 *(A) the Galileo system of the European*
 6 *Union;*

7 *(B) the QZSS system of Japan; and*

8 *(C) upon designation by the Secretary of*
 9 *Defense, in consultation with the Director of Na-*
 10 *tional Intelligence—*

11 *(i) the NAVIC system of India; and*

12 *(ii) any similarly associated wide area*
 13 *augmentation systems.*

14 *(2) The term “covered signals”—*

15 *(A) means global navigation satellite system*
 16 *signals from—*

17 *(i) allied systems; and*

18 *(ii) non-allied systems; and*

19 *(B) includes both trusted signals and open*
 20 *signals.*

21 *(3) The term “M-code” means, with respect to*
 22 *global navigation satellite system signals, military*
 23 *code that provides enhanced positioning, navigation,*
 24 *and timing capabilities and improved resistance to*
 25 *existing and emerging threats, such as jamming.*

1 (4) *The term “non-allied systems” means—*

2 (A) *the Russian GLONASS system; and*

3 (B) *the Chinese Beidou system.*

4 (5) *The term “open signals” means global navigation satellite system that do not include encryption*
 5 *or other internal methods to authenticate signal information.*

6 (6) *The term “trusted signals” means global*
 7 *navigation satellite system signals that incorporate*
 8 *encryption or other internal methods to authenticate*
 9 *signal information.*

10 **SEC. 1606. COMMERCIAL SPACE SITUATIONAL AWARENESS**
 11 **CAPABILITIES.**

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

13 (1) *The Secretary of the Air Force is responsible*
 14 *for developing the hardware and software systems to*
 15 *provide space situational awareness data to the Com-*
 16 *mander of the United States Strategic Command to*
 17 *meet warfighter requirements.*

18 (2) *There have been significant delays and cost*
 19 *increases in the program of record that underpin*
 20 *space situational awareness.*

21 (3) *The Secretary terminated the Joint Space*
 22 *Operations Center Mission Center and decided to*
 23 *operationally accept the Joint Space Operations Cen-*
 24 *ter.*

1 *ter Mission Center Increment 2 despite the fact that*
2 *only three of 12 planned capabilities in Joint Space*
3 *Operations Center Mission Center Increment 2 were*
4 *accepted for use in operations.*

5 *(4) Multiple commercial vendors have the cur-*
6 *rent capability to detect, maintain custody of, and*
7 *provide analytical products that can address the*
8 *warfighter space situational awareness requirements*
9 *that were not filled in the Joint Space Operations*
10 *Center Mission Center and that have been impacted*
11 *by significant delays in the program of record.*

12 *(b) PROCUREMENT.—Not later than 90 days after the*
13 *date of the enactment of this Act, the Director of the Space*
14 *Development Agency shall procure commercial space situa-*
15 *tional awareness services by awarding at least two contracts*
16 *for such services.*

17 *(c) LIMITATION.—Of the funds authorized to be appro-*
18 *priated by this Act or otherwise made available for fiscal*
19 *year 2020 for the enterprise space battle management com-*
20 *mand and control, not more than 75 percent may be obli-*
21 *gated or expended until the date on which the Secretary*
22 *of Defense, without delegation, certifies to the congressional*
23 *committees that the Secretary has awarded the contracts*
24 *under subsection (b).*

1 (d) *REPORT.*—Not later than January 31, 2020, the
2 Director of the Space Development Agency, in coordination
3 with the Secretary of the Air Force, shall submit to the con-
4 gressional defense committees a report on using commercial
5 space situational awareness services to fill the space situa-
6 tional awareness requirements that were not filled in the
7 Joint Space Operations Center Mission Center. The report
8 shall include the following:

9 (1) *A description of current domestic commercial*
10 *capabilities to detect and track space objects in low*
11 *earth orbit below the 10 centimeter threshold of legacy*
12 *systems.*

13 (2) *A description of current domestic best-in-*
14 *breed commercial capabilities that can meet such re-*
15 *quirements.*

16 (3) *Estimates of the timelines, milestones, and*
17 *funding requirements to procure a near-term solution*
18 *to meet such requirements until the development pro-*
19 *grams of the Air Force are projected to be operation-*
20 *ally fielded.*

21 (e) *COMMERCIAL SPACE SITUATIONAL AWARENESS*
22 *SERVICES DEFINED.*—In this section, the term “commercial
23 space situational awareness services” means commercial
24 space situational awareness processing software and data

1 *to address warfighter requirements and fill gaps in current*
2 *space situational capabilities of the Air Force.*

3 **SEC. 1607. INDEPENDENT STUDY ON PLAN FOR DETER-**
4 **RENCE IN SPACE.**

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

6 *(1) Threats to space systems of the United States*
7 *have increased and continue to grow.*

8 *(2) While the United States must invest in capa-*
9 *bilities to defend such systems in the event of an at-*
10 *tack in space, the United States must also identify*
11 *and implement policies that will reduce the likelihood*
12 *of such an attack.*

13 *(3) The United States is developing new capa-*
14 *bilities for enhancing resilience of such systems.*

15 *(4) However, the proper balance between active*
16 *defense, resilience, and the still lagging investment*
17 *area of reconstitution to enhance deterrence remains*
18 *unclear, as does the balance between classified and*
19 *unclassified activities needed to create deterrence.*

20 *(5) Independent analysis and assessment is nec-*
21 *essary to identify steps to increase deterrence in*
22 *space.*

23 *(b) INDEPENDENT STUDY.—*

24 *(1) IN GENERAL.—Not later than 30 days after*
25 *the date of the enactment of this Act, the Secretary of*

1 *Defense shall seek to enter into a contract with a fed-*
2 *erally funded research and development center or*
3 *other independent entity to conduct a study on deter-*
4 *rence in space.*

5 (2) *MATTERS INCLUDED.—The study under*
6 *paragraph (1) shall include, at a minimum, the fol-*
7 *lowing:*

8 (A) *An assessment of the existing range of*
9 *major studies and writings on space deterrence*
10 *and a comprehensive comparative analysis of the*
11 *conclusions of such studies and writings.*

12 (B) *An examination, using appropriate an-*
13 *alytical tools, of the approaches proposed by such*
14 *studies and writings with respect to creating*
15 *conditions of deterrence suitable for use in the*
16 *space domain, including, at a minimum, an as-*
17 *essment of all aspects of deterrence in space, in-*
18 *cluding varying classification, strategies to deny*
19 *benefit or impose cost, and space mission assur-*
20 *ance (including resilience, active defense, and re-*
21 *constitution).*

22 (C) *A determination, made either by ex-*
23 *tending such studies and writings or through*
24 *new analysis, of a holistic and comprehensive*

1 *theory of deterrence in space appropriate for use*
 2 *in defense planning.*

3 *(D) An evaluation of existing policies, pro-*
 4 *grams, and plans of the Department of Defense*
 5 *to provide an assessment of the likely effective-*
 6 *ness of those policies, programs, and plans to*
 7 *achieve effective space deterrence.*

8 *(c) ASSESSMENT BY DEFENSE POLICY BOARD.—Not*
 9 *later than 180 days after the date of the enactment of this*
 10 *Act, the Defense Policy Board shall submit to the Secretary*
 11 *of Defense an assessment of the study under subsection*
 12 *(b)(1), including, at a minimum—*

13 *(1) a determination of the soundness of the*
 14 *study;*

15 *(2) a description of any disagreements the Board*
 16 *has with the conclusions of such study, including rec-*
 17 *ommended changes or clarifications to such conclu-*
 18 *sions the Board determines appropriate; and*

19 *(3) changes to the policies, programs, and plans*
 20 *of the Department of Defense that the Board rec-*
 21 *ommends based on such study and the changes and*
 22 *clarifications described in paragraph (2).*

23 *(d) REPORT.—Not later than 270 days after the date*
 24 *of the enactment of this Act, the Secretary shall submit to*
 25 *the congressional defense committees, the Committee on For-*

1 *eign Affairs of the House of Representatives, and the Com-*
2 *mittee on Foreign Relations of the Senate a report that con-*
3 *tains the following:*

4 (1) *The study under subsection (b)(1), without*
5 *change.*

6 (2) *The assessment under subsection (c), without*
7 *change.*

8 (3) *Based on such study and assessment, a de-*
9 *scription of any changes to the policies, programs,*
10 *and plans of the Department of Defense that the Sec-*
11 *retary recommends to enhance deterrence in space, in-*
12 *cluding with respect to—*

13 (A) *considerations and decision on reducing*
14 *the opportunities and incentives for adversaries*
15 *to attack space systems of the United States or*
16 *allies of the United States;*

17 (B) *new architectures, including pro-*
18 *liferated systems, hosted payloads, non-tradi-*
19 *tional orbits, and reconstitution among others;*

20 (C) *appropriate uses of partnering with*
21 *both commercial entities and allies to improve*
22 *deterrence in space;*

23 (D) *necessary capabilities to enhance the*
24 *protection of space systems to achieve improved*
25 *deterrence;*

1 (E) *bilateral, multilateral, and unilateral*
2 *measures, including confidence-building meas-*
3 *ures, that could be taken to reduce the risk of*
4 *miscalculation that would lead to an attack in*
5 *space;*

6 (F) *policies and capability requirements*
7 *with regard to attribution of an attack in space;*

8 (G) *policies with regard to retaliatory*
9 *measures either in space or on the ground;*

10 (H) *authorities with regard to decisions and*
11 *actions to defend assets of the United States in*
12 *space; and*

13 (I) *changes to current war plans, routine*
14 *operations (including information sharing), and*
15 *demonstration and test procedures that could en-*
16 *hance the capability of the United States to sig-*
17 *nal the intentions and capabilities of the United*
18 *States in an effective manner.*

19 (e) *BRIEFING.*—*Not later than 270 days after the date*
20 *of the enactment of this Act, the Secretary shall provide to*
21 *the congressional defense committees, the Committee on For-*
22 *ign Affairs of the House of Representatives, and the Com-*
23 *mittee on Foreign Relations of the Senate a briefing on the*
24 *study under subsection (b)(1) and the assessment under sub-*
25 *section (c).*

1 **SEC. 1608. RESILIENT ENTERPRISE GROUND ARCHITEC-**
2 **TURE.**

3 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
4 *that the Secretary of the Air Force, to advance the security*
5 *of the space assets of the Department of Defense, should—*

6 (1) *expand on complimentary efforts within the*
7 *Air Force that promote the adoption of a resilient en-*
8 *terprise ground architecture that is responsive to new*
9 *and changing threats and can rapidly integrate new*
10 *capabilities to make the warfighting force of the*
11 *United States more resilient in a contested*
12 *battlespace; and*

13 (2) *prioritize the swift transition of space*
14 *ground architecture to a common platform and lever-*
15 *age commercial capabilities in concurrence with the*
16 *2015 intent memorandum of the Commander of the*
17 *Air Force Space Command.*

18 (b) *FUTURE ARCHITECTURE.*—*The Secretary of De-*
19 *fense shall, to the extent practicable—*

20 (1) *develop future satellite ground architectures*
21 *of the Department of Defense to be compatible with*
22 *complimentary commercial systems that can support*
23 *uplink and downlink capabilities with dual-band*
24 *spacecraft; and*

25 (2) *emphasize that future ground architecture*
26 *transition away from stove-piped systems to a service-*

1 *based platform that provides members of the Armed*
 2 *Forces with flexible and adaptable capabilities that—*

3 *(A) use, as applicable, commercially avail-*
 4 *able capabilities and technologies for increased*
 5 *resiliency and cost savings; and*

6 *(B) builds commercial opportunity and in-*
 7 *tegration across the range of resilient space sys-*
 8 *tems.*

9 **SEC. 1609. DEMONSTRATION OF BACKUP AND COMPLEMEN-**
 10 **TARY POSITIONING, NAVIGATION, AND TIM-**
 11 **ING CAPABILITIES OF GLOBAL POSITIONING**
 12 **SYSTEM.**

13 *Effective on June 1, 2019, section 1606 of the National*
 14 *Defense Authorization Act for Fiscal Year 2018 (Public*
 15 *Law 115–91; 131 Stat. 1725) is amended—*

16 *(1) in subsection (c)(2), by striking “the date*
 17 *that is 18 months after the date of the enactment of*
 18 *this Act” and inserting “December 31, 2020”; and*

19 *(2) in subsection (d), by striking “18 months*
 20 *after the date of the enactment of this Act” and in-*
 21 *serting “December 31, 2020”.*

22 **SEC. 1610. REPORT ON SPACE DEBRIS.**

23 *(a) IN GENERAL.—Not later than 240 days after the*
 24 *date of the enactment of this Act, the Secretary of Defense*
 25 *shall submit to the appropriate congressional committees a*

1 *report on the risks posed by man-made space debris in low-*
 2 *earth orbit, including—*

3 *(1) recommendations with respect to the remedi-*
 4 *ation of such risks; and*

5 *(2) outlines of plans to reduce the incident of*
 6 *such space debris.*

7 *(b) APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
 8 *FINED.—In this section, the term “appropriate congres-*
 9 *sional committees” means—*

10 *(1) the Committee on Armed Services and the*
 11 *Committee on Science, Space, and Technology of the*
 12 *House of Representatives; and*

13 *(2) the Committee on Armed Services and Com-*
 14 *mittee on Commerce, Science, and Transportation of*
 15 *the Senate.*

16 **SEC. 1610A. STUDY ON LEVERAGING DIVERSE COMMERCIAL**
 17 **SATELLITE REMOTE SENSING CAPABILITIES.**

18 *(a) STUDY.—The Secretary of Defense, in consultation*
 19 *with the Director of National Intelligence, shall conduct a*
 20 *study on the status of the transition from the National*
 21 *Geospatial-Intelligence Agency to the National Reconnaissance*
 22 *Office of the leadership role in acquiring commercial*
 23 *satellite remote sensing data on behalf of the Department*
 24 *of Defense and the intelligence community (as defined in*

1 *section 3 of the National Security Act of 1947 (50 U.S.C.*
2 *3003).*

3 (b) *ELEMENTS.—In conducting the study under sub-*
4 *section (a), the Secretary shall study—*

5 (1) *commercial geospatial intelligence require-*
6 *ments for the National Geospatial-Intelligence Agency*
7 *and the combatant commands;*

8 (2) *plans of the National Reconnaissance Office*
9 *to meet the requirements specified in paragraph (1)*
10 *through the acquisition of both medium- and high-res-*
11 *olution data from multiple commercial providers; and*

12 (3) *plans of the National Reconnaissance Office*
13 *to further develop such programs with commercial*
14 *companies to continue to support, while also expand-*
15 *ing, adoption by the geospatial intelligence user com-*
16 *munity of the Department of Defense.*

17 (c) *SUBMISSION.—Not later than 90 days after the*
18 *date of the enactment of this Act, the Secretary shall submit*
19 *to the congressional defense committees, the Permanent Se-*
20 *lect Committee on Intelligence of the House of Representa-*
21 *tives, and the Select Committee on Intelligence of the Senate*
22 *a report on the study conducted under subsection (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 to*
 7 *read as follows:*

8 *“(a) ISR INTEGRATION COUNCIL.—(1) The Under*
 9 *Secretary of Defense for Intelligence shall establish an Intel-*
 10 *ligence, 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 of*
 22 *Defense, and relevant combatant commands; and*

23 *“(ii) coordination of related developmental*
 24 *activities of such departments, agencies, and*
 25 *combatant commands; and*

1 “(C) to otherwise provide a means to facilitate
2 such integration and coordination.

3 “(2) The Council shall be composed of—

4 “(A) the Under Secretary, who shall chair the
5 Council;

6 “(B) the directors of the intelligence agencies of
7 the Department of Defense;

8 “(C) the senior intelligence officers of the armed
9 forces and the regional and functional combatant
10 commands;

11 “(D) the Director for Intelligence of the Joint
12 Chiefs of Staff; and

13 “(E) the Director for Operations of the Joint
14 Chiefs of Staff.

15 “(3) The Under Secretary shall invite the participa-
16 tion of the Director of National Intelligence (or a represent-
17 ative of the Director) in the proceedings of the Council.

18 “(4) The Under Secretary may designate additional
19 participants to attend the proceedings of the Council, as
20 the Under Secretary determines appropriate.”.

21 (b) ANNUAL BRIEFINGS.—Such section is further
22 amended by striking subsections (b) and (c) and inserting
23 the following new subsection (b):

24 “(b) ANNUAL BRIEFINGS ON THE INTELLIGENCE AND
25 COUNTERINTELLIGENCE REQUIREMENTS OF THE COMBAT-

1 *ANT COMMANDS.—(1) The Chairman of the Joint Chiefs of*
2 *Staff shall provide to the congressional defense committees*
3 *and the congressional intelligence committees a briefing on*
4 *the following:*

5 “(A) *The intelligence and counterintelligence re-*
6 *quirements, by specific intelligence capability type, of*
7 *each of the relevant combatant commands.*

8 “(B) *For the year preceding the year in which*
9 *the briefing is provided, the fulfillment rate for each*
10 *of the relevant combatant commands of the validated*
11 *intelligence and counterintelligence requirements, by*
12 *specific intelligence capability type, of such combat-*
13 *ant command.*

14 “(C) *A risk analysis identifying the critical gaps*
15 *and shortfalls in efforts to address operational and*
16 *strategic requirements of the Department of Defense*
17 *that would result from the failure to fulfill the vali-*
18 *dated intelligence and counterintelligence require-*
19 *ments of the relevant combatant commands.*

20 “(D) *A mitigation plan to balance and offset the*
21 *gaps and shortfalls identified under subparagraph*
22 *(C), including with respect to spaceborne, airborne,*
23 *ground, maritime, and cyber intelligence, surveil-*
24 *lance, and reconnaissance capabilities.*

1 “(E) *For the year preceding the year in which*
2 *the briefing is provided—*

3 “(i) *the number of intelligence and counter-*
4 *intelligence requests of each commander of a rel-*
5 *evant combatant command determined by the*
6 *Joint Chiefs of Staff to be a validated require-*
7 *ment, and the total of capacity of such requests*
8 *provided to each such commander;*

9 “(ii) *with respect to such validated require-*
10 *ments—*

11 “(I) *the quantity of intelligence and*
12 *counterintelligence capabilities or activities,*
13 *by specific intelligence capability type, that*
14 *the Joint Chiefs of Staff requested each*
15 *military department to provide; and*

16 “(II) *the total of capacity of such re-*
17 *quests so provided by each such military de-*
18 *partment; and*

19 “(iii) *a qualitative assessment of the align-*
20 *ment of intelligence and counterintelligence ca-*
21 *pabilities and activities with the program of*
22 *analysis for each combat support agency and in-*
23 *telligence center of a military service that is part*
24 *of—*

1 “(I) the Defense Intelligence Enter-
2 prise; and

3 “(II) the intelligence community.

4 “(2) The Under Secretary of Defense for Intelligence
5 shall provide to the congressional defense committees and
6 the congressional intelligence committees a briefing on
7 short-, mid-, and long-term strategies to address the vali-
8 dated intelligence and counterintelligence requirements of
9 the relevant combatant commands, including with respect
10 to spaceborne, airborne, ground, maritime, and cyber intel-
11 ligence, surveillance, and reconnaissance capabilities.

12 “(3) The briefings required by paragraphs (1) and (2)
13 shall be provided at the same time that the President’s budg-
14 et is submitted pursuant to section 1105(a) of title 31 for
15 each of fiscal years 2021 through 2025.

16 “(4) In this subsection:

17 “(A) The term ‘congressional intelligence com-
18 mittees’ has the meaning given that term in section
19 3 of the National Security Act of 1947 (50 U.S.C.
20 3003).

21 “(B) The term ‘Defense Intelligence Enterprise’
22 means the organizations, infrastructure, and meas-
23 ures, including policies, processes, procedures, and
24 products, of the intelligence, counterintelligence, and
25 security components of each of the following:

1 “(i) *The Department of Defense.*

2 “(ii) *The Joint Staff.*

3 “(iii) *The combatant commands.*

4 “(iv) *The military departments.*

5 “(v) *Other elements of the Department of*
6 *Defense that perform national intelligence, de-*
7 *fense intelligence, intelligence-related, counter-*
8 *intelligence, or security functions.*

9 “(C) *The term ‘fulfillment rate’ means the per-*
10 *centage of combatant command intelligence and coun-*
11 *terintelligence requirements satisfied by available, ac-*
12 *quired, or realigned intelligence and counterintel-*
13 *ligence capabilities or activities.*

14 “(D) *The term ‘intelligence community’ has the*
15 *meaning given that term in section 3 of the National*
16 *Security Act of 1947 (50 U.S.C. 3003).’.*

17 **SEC. 1612. SURVEY AND REPORT ON ALIGNMENT OF INTEL-**
18 **LIGENCE COLLECTIONS CAPABILITIES AND**
19 **ACTIVITIES WITH DEPARTMENT OF DEFENSE**
20 **REQUIREMENTS.**

21 (a) *SURVEY AND REVIEW.—*

22 (1) *IN GENERAL.—Not later than 120 days after*
23 *the date of the enactment of this Act, the Under Sec-*
24 *retary of Defense for Intelligence, in coordination*

1 *with the Chairman of the Joint Chiefs of Staff and*
2 *the Director of National Intelligence, shall—*

3 *(A) review the organization, posture, cur-*
4 *rent and planned investments, and processes of*
5 *the intelligence collections capabilities and ac-*
6 *tivities, for the purpose of assessing the suffi-*
7 *ciency, integration, and interoperability of such*
8 *capabilities and activities to support the current*
9 *and future requirements of the Department of*
10 *Defense; and*

11 *(B) conduct a survey of each geographic*
12 *and functional combatant command, with re-*
13 *spect to intelligence collections capabilities and*
14 *activities, to assess—*

15 *(i) the current state of the support of*
16 *such capabilities and activities to military*
17 *operations;*

18 *(ii) whether the posture of such capa-*
19 *bilities and activities is sufficient to address*
20 *the requirements of the Department of De-*
21 *fense;*

22 *(iii) the extent to which such capabili-*
23 *ties and activities address gaps and defi-*
24 *ciencies with respect to the operational re-*
25 *quirements of the Global Campaign Plans,*

1 *as identified in the most recent readiness re-*
2 *views conducted by the Joint Staff; and*

3 *(iv) whether current and planned in-*
4 *vestments in such capabilities and activities*
5 *are sufficient to address near-, mid-, and*
6 *long-term spaceborne, airborne, terrestrial,*
7 *and human collection capability require-*
8 *ments.*

9 (2) *ELEMENTS.—The survey and review under*
10 *paragraph (1) shall include the following:*

11 (A) *A comprehensive assessment of intel-*
12 *ligence collections capabilities and activities, and*
13 *whether such capabilities and activities—*

14 *(i) are appropriately postured and suf-*
15 *ficiently resourced to meet current and fu-*
16 *ture requirements of the Department of De-*
17 *fense;*

18 *(ii) are appropriately balanced to ad-*
19 *dress operational and strategic defense intel-*
20 *ligence requirements; and*

21 *(iii) are sufficiently integrated and*
22 *interoperable between activities of the Mili-*
23 *tary Intelligence Program and the National*
24 *Intelligence Program to respond to emerging*
25 *requirements of the Department of Defense.*

1 *(B) With respect to each geographic and*
 2 *functional combatant command—*

3 *(i) information on the gaps and defi-*
 4 *ciencies, by specific intelligence capability*
 5 *type, described in paragraph (1)(B)(iii);*

6 *(ii) a review of the alignment of such*
 7 *gaps and deficiencies with the intelligence,*
 8 *surveillance, and reconnaissance submis-*
 9 *sions to the integrated priorities list for the*
 10 *period beginning with the completion of the*
 11 *most recent readiness reviews conducted by*
 12 *the Joint Staff and ending on the date of*
 13 *the commencement of the survey and review*
 14 *under subsection (a); and*

15 *(iii) detailed information on the allo-*
 16 *cation and realignment of intelligence col-*
 17 *lections capabilities and activities to ad-*
 18 *dress—*

19 *(I) such gaps and deficiencies;*

20 *and*

21 *(II) such intelligence, surveillance,*
 22 *and reconnaissance submissions.*

23 *(b) REPORT.—*

24 *(1) SUBMISSION.—Not later than 270 days after*
 25 *the date of the enactment of this Act, the Under Sec-*

1 *retary of Defense for Intelligence shall submit to the*
2 *appropriate congressional committees a report on the*
3 *findings of the Under Secretary with respect to the*
4 *survey and review under subsection (a)(1).*

5 (2) *CONTENT.—The report under paragraph (1)*
6 *shall include—*

7 (A) *an evaluation of—*

8 (i) *the organization, posture, current*
9 *and planned investments, and processes of*
10 *the intelligence collections capabilities and*
11 *activities, including the extent to which*
12 *such capabilities and activities enable the*
13 *geographic and functional combatant com-*
14 *mands to meet the operational and strategic*
15 *requirements of the Department of Defense;*

16 (ii) *the use or planned use by each geo-*
17 *graphic and functional combatant com-*
18 *mand of intelligence collections capabilities*
19 *and activities available to such command to*
20 *address operational and strategic require-*
21 *ments of the Department of Defense;*

22 (iii) *the gaps and deficiencies described*
23 *in subsection (a)(1)(B)(iii), if any, that*
24 *prohibit each geographic and functional*
25 *combatant command from the most effective*

1 *use of the intelligence collections capabilities*
2 *and activities to address priority require-*
3 *ments of the Department of Defense;*

4 *(iv) the accepted risk by the Secretary*
5 *of Defense from the prioritization of certain*
6 *Department of Defense requirements with*
7 *respect to the allocation of intelligence col-*
8 *lections capabilities and activities; and*

9 *(v) the alignment and responsiveness of*
10 *intelligence collections capabilities and ac-*
11 *tivities with respect to the planning require-*
12 *ments for the Program of Analysis of each*
13 *combat support agency that is part of—*

14 *(I) the Defense Intelligence Enter-*
15 *prise; and*

16 *(II) the intelligence community;*
17 *and*

18 *(B) recommendations, if any, to improve*
19 *the sufficiency, responsiveness, and interoper-*
20 *ability of intelligence collections capabilities and*
21 *activities to fulfill the operational and strategic*
22 *requirements of the Department of Defense.*

23 *(3) FORM.—The report under paragraph (1)*
24 *shall be submitted in unclassified form without any*

1 *designation relating to dissemination control, but*
2 *may contain a classified annex.*

3 (c) *DEFINITIONS.—In this section:*

4 (1) *The term “appropriate congressional com-*
5 *mittees” means—*

6 (A) *the congressional defense committees;*

7 *and*

8 (B) *the congressional intelligence commit-*
9 *tees.*

10 (2) *The term “combat support agency” has the*
11 *meaning given that term in section 193(f) of title 10,*
12 *United States Code.*

13 (3) *The term “Defense Intelligence Enterprise”*
14 *has the meaning given that term in section 1633(c)(2)*
15 *of the National Defense Authorization Act for Fiscal*
16 *Year 2017 (Public Law 114–328; 130 Stat. 2600).*

17 (4) *The term “intelligence collections capabilities*
18 *and activities” means the totality of intelligence col-*
19 *lections systems and processes which enable the*
20 *tasking, processing, exploitation, and dissemination*
21 *capabilities, capacity, and activities of the Defense*
22 *Intelligence Enterprise.*

23 (5) *The term “intelligence community” has the*
24 *meaning given that term in section 3 of the National*
25 *Security Act of 1947 (50 U.S.C. 3003).*

1 (6) *The term “congressional intelligence commit-*
 2 *tees” has the meaning given that term in section 3 of*
 3 *the National Security Act of 1947 (50 U.S.C. 3003).*

4 **SEC. 1613. MODIFICATION OF ANNUAL AUTHORIZATION OF**
 5 **APPROPRIATIONS FOR NATIONAL FLAGSHIP**
 6 **LANGUAGE INITIATIVE.**

7 *Section 811(a) of the David L. Boren National Secu-*
 8 *rity Education Act of 1991 (50 U.S.C. 1911(a)) is amend-*
 9 *ed—*

10 (1) *by striking “fiscal year 2003” and inserting*
 11 *“fiscal year 2020”; and*

12 (2) *by striking “\$10,000,000” and inserting*
 13 *“\$16,000,000”.*

14 **SEC. 1614. INTELLIGENCE ASSESSMENT OF RELATIONSHIP**
 15 **BETWEEN WOMEN AND VIOLENT EXTREMISM.**

16 (a) *IN GENERAL.*—*Not later than 180 days after the*
 17 *date of the enactment of this Act, and annually thereafter,*
 18 *the Director of National Intelligence, in consultation with*
 19 *the Secretary of Defense, the Secretary of State, and the*
 20 *head of any element of the intelligence community the Di-*
 21 *rector determines appropriate, shall submit to the appro-*
 22 *priate congressional committees an intelligence assessment*
 23 *on the relationship between women and violent extremism*
 24 *and terrorism, including an assessment of—*

1 (1) *the historical trends and current state of*
2 *women's varied roles in all aspects of violent extre-*
3 *mism and terrorism, including as recruiters, sympa-*
4 *thizers, perpetrators, and combatants, as well as*
5 *peace-builders and preventers;*

6 (2) *how women's roles in all aspects of violent*
7 *extremism and terrorism are likely to change in the*
8 *near- and medium-term;*

9 (3) *the extent to which the unequal status of*
10 *women affects the ability of armed combatants and*
11 *terrorist groups to enlist or conscript women as com-*
12 *batants and perpetrators of violence;*

13 (4) *how terrorist groups violate the rights of*
14 *women and girls, including child, early, and forced*
15 *marriage, abduction, sexual violence, and human*
16 *trafficking, and the extent to which such violations*
17 *contribute to the spread of conflict and terrorist ac-*
18 *tivities; and*

19 (5) *opportunities to address the security risk*
20 *posed by female extremists and leverage the roles of*
21 *women in counterterrorism efforts.*

22 (b) *CLASSIFICATION.—The assessment required under*
23 *subsection (a) shall be submitted in unclassified form, but*
24 *may include a classified annex.*

1 (c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
 2 *FINED.*—*In this section, the term “appropriate congres-*
 3 *sional committees” means—*

4 (1) *the Select Committee on Intelligence, the*
 5 *Committee on Foreign Relations, and the Committee*
 6 *on Armed Services, of the Senate; and*

7 (2) *the Permanent Select Committee on Intel-*
 8 *ligence, the Committee on Foreign Affairs, and the*
 9 *Committee on Armed Services, of the House of Rep-*
 10 *resentatives.*

11 **SEC. 1615. FUNDING FOR DEFENSE COUNTERINTEL-**
 12 **LIGENCE AND SECURITY AGENCY.**

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 301 for Operation*
 16 *and Maintenance as specified in the corresponding funding*
 17 *table in section 4301, for Defense Security Service (line*
 18 *320) is hereby increased by \$5,206,997, for purposes of ac-*
 19 *quiring advanced cyber threat detection sensors, hunt and*
 20 *response mechanisms, and commercial cyber threat intel-*
 21 *ligence to ensure Defense Industrial Base networks remain*
 22 *protected from nation state adversaries.*

23 (b) *OFFSET.*—*Notwithstanding the amounts set forth*
 24 *in the funding tables in division D, the amount authorized*
 25 *to be appropriated in section 101 for other procurement,*

1 *Air Force, as specified in the corresponding funding table*
 2 *in section 4101, for Integrated personnel and pay system*
 3 *is hereby reduced by \$5,206,997.*

4 **SEC. 1616. REPORT ON POTENTIAL DEFENSE INTEL-**
 5 **LIGENCE POLYGRAPH EXAMINATION MILI-**
 6 **TARY TRANSITION PROGRAM.**

7 (a) *REPORT.*—Not later than one year after the date
 8 of the enactment of this Act, the Comptroller General of the
 9 United States shall submit to the appropriate congressional
 10 committees a report assessing the feasibility of establishing
 11 a Defense Intelligence Polygraph Examination Military
 12 Transition Program for members of the Armed Forces
 13 transitioning to civilian employment.

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

16 (1) *A review of the feasibility of establishing a*
 17 *program in the Department of Defense under which*
 18 *members of the Armed Forces with an active top se-*
 19 *cret security clearance that provides for access to sen-*
 20 *sitive compartmented information and a current*
 21 *counterintelligence scope polygraph examination can*
 22 *be provided an opportunity to obtain an expanded*
 23 *scope polygraph (ESP) if the member receives a writ-*
 24 *ten offer of employment, subject to suitability or secu-*

1 *city vetting, with an element of the intelligence com-*
2 *munity or a contractor of such an element.*

3 *(2) The cost to the Department of Defense for im-*
4 *plementing such program and whether such cost could*
5 *be shared by other departments or agencies of the Fed-*
6 *eral Government or the private sector.*

7 *(3) The factors the Department needs to consider*
8 *in determining whether such program would be via-*
9 *ble.*

10 *(4) The obstacles that exist in implementing such*
11 *program.*

12 *(5) Whether such a program could increase work-*
13 *force diversity in the intelligence community.*

14 *(6) Whether such a program could increase or*
15 *decrease retention among members of the Armed*
16 *Forces serving in defense intelligence roles.*

17 *(7) Whether any changes are required to be made*
18 *to policies of the Department or to Federal law to im-*
19 *plement such a program.*

20 *(8) Identification of the current average length of*
21 *time in the intelligence community to investigate and*
22 *adjudicate an initial and a periodic update top secret*
23 *security clearance that provides for access to sensitive*
24 *compartmented information and conduct an expanded*
25 *scope polygraph.*

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; and*
 5 (2) *the Permanent Select Committee on Intel-*
 6 *ligence of the House of Representatives and the Select*
 7 *Committee on Intelligence of the Senate.*

8 ***Subtitle C—Cyberspace-Related***
 9 ***Matters***

10 ***SEC. 1621. NOTIFICATION REQUIREMENTS FOR SENSITIVE***
 11 ***MILITARY CYBER OPERATIONS.***

12 *Section 395 of title 10, United States Code, is amend-*
 13 *ed—*

- 14 (1) *in subsection (b)(3), by inserting “, signed by*
 15 *the Secretary,” after “written notification”; and*

- 16 (2) *in subsection (c)—*

- 17 (A) *in paragraph (1)—*

- 18 (i) *in subparagraph (A), by striking*
 19 *“and” after the semicolon at the end;*

- 20 (ii) *by redesignating subparagraph (B)*
 21 *as subparagraph (C); and*

- 22 (iii) *by inserting after subparagraph*
 23 *(A) the following new subparagraph:*

- 24 “(B) *is determined to—*

1 “(i) have a medium or high collateral effects
2 estimate;

3 “(ii) have a medium or high intelligence
4 gain or loss;

5 “(iii) have a medium or high probability of
6 political retaliation, as determined by the polit-
7 ical military assessment contained within the as-
8 sociated concept of operations;

9 “(iv) have a medium or high probability of
10 detection when detection is not intended; or

11 “(v) result in medium or high collateral ef-
12 fects; and”; and

13 (B) in paragraph (2)(B), by striking “out-
14 side the Department of Defense Information Net-
15 works to defeat an ongoing or imminent threat”.

16 **SEC. 1622. QUARTERLY CYBER OPERATIONS BRIEFINGS.**

17 Subsection (b) of section 484 of title 10, United States
18 Code, is amended—

19 (1) by redesignating paragraph (4) as para-
20 graph (5); and

21 (2) by inserting after paragraph (3) the fol-
22 lowing new paragraph:

23 “(4) An overview of the readiness of the Cyber
24 Mission Force to perform assigned missions.”.

1 **SEC. 1623. CYBER POSTURE REVIEW.**

2 *Section 1644 of the National Defense Authorization*
 3 *Act for Fiscal Year 2018 (Public Law 115–91) is amend-*
 4 *ed—*

5 (1) *in subsection (a), by inserting “, not later*
 6 *than December 31, 2022, and quadrennially there-*
 7 *after,” before “conduct”;*

8 (2) *in subsection (b), by striking “the review”*
 9 *and inserting “each review”;*

10 (3) *in subsection (c)—*

11 (A) *in the matter preceding paragraph (1),*
 12 *by striking “The review” and inserting “Each*
 13 *review”;*

14 (B) *by redesignating paragraph (9) as*
 15 *paragraph (10); and*

16 (C) *by inserting after paragraph (8) the fol-*
 17 *lowing new paragraph:*

18 “(9) *An assessment of the potential costs, bene-*
 19 *fits, and value, if any, of establishing a cyber force*
 20 *as a separate uniformed service.”;*

21 (4) *in subsection (d)—*

22 (A) *in paragraph (1), by striking “the*
 23 *cyber” and inserting “each cyber”;*

24 (B) *in paragraph (2), by striking “The re-*
 25 *port” and inserting “Each report”; and*

26 (C) *by striking paragraph (3); and*

1 (5) *in subsection (e), by striking “period begin-*
 2 *ning on the date that is five years after the date of*
 3 *the enactment of this Act and ending on the date that*
 4 *is 10 years after such date of enactment” and insert-*
 5 *ing “each eight-year period that begins from the date*
 6 *of each review conducted under subsection (a)”.*

7 **SEC. 1624. TIER 1 EXERCISE OF SUPPORT TO CIVIL AU-**
 8 **THORITIES FOR A CYBER INCIDENT.**

9 *Section 1648 of the John S. McCain National Defense*
 10 *Authorization Act for Fiscal Year 2019 is amended—*

11 (1) *in subsection (a), by striking “The” and in-*
 12 *serting “Not later than February 1, 2020, the”; and*

13 (2) *by adding at the end the following new sub-*
 14 *section:*

15 “(c) *LIMITATION.—Of the funds authorized to be ap-*
 16 *propriated by this Act or otherwise made available for fiscal*
 17 *year 2020 for the Department of Defense for the White*
 18 *House Communications Agency, not more than 90 percent*
 19 *of such funds may be obligated or expended until the initi-*
 20 *ation of the tier 1 exercise required under subsection (a).”.*

1 **SEC. 1625. EVALUATION OF CYBER VULNERABILITIES OF**
2 **MAJOR WEAPON SYSTEMS OF THE DEPART-**
3 **MENT OF DEFENSE.**

4 *Section 1647 of the National Defense Authorization*
5 *Act for Fiscal Year 2016 is amended by adding at the end*
6 *the following new subsections:*

7 “(f) *WRITTEN NOTIFICATION.*—*If the Secretary deter-*
8 *mines that the Department will not complete an evaluation*
9 *of the cyber vulnerabilities of each major weapon system*
10 *of the Department by the date specified in subsection (a)(1),*
11 *the Secretary shall provide to the congressional defense com-*
12 *mittee written notification relating to each such incomplete*
13 *evaluation. Such a written notification shall include the fol-*
14 *lowing:*

15 “(1) *An identification of each major weapon sys-*
16 *tem requiring such an evaluation and the anticipated*
17 *date of completion.*

18 “(2) *A justification for the inability to complete*
19 *such an evaluation by the date specified in subsection*
20 *(a)(1).*

21 “(g) *REPORT.*—*The Secretary, acting through the As-*
22 *sistant Secretary of Defense for Acquisition and*
23 *Sustainment, shall provide a report to the congressional de-*
24 *fense committees upon completion of the requirement for an*
25 *evaluation of the cyber vulnerabilities of each major weapon*

1 *system of the Department under this section. Such report*
2 *shall include the following:*

3 “(1) *An identification of cyber vulnerabilities of*
4 *each major weapon system requiring mitigation.*

5 “(2) *An identification of current and planned ef-*
6 *forts to address the cyber vulnerabilities of each major*
7 *weapon system requiring mitigation, including efforts*
8 *across the doctrine, organization, training, materiel,*
9 *leadership and education, personnel, and facilities of*
10 *the Department.*

11 “(3) *A description of joint and common cyber*
12 *vulnerability mitigation solutions and efforts, includ-*
13 *ing solutions and efforts across the doctrine, organiza-*
14 *tion, training, materiel, leadership and education,*
15 *personnel, and facilities of the Department.*

16 “(4) *A description of lessons learned and best*
17 *practices regarding evaluations of the cyber*
18 *vulnerabilities and cyber vulnerability mitigation ef-*
19 *forts relating to major weapon systems.*

20 “(5) *A description of efforts to share lessons*
21 *learned and best practices regarding evaluations of*
22 *the cyber vulnerabilities and cyber vulnerability miti-*
23 *gation efforts of major weapon systems across the De-*
24 *partment.*

1 “(6) *An identification of measures taken to insti-*
 2 *tutionalize evaluations of cyber vulnerabilities of*
 3 *major weapon systems.*

4 “(7) *Information relating to guidance, processes,*
 5 *procedures, or other activities established to mitigate*
 6 *or address the likelihood of cyber vulnerabilities of*
 7 *major weapon systems by incorporation of lessons*
 8 *learned in the research, development, test, evaluation,*
 9 *and acquisition cycle, including promotion of cyber*
 10 *education of the acquisition workforce.*

11 “(8) *Any other matters the Secretary determines*
 12 *relevant.*”.

13 **SEC. 1626. EXTENSION OF THE CYBERSPACE SOLARIUM**
 14 **COMMISSION.**

15 *Paragraph (1) of section 1652(k) of the John S.*
 16 *McCain National Defense Authorization Act for Fiscal Year*
 17 *2019 (Public Law 115–232) is amended by striking “2019”*
 18 *and inserting “2020”.*

19 **SEC. 1627. AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CYBER OPERATIONS-PER-
 20 CULIAR CAPABILITY DEVELOPMENT
 21 PROJECTS.**

23 *(a) IN GENERAL.—The Secretary of Defense and each*
 24 *Secretary concerned may obligate and expend not more*
 25 *than \$3,000,000 of amounts authorized to be appropriated*

1 *for operation and maintenance in each of fiscal years 2020*
2 *through 2022 to carry out cyber operations-peculiar capa-*
3 *bility development projects.*

4 (b) *CERTIFICATION.—For each development project*
5 *initiated under the authority provided for in subsection (a),*
6 *the Commander of U.S. Cyber Command shall certify to*
7 *the congressional defense committees that each project is de-*
8 *termined to be cyber operations-peculiar.*

9 (c) *NOTIFICATION.—Not later than 15 days after exer-*
10 *cising the authority provided for in subsection (a), the Sec-*
11 *retary of Defense shall notify the congressional defense com-*
12 *mittees of such exercise.*

13 (d) *REPORT.—Not later than December 31 of each year*
14 *through 2022, the Secretary of Defense shall submit to the*
15 *congressional defense committees a report on expenditures*
16 *made pursuant to the authority provided for in subsection*
17 *(a). Each such report shall include a full description and*
18 *evaluation of each of the cyber operations-peculiar capa-*
19 *bility development projects that is the subject of each such*
20 *expenditure, definitions and standards for cyber operations-*
21 *peculiar requirements, transition plans, and any other*
22 *matters the Secretary determines relevant.*

1 **SEC. 1628. NOTIFICATION OF DELEGATION OF AUTHORI-**
2 **TIES TO THE SECRETARY OF DEFENSE FOR**
3 **MILITARY OPERATIONS IN CYBERSPACE.**

4 (a) *IN GENERAL.*—*The Secretary of Defense shall pro-*
5 *vide written notification to the Committee on Armed Serv-*
6 *ices of the House of Representatives and the Committee on*
7 *Armed Services of the Senate of authorities delegated to the*
8 *Secretary by the President for military operations in cyber-*
9 *space that are otherwise held by the National Command Au-*
10 *thority, not later than 15 days after any such delegation.*
11 *Such notification shall include the following:*

12 (1) *A description of the authorities delegated to*
13 *the Secretary.*

14 (2) *A description of relevant documents, includ-*
15 *ing execute orders, issued by the Secretary in accord-*
16 *ance with such authorities.*

17 (3) *A list of countries in which such authorities*
18 *may be utilized.*

19 (4) *A description of authorized activities to be*
20 *conducted or planned to be conducted pursuant to*
21 *such authorities.*

22 (5) *Defined military objectives relating to such*
23 *authorities.*

24 (b) *PROCEDURES.*—

25 (1) *IN GENERAL.*—*The Secretary of Defense shall*
26 *establish and submit to the Committee on Armed*

1 *Services of the House of Representatives and the Com-*
2 *mittee on Armed Services of the Senate procedures for*
3 *complying with the requirements of subsection (a),*
4 *consistent with the national security of the United*
5 *States and the protection of operational integrity. The*
6 *Secretary shall promptly notify the Committee on*
7 *Armed Services of the House of Representatives and*
8 *the Committee on Armed Services of the Senate in*
9 *writing of any changes to such procedures at least 14*
10 *days prior to the adoption of any such changes.*

11 (2) *SUFFICIENCY.—The Committee on Armed*
12 *Services of the House of Representatives and the Com-*
13 *mittee on Armed Services of the Senate shall ensure*
14 *that committee procedures designed to protect from*
15 *unauthorized disclosure classified information relat-*
16 *ing to national security of the United States are suffi-*
17 *cient to protect the information that is submitted to*
18 *the committees pursuant to this section.*

19 (3) *NOTIFICATION IN EVENT OF UNAUTHORIZED*
20 *DISCLOSURE.—In the event of an unauthorized disclo-*
21 *sure of authorities covered by this section, the Sec-*
22 *retary of Defense shall ensure, to the maximum extent*
23 *practicable, that the Committee on Armed Services of*
24 *the House of Representatives and the Committee on*
25 *Armed Services of the Senate are notified imme-*

1 diately. Notification under this paragraph may be
 2 verbal or written, but in the event of a verbal notifi-
 3 cation, a written notification signed by the Secretary
 4 shall be provided by not later than 48 hours after the
 5 provision of such verbal notification.

6 **SEC. 1629. LIMITATION OF FUNDING FOR CONSOLIDATED**
 7 **AFLOAT NETWORKS AND ENTERPRISE SERV-**
 8 **ICES.**

9 Of the funds authorized to be appropriated by this Act
 10 or otherwise made available for fiscal year 2020 for the
 11 Consolidated Afloat Networks and Enterprise Services, not
 12 more than 85 percent of such funds may be obligated or
 13 expended until the Secretary of Defense, in coordination
 14 with the Chief Information Officer of the Department of De-
 15 fense, certifies to the congressional defense committees that
 16 the recommendations in the Audit of Consolidated Afloat
 17 Networks and Enterprise Services Security Safeguards
 18 (DODIG–2019–072) have been implemented.

19 **SEC. 1630. ANNUAL MILITARY CYBERSPACE OPERATIONS**
 20 **REPORT.**

21 (a) *IN GENERAL.*—Not later than March 1 of each
 22 year, the Secretary of Defense shall provide to the congres-
 23 sional defense committees a written report detailing all
 24 military cyberspace operations conducted in the previous

1 *calendar year. For each such operation each such report*
2 *shall include the following:*

3 (1) *An identification of the objective and pur-*
4 *pose.*

5 (2) *Impacted information technology infrastruc-*
6 *ture, by location.*

7 (3) *A description of tools and capabilities uti-*
8 *lized.*

9 (4) *An identification of the Cyber Mission Force*
10 *team, or other Department of Defense entity or unit,*
11 *that conducted such operation, and supporting teams,*
12 *entities, or units.*

13 (5) *A description of the infrastructure and plat-*
14 *forms on which such operation occurred.*

15 (6) *A description of relevant legal, operational,*
16 *and funding authorities, including Execute Orders*
17 *and Deployment Orders.*

18 (7) *Information relating to the total amount of*
19 *funding required and associated program elements.*

20 (8) *Any other matters the Secretary determines*
21 *relevant.*

22 (b) *CLASSIFICATION.—The Secretary of Defense shall*
23 *provide each report required under subsection (a) at a clas-*
24 *sification level the Secretary determines appropriate.*

1 (c) *LIMITATION.*—*This section does not apply to cyber-*
 2 *enabled military information support operations.*

3 (d) *DEFINITION.*—*In this section, the term “military*
 4 *cyberspace operations” means defensive and offensive—*

5 (1) *cyber effects enabling operations, activities,*
 6 *and missions; and*

7 (2) *cyber effects operations, activities, and mis-*
 8 *sions.*

9 **SEC. 1631. REPORT ON SYNCHRONIZATION OF EFFORTS RE-**
 10 **LATING TO CYBERSECURITY IN THE DEFENSE**
 11 **INDUSTRIAL BASE.**

12 (a) *REPORT.*—*Not later than May 1, 2020, the Sec-*
 13 *retary of Defense shall submit to the congressional defense*
 14 *committees a report on efforts, and roles and responsibil-*
 15 *ities, relating to cybersecurity in the Defense Industrial*
 16 *Base.*

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

19 (1) *Definitions for “Controlled Unclassified In-*
 20 *formation” (CUI) and “For Official Use Only”*
 21 *(FOUO), as well as policies regarding protecting in-*
 22 *formation designated as such.*

23 (2) *A comprehensive list of Department of De-*
 24 *fense programs to assist the Defense Industrial Base*

1 *with cybersecurity compliance requirements of the De-*
2 *partment.*

3 *(3) An evaluation of the resources and utiliza-*
4 *tion of Department programs to assist the Defense In-*
5 *dustrial Base in complying with cybersecurity com-*
6 *pliance requirements referred to in paragraph (2).*

7 *(4) Optimal levels of resourcing required for ac-*
8 *tivities, programs, and other Department efforts to as-*
9 *sess and monitor compliance by the Defense Indus-*
10 *trial Base with such cybersecurity compliance re-*
11 *quirements.*

12 *(5) Roles and responsibilities of the Under Sec-*
13 *retary of Defense for Acquisition and Sustainment,*
14 *the Chief Information Officer, the Chief Management*
15 *Officer, the Director of the Protecting Critical Tech-*
16 *nologies Task Force, and the Secretaries of the mili-*
17 *tary services relating to the following:*

18 *(A) Establishing and ensuring compliance*
19 *with cybersecurity standards, regulations, and*
20 *policies.*

21 *(B) Deconflicting existing cybersecurity*
22 *standards, regulations, and policies.*

23 *(C) Coordinating with and providing as-*
24 *sistance to the Defense Industrial Base for cyber-*

1 *security matters, particularly such relates to the*
2 *issues described in paragraphs (2), (3), and (8).*

3 *(6) Efforts to enhance the Department's visibility*
4 *into its entire supply chain without violating privity.*

5 *(7) An evaluation of methodologies to tier cyber-*
6 *security requirements for the Defense Industrial Base*
7 *relative to risk.*

8 *(8) An evaluation of the level of threat informa-*
9 *tion sharing between the Department and the Defense*
10 *Industrial Base.*

11 *(9) Efforts to support and enhance threat infor-*
12 *mation sharing between the Department and the De-*
13 *fense Industrial Base.*

14 *(10) An evaluation of a single Sector Coordi-*
15 *nating Council for the Defense Industrial Base.*

16 *(11) An explanation of the Department's Pro-*
17 *tecting Critical Technologies Task Force efforts, and*
18 *how its work will be incorporated into existing De-*
19 *partment efforts.*

20 *(12) Any other information the Secretary of De-*
21 *fense determines relevant.*

22 *(c) DEFINITION.—In this section, the term “Defense*
23 *Industrial Base” includes traditional and non-traditional*
24 *defense contractors and academic institutions with contrac-*
25 *tual relationships with the Department of Defense related*

1 *to activities involving information or technology requiring*
 2 *cybersecurity compliance.*

3 **SEC. 1632. BRIEFINGS ON THE STATUS OF THE NATIONAL**
 4 **SECURITY AGENCY AND UNITED STATES**
 5 **CYBER COMMAND PARTNERSHIP.**

6 *(a) IN GENERAL.—Not later than 90 days after the*
 7 *date of the enactment of this Act and quarterly thereafter,*
 8 *the Secretary of Defense and the Director of National Intel-*
 9 *ligence shall provide to the congressional defense committees*
 10 *and the Permanent Select Committee on Intelligence of the*
 11 *House of Representatives and the Select Committee on Intel-*
 12 *ligence of the Senate briefings on the nature of the National*
 13 *Security Agency and United States Cyber Command’s cur-*
 14 *rent and future partnership. Briefings under this section*
 15 *shall terminate on January 1, 2022.*

16 *(b) ELEMENTS.—Each briefing under this section shall*
 17 *include the following:*

18 *(1) Status updates on the current and future Na-*
 19 *tional Security Agency-United States Cyber Com-*
 20 *mand partnership efforts.*

21 *(2) Executed documents, written memoranda of*
 22 *agreements or understandings, and policies issued*
 23 *governing such current and future partnership.*

24 *(3) Projected long-term efforts.*

1 (4) *Updates related to the assessment required*
 2 *under section 1642 of the National Defense Authoriza-*
 3 *tion Act for Fiscal Year 2017 (relating to limitation*
 4 *on termination of dual-hat arrangement for Com-*
 5 *mander of the United States Cyber Command; Public*
 6 *Law 114–328).*

7 **SEC. 1633. MODIFICATION OF CYBER SCHOLARSHIP PRO-**
 8 **GRAM.**

9 *Section 2200a(a)(1) of title 10, United States Code,*
 10 *is amended by striking “or advanced degree, or a certifi-*
 11 *cation,” and inserting “advanced degree, or certificate”.*

12 **SEC. 1634. REPORT ON CYBERSECURITY TRAINING PRO-**
 13 **GRAMS.**

14 *Not later than 240 days after the date of the enactment*
 15 *of this Act, the Secretary of Defense shall submit to the con-*
 16 *gressional defense committees a report that accounts for all*
 17 *of the efforts, programs, initiatives, and investments of the*
 18 *Department of Defense to train elementary, secondary, and*
 19 *postsecondary students in fields related to cybersecurity,*
 20 *cyber defense, and cyber operations. The report shall—*

21 *(1) include information on the metrics used to*
 22 *evaluate such efforts, programs, initiatives, and in-*
 23 *vestments, and identify overlaps or redundancies*
 24 *across the various efforts, programs, initiatives, and*
 25 *investments; and*

1 (2) *address how the Department leverages such*
 2 *efforts, programs, initiatives, and investments in the*
 3 *recruitment and retention of both the civilian and*
 4 *military cyberworkforces.*

5 **SEC. 1635. NATIONAL SECURITY PRESIDENTIAL MEMORAN-**
 6 **DUMS RELATING TO DEPARTMENT OF DE-**
 7 **FENSE OPERATIONS IN CYBERSPACE.**

8 *Not later than 30 days after the date of the enactment*
 9 *of this Act, the President shall provide the congressional de-*
 10 *fense committees with a copy of all National Security Presi-*
 11 *dential Memorandums relating to Department of Defense*
 12 *operations in cyberspace.*

13 **SEC. 1636. CYBERSECURITY DEFENSE ACADEMY PILOT PRO-**
 14 **GRAM.**

15 (a) *PROGRAM REQUIRED.*—*The Secretary of Defense*
 16 *carry out a pilot program under which the Secretary shall*
 17 *seek to enter into a public-private partnership with eligible*
 18 *cybersecurity organizations to train and place veterans as*
 19 *cybersecurity personnel within the Department of Defense.*
 20 *The public-private partnership entered into under this sub-*
 21 *section shall be known as the “Cybersecurity Defense Acad-*
 22 *emy”.*

23 (b) *ACTIVITIES.*—*The Cybersecurity Defense Academy*
 24 *shall provide educational courses in topics relating to cyber-*
 25 *security, including the following:*

- 1 (1) *Cybersecurity analysis.*
- 2 (2) *Cybersecurity penetration testing.*
- 3 (3) *Cybersecurity threat hunting.*
- 4 (4) *Cybersecurity advanced exploitation.*
- 5 (5) *Linux systems administration.*
- 6 (6) *Robotics process automation analysis.*

7 (c) *PLACEMENT OF GRADUATES.*—

8 (1) *IN GENERAL.*—*The Secretary of Defense shall*
 9 *establish a process under which an individual who*
 10 *has completed a course of study at the Cybersecurity*
 11 *Defense Academy may be placed in a cybersecurity-*
 12 *related position within the Department of Defense.*

13 (2) *WAIVER OF CERTIFICATION.*—*The Secretary*
 14 *of Defense shall waive the certification requirements*
 15 *set forth in Department of Defense Directives 8570*
 16 *and 8140 with respect to the initial placement of an*
 17 *individual described in paragraph (1) if the Sec-*
 18 *retary Determines that the training provided to the*
 19 *individual by the Cybersecurity Defense Academy*
 20 *meets or exceeds the level of training required by such*
 21 *directives.*

22 (d) *ELIGIBLE CYBERSECURITY ORGANIZATION DE-*
 23 *FINED.*—*In this section, the term “eligible cybersecurity*
 24 *organizton” means an nonprofit or for-profit organization*
 25 *that—*

1 (1) *has a history of working with state and local*
2 *governments;*

3 (2) *is accredited by the American National*
4 *Standards Institute;*

5 (3) *has experience placing veterans in cybersecu-*
6 *rity positions;*

7 (4) *does not charge fees to servicemembers or vet-*
8 *erans 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 the*
12 *date one which the 50th graduate of the Cybersecurity De-*
13 *fense Academy is placed in the Department of Defense, the*
14 *Secretary of Defense shall submit to the congressional de-*
15 *fense 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 di-*
19 *rectly placed in cybersecurity positions with employ-*
20 *ers.*

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 estab-*
2 *lishing 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 Depart-*
7 *ment 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 termi-*
11 *nate on the date that is five years after the date of*
12 *the enactment of this Act.*

13 (2) *CONTINUATION.—The Secretary of Defense*
14 *may continue the program after the termination date*
15 *applicable under paragraph (1) if the Secretary deter-*
16 *mines that continuation of the program after that*
17 *date is advisable and appropriate. If the Secretary*
18 *determines to continue the program after that date,*
19 *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 con-*
23 *gressional defense committees a report describing*
24 *the reasons for the determination to continue the*
25 *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 WEAPONS ENTERPRISE.

(a) *EXTENSION.*—*Section 1043(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law*

1 112–81; 125 Stat. 1576), as most recently amended by sec-
2 tion 1670 of the John S. McCain National Defense Author-
3 ization Act for Fiscal Year 2019 (Public Law 115–232; 132
4 Stat. 2157), is further amended in paragraph (1) by strik-
5 ing “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 per-
14 centage of acquisition costs of the military de-
15 partments, and of the entire Department of De-
16 fense, represented by the costs to the Department
17 of Defense to modernize and recapitalize the nu-
18 clear 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 or
2 platforms that carry nuclear weapons;

3 “(II) nuclear command and con-
4 trol systems; and

5 “(III) facilities, infrastructure,
6 and critical skills; and

7 “(ii) includes estimated timelines for
8 such research and development and produc-
9 tion, and the estimated acquisition and life
10 cycle costs, including estimated cost ranges
11 if necessary, to modernize or recapitalize
12 each system.”.

13 (c) *TRANSFER OF PROVISION.*—

14 (1) *CODIFICATION.*—Such section 1043, as
15 amended by subsections (a) and (b), is—

16 (A) transferred to chapter 24 of title 10,
17 United States Code;

18 (B) inserted after section 492;

19 (C) redesignated as section 492a; and

20 (D) amended—

21 (i) in the enumerator, by striking
22 “SEC.” and inserting “§”; and

23 (ii) in the section heading—

24 (I) by striking the period at the
25 end; and

1 (II) by conforming the typeface
 2 and typestyle, including capitalization,
 3 to the typeface and typestyle as used in
 4 the section heading of section 491 of
 5 such title.

6 (2) *CLERICAL AMENDMENT.*—The table of sec-
 7 tions at the beginning of chapter 24 of title 10,
 8 United States Code, is amended by inserting after the
 9 item relating to section 492 the following new item:

“492a. Annual report on the plan for the nuclear weapons stockpile, nuclear weap-
 ons complex, nuclear weapons delivery systems, and nuclear
 weapons command and control system.”.

10 **SEC. 1642. BRIEFINGS ON MEETINGS HELD BY THE NU-**
 11 **CLEAR WEAPONS COUNCIL.**

12 Section 179 of title 10, United States Code, is amended
 13 by adding at the end the following new subsection:

14 “(g) *SEMIANNUAL BRIEFINGS.*—Not later than 30
 15 days after the date of the enactment of the National Defense
 16 Authorization Act for Fiscal Year 2020, and semiannually
 17 thereafter, the Council shall—

18 “(1) provide to the congressional defense commit-
 19 tees a briefing on, with respect to the period covered
 20 by the briefing—

21 “(A) the dates on which the Council met;
 22 and

23 “(B) a summary of any decisions made by
 24 the Council pursuant to subsection (d) at each

1 *such meeting, except with respect to budget deci-*
 2 *sions relating to the budget of the President for*
 3 *a fiscal year if the request for that fiscal year*
 4 *has not been submitted to Congress as of the date*
 5 *of the briefing; and*

6 *“(2) submit to such committees at the time of the*
 7 *briefing—*

8 *“(A) any decision memoranda relating to*
 9 *the decisions specified in paragraph (1)(B); and*

10 *“(B) a summary of the rationale and con-*
 11 *siderations that informed such decision.”.*

12 **SEC. 1643. ELIMINATION OF CONVENTIONAL REQUIREMENT**
 13 **FOR LONG-RANGE STANDOFF WEAPON.**

14 *Subsection (a) of section 217 of the National Defense*
 15 *Authorization Act for Fiscal Year 2014 (Public Law 113–*
 16 *66; 127 Stat. 706), as amended by section 1662 of the John*
 17 *S. McCain National Defense Authorization Act for Fiscal*
 18 *Year 2019 (Public Law 115–232; 132 Stat. 2152), is*
 19 *amended to read as follows:*

20 *“(a) LONG-RANGE STANDOFF WEAPON.—The Sec-*
 21 *retary of the Air Force shall develop a follow-on air-*
 22 *launched cruise missile to the AGM–86 that—*

23 *“(1) achieves initial operating capability for nu-*
 24 *clear missions prior to the retirement of the nuclear-*
 25 *armed AGM–86; and*

1 “(2) is capable of internal carriage and employ-
 2 ment for nuclear missions on the next-generation
 3 long-range strike bomber.”.

4 **SEC. 1644. EXTENSION OF ANNUAL BRIEFING ON THE**
 5 **COSTS OF FORWARD-DEPLOYING NUCLEAR**
 6 **WEAPONS IN EUROPE.**

7 Section 1656(a) of the National Defense Authorization
 8 Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat.
 9 1124) is amended—

10 (1) by striking “2021” and inserting “2024”;
 11 and

12 (2) by inserting “, the Committee on Foreign Af-
 13 fairs of the House of Representatives, and the Com-
 14 mittee on Foreign Relations of the Senate” after “the
 15 congressional defense committees”.

16 **SEC. 1645. TEN-YEAR EXTENSION OF PROHIBITION ON**
 17 **AVAILABILITY OF FUNDS FOR MOBILE VARI-**
 18 **ANT OF GROUND-BASED STRATEGIC DETER-**
 19 **MENT MISSILE.**

20 Section 1664 of the National Defense Authorization
 21 Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat.
 22 2615), as most recently amended by section 1666 of the
 23 John S. McCain National Defense Authorization Act for
 24 Fiscal Year 2019 (Public Law 115–232), is amended by

1 *striking “for any of fiscal years 2017 through 2020” and*
 2 *inserting “for any of fiscal years 2017 through 2030”.*

3 **SEC. 1646. PROHIBITION ON AVAILABILITY OF FUNDS FOR**
 4 **DEPLOYMENT OF LOW-YIELD BALLISTIC MIS-**
 5 **SILE WARHEAD.**

6 *None of the funds authorized to be appropriated by this*
 7 *Act or otherwise made available for fiscal year 2020 for the*
 8 *Department of Defense may be used to deploy the W76–*
 9 *2 low-yield warhead.*

10 **SEC. 1647. REPORT ON MILITARY-TO-MILITARY DIALOGUE**
 11 **TO REDUCE THE RISK OF MISCALCULATION**
 12 **LEADING TO NUCLEAR WAR.**

13 *Not later than 120 days after the date of the enactment*
 14 *of this Act, the Secretary of Defense, in coordination with*
 15 *the Secretary of State, shall submit to the congressional de-*
 16 *fense committee, the Committee on Foreign Affairs of the*
 17 *House of Representatives, and the Committee on Foreign*
 18 *Relations of the Senate a report containing the following:*

19 *(1) A description of—*

20 *(A) current military-to-military discussions*
 21 *of the United States with counterparts from gov-*
 22 *ernments of foreign countries to reduce the risk*
 23 *of miscalculation, unintended consequences, or*
 24 *accidents that could precipitate a nuclear war;*
 25 *and*

1 (B) bilateral and multilateral agreements to
2 which the United States is a party that address
3 such risks.

4 (2) An assessment conducted jointly by the Sec-
5 retary and the Chairman of the Joint Chiefs of Staff
6 of the policy and operational necessity, risks, benefits,
7 and costs of establishing military-to-military discus-
8 sions with Russia, Iran, China, and North Korea to
9 address such risks.

10 **SEC. 1648. PLAN ON NUCLEAR COMMAND, CONTROL, AND**
11 **COMMUNICATIONS SYSTEMS.**

12 (a) *PLAN*.—Not later than 270 days after the date of
13 the enactment of this Act, the Secretary of Defense, in co-
14 ordination with the Commander of the United States Stra-
15 tegic Command, shall submit to the appropriate congres-
16 sional committees a plan on the future of the nuclear com-
17 mand, control, and communications systems.

18 (b) *MATTERS INCLUDED*.—The plan under subsection
19 (a) shall address the following:

20 (1) Near- and long-term plans and options to re-
21 capitalize the nuclear command, control, and commu-
22 nications systems to ensure the resilience of such sys-
23 tems.

24 (2) Requirements for such systems, including
25 with respect to survivability and reliability.

1 (3) *The risks and benefits of replicating the cur-*
2 *rent architecture for such systems as of the date of the*
3 *plan.*

4 (4) *The risks and benefits of using different ar-*
5 *chitectures for such systems, including, at a min-*
6 *imum, using hosted payloads.*

7 (5) *Whether such architectures should be classi-*
8 *fied or unclassified.*

9 (6) *Requirements and plans to ensure the secu-*
10 *rity of the supply chain of nuclear command, control,*
11 *and communications systems.*

12 (7) *Timelines and general cost estimates for*
13 *long-term investments in such systems.*

14 (8) *Options for potential negotiation with adver-*
15 *saries, including with respect to agreements to not*
16 *target nuclear command, control, and communica-*
17 *tions systems through kinetic, nonkinetic, or cyber at-*
18 *tacks.*

19 (9) *Any other matters the Secretary determines*
20 *appropriate.*

21 (c) *INTERIM BRIEFING.*—*Not later than 90 days after*
22 *the date of the enactment of this Act, the Secretary, in co-*
23 *ordination with the Commander, shall provide to the con-*
24 *gressional defense committees a briefing on the plan under*
25 *subsection (a).*

1 **SEC. 1649. INDEPENDENT STUDY ON POLICY OF NO-FIRST-**
2 **USE OF NUCLEAR WEAPONS.**

3 (a) *STUDY.*—Not later than 30 days after the date of
4 the enactment of this Act, the Secretary of Defense shall seek
5 to enter into a contract with a federally funded research
6 and development center to conduct a study on the United
7 States adopting a policy to not use nuclear weapons first.

8 (b) *MATTERS INCLUDED.*—The study under subsection
9 (a) shall include the following:

10 (1) *An assessment of the benefits of a policy to*
11 *not use nuclear weapons first in reducing the risk of*
12 *miscalculation in a crisis.*

13 (2) *An assessment of the likely reactions of the*
14 *allies of the United States with respect to the United*
15 *States adopting such a policy and how any negative*
16 *reactions could be mitigated, including the value of*
17 *engaging such allies to offer credible extended deter-*
18 *rence assurances.*

19 (3) *An assessment of which foreign countries*
20 *have stated or adopted such a policy.*

21 (4) *An assessment of how adversaries of the*
22 *United States might view such a policy.*

23 (5) *An assessment of the benefits and risks of*
24 *such a policy with respect to nuclear nonprolifera-*
25 *tion.*

1 (6) *An assessment of changes in force posture*
 2 *and force requirements, if any, and costs or savings,*
 3 *that such a policy would entail.*

4 (7) *Any other matters the Secretary determines*
 5 *appropriate.*

6 (c) *SUBMISSION TO DOD.—Not later than 210 days*
 7 *after the date of the enactment of this Act, the federally*
 8 *funded research and development center shall submit to the*
 9 *Secretary the study under subsection (a).*

10 (d) *SUBMISSION TO CONGRESS.—Not later than 240*
 11 *days after the date of the enactment of this Act, the Sec-*
 12 *retary shall submit to the congressional defense committees,*
 13 *the Committee on Foreign Affairs of the House of Represent-*
 14 *atives, and the Committee on Foreign Relations of the Sen-*
 15 *ate the study under subsection (a), without change.*

16 (e) *FORM.—The study under subsection (a) shall be*
 17 *submitted under subsections (c) and (d) in unclassified*
 18 *form, but may include a classified annex.*

19 **SEC. 1650. INDEPENDENT STUDY ON RISKS OF NUCLEAR**
 20 **TERRORISM AND NUCLEAR WAR.**

21 (a) *STUDY.—Not later than 30 days after the date of*
 22 *the enactment of this Act, the Secretary of Defense shall seek*
 23 *to enter into an agreement with the National Academy of*
 24 *Sciences to conduct a study on the potential risks of nuclear*
 25 *terrorism and nuclear war.*

1 (b) *MATTERS INCLUDED.*—*The study under subsection*

2 (a) *shall—*

3 (1) *quantify the potential risks of nuclear ter-*
4 *rorism and nuclear war, including the level of uncer-*
5 *tainty;*

6 (2) *assess prior literature on such risks;*

7 (3) *assess the role that quantitative risk analysis*
8 *and other disciplines can play in quantifying such*
9 *risks, including the limitations of such analysis and*
10 *disciplines;*

11 (4) *assess the extent to which the nuclear strat-*
12 *egy of the United States is consistent with the risks*
13 *of nuclear terrorism and nuclear war identified in the*
14 *study; and*

15 (5) *provide recommendations as to whether fun-*
16 *damental assumptions about the national security*
17 *strategy of the United States might need to be recon-*
18 *sidered.*

19 (c) *SUBMISSION.*—*Not later than one year after the*
20 *date of the enactment of this Act, the Secretary shall submit*
21 *to the congressional defense committees the study under sub-*
22 *section (a), without change.*

23 (d) *FORM.*—*The study shall be submitted under sub-*
24 *section (c) in unclassified form, but may include a classified*
25 *annex.*

1 **SEC. 1651. CONSIDERATION OF BUDGET MATTERS AT MEET-**
2 **INGS OF NUCLEAR WEAPONS COUNCIL.**

3 *Section 179 of title 10, United States Code, as amend-*
4 *ed by section 1642, is further amended—*

5 *(1) in subsection (b), by adding at the end the*
6 *following new paragraph:*

7 *“(4) The Director of Cost Assessment and Pro-*
8 *gram Evaluation of the Department of Defense, the*
9 *Director of the Office of Management and Budget of*
10 *the National Nuclear Security Administration, the*
11 *Director for Cost Estimating and Program Evalua-*
12 *tion of the National Nuclear Security Administration,*
13 *and the Director of the Office of Management and*
14 *Budget shall attend the meetings of the Council.”; and*

15 *(2) in subsection (c), by adding at the end the*
16 *following new paragraph:*

17 *“(4) The Director of Cost Assessment and Pro-*
18 *gram Evaluation of the Department of Defense, the*
19 *Director of the Office of Management and Budget of*
20 *the National Nuclear Security Administration, the*
21 *Director for Cost Estimating and Program Evalua-*
22 *tion of the National Nuclear Security Administration,*
23 *and the Director of the Office of Management and*
24 *Budget shall be members of the Standing and Safety*
25 *Committee of the Council, or such successor com-*
26 *mittee.”.*

1 **SEC. 1652. REPORT ON NUCLEAR FORCES OF THE UNITED**
2 **STATES AND NEAR-PEER COUNTRIES.**

3 (a) *REPORT.*—Not later than 30 days after the date
4 of the enactment of this Act, the Secretary of Defense, in
5 coordination with the Director of National Intelligence,
6 shall submit to the congressional defense committees a re-
7 port on the nuclear forces of the United States and near-
8 peer countries.

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

11 (1) *An assessment of the current and planned*
12 *nuclear systems of the United States, including with*
13 *respect to research and development timelines, deploy-*
14 *ment timelines, and force size.*

15 (2) *An assessment of the current and planned*
16 *nuclear systems of Russia and China, including with*
17 *respect to research and development timelines, deploy-*
18 *ment timelines, and force size.*

19 (3) *A comparison of the current and projected*
20 *nuclear systems specified in paragraphs (1) and (2)*
21 *through 2040.*

22 (c) *FORM.*—The report under subsection (a) shall be
23 submitted in unclassified form, but may include a classified
24 annex.

***Subtitle E—Missile Defense
Programs***

SEC. 1661. NATIONAL MISSILE DEFENSE POLICY.

(a) POLICY.—Subsection (a) of section 1681 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 2431 note) is amended to read as follows:

“(a) POLICY.—It is the policy of the United States to—

“(1) maintain and improve, with funding subject to the annual authorization of appropriations and the annual appropriation of funds for National Missile Defense—

“(A) an effective protection of the homeland of the United States against offensive missile threats posed by rogue states; and

“(B) an effective regional missile defense system capable of defending the allies, partners, and deployed forces of the United States against increasingly complex missile threats; and

“(2) rely on nuclear deterrence to address more sophisticated and larger quantity near-peer intercontinental ballistic missile threats.”.

(b) BRIEFING.—Not later than January 31, 2020, the Director of Cost Assessment and Program Evaluation shall

1 *provide to the Committee on Armed Services of the House*
 2 *of Representatives a briefing on the programmatic impacts*
 3 *across the Department of Defense with respect to the imple-*
 4 *mentation of the Missile Defense Review issued in 2019.*

5 **SEC. 1662. DEVELOPMENT OF HYPERSONIC AND BALLISTIC**
 6 **MISSILE TRACKING SPACE SENSOR PAYLOAD.**

7 *(a) DEVELOPMENT.—Section 1683 of the National De-*
 8 *fense Authorization Act for Fiscal Year 2018 (Public Law*
 9 *115–91; 10 U.S.C. 2431 note) is amended—*

10 *(1) by redesignating subsections (d), (e), (f), (g),*
 11 *and (h), as subsections (e), (f), (g), (h), and (j), re-*
 12 *spectively; and*

13 *(2) by inserting after subsection (c) the following*
 14 *new subsection (d):*

15 *“(d) HYPERSONIC AND BALLISTIC MISSILE TRACKING*
 16 *SPACE SENSOR PAYLOAD.—The Director, in coordination*
 17 *with the Director of the Space Development Agency and the*
 18 *Secretary of the Air Force, shall—*

19 *“(1) develop a hypersonic and ballistic missile*
 20 *tracking space sensor payload; and*

21 *“(2) include such payload as a component of the*
 22 *sensor architecture developed under subsection (a).”.*

23 *(b) UPDATED PLAN.—Such section is further amended*
 24 *by inserting after subsection (h), as redesignated by sub-*
 25 *section (a), the following new subsection:*

1 “(i) *UPDATED PLAN*.—Not later than 90 days after
2 the date of the enactment of the National Defense Authoriza-
3 tion Act for Fiscal Year 2020, the Director of the Missile
4 Defense Agency, in coordination with the Director of the
5 Space Development Agency and the Secretary of the Air
6 Force, shall submit to the appropriate congressional com-
7 mittees an update to the plan under subsection (h), includ-
8 ing the following:

9 “(1) *How the Director of the Missile Defense*
10 *Agency, in coordination with the Director of the*
11 *Space Development Agency and the Secretary, will*
12 *develop the payload under subsection (d) and include*
13 *such payload in the sensor architecture developed*
14 *under subsection (a).*

15 “(2) *How such payload will address the require-*
16 *ment of the United States Strategic Command for a*
17 *hypersonic and ballistic missile tracking space sens-*
18 *ing capability.*

19 “(3) *The estimated costs (in accordance with*
20 *subsection (e)) to develop, acquire, and deploy, and*
21 *the lifecycle costs to operate and sustain, the payload*
22 *under subsection (f) and include such payload in the*
23 *sensor architecture developed under subsection (a).”.*

24 (c) *CONFORMING AMENDMENT*.—Subsection (h)(1) of
25 such section, as redesignated by subsection (a), is amended

1 *by striking “with subsection (d)” and inserting “with sub-*
 2 *section (e)”.*

3 **SEC. 1663. REQUIREMENT FOR TESTING OF REDESIGNED**
 4 **KILL VEHICLE PRIOR TO PRODUCTION.**

5 (a) *SENSE OF CONGRESS.—It is the sense of Congress*
 6 *that the Director of the Missile Defense Agency must address*
 7 *the technical issues of the redesigned kill vehicle prior to*
 8 *moving forward with development, procurement, and field-*
 9 *ing of the vehicle.*

10 (b) *MODIFICATIONS TO WAIVER REQUIREMENTS.—*
 11 *Subsection (b) of section 1683 of the John S. McCain Na-*
 12 *tional Defense Authorization Act for Fiscal Year 2019 (Pub-*
 13 *lic Law 115–232; 132 Stat. 2163) is amended to read as*
 14 *follows:*

15 “(b) *WAIVER.—The Secretary of Defense, without dele-*
 16 *gation, may waive subsection (a) if—*

17 “(1) *the Secretary determines that the waiver is*
 18 *in the interest of national security;*

19 “(2) *the Secretary conducts an assessment of the*
 20 *missile developments of both North Korea and Iran*
 21 *during the 18-month period preceding the date of the*
 22 *waiver;*

23 “(3) *the Secretary determines that the threat of*
 24 *missiles is advancing at a pace that requires addi-*
 25 *tional capacity of the ground-based midcourse defense*

1 *system by 2023, including in light of the assessment*
2 *conducted under paragraph (2);*

3 *“(4) the Secretary determines that the waiver is*
4 *appropriate in light of the assessment conducted by*
5 *the Director of Operational Test and Evaluation*
6 *under subsection (c);*

7 *“(5) the Secretary submits to the congressional*
8 *defense committees a report containing—*

9 *“(A) a notice of the waiver, including the*
10 *rationale of the Secretary for making the waiver;*
11 *and*

12 *“(B) a certification by the Secretary that*
13 *the Secretary has analyzed and accepts the risk*
14 *of making and implementing a lot production*
15 *decision for the redesigned kill vehicle prior to*
16 *the vehicle undergoing a successful flight inter-*
17 *cept test; and*

18 *“(6) a period of 30 days elapses following the*
19 *date on which the Secretary submits the report under*
20 *paragraph (5).”.*

21 *(c) MODIFICATION TO ASSESSMENT.—Subsection (c) of*
22 *such section is amended by inserting “and to the congres-*
23 *sional defense committees” after “to the Secretary of De-*
24 *fense”.*

1 **SEC. 1664. DEVELOPMENT OF SPACE-BASED BALLISTIC MIS-**
 2 **SILE INTERCEPT LAYER.**

3 *Section 1688 of the National Defense Authorization*
 4 *Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C.*
 5 *2431 note) is amended—*

6 *(1) by striking subsection (c); and*

7 *(2) by redesignating subsection (d) as subsection*
 8 *(c).*

9 **SEC. 1665. ORGANIZATION, AUTHORITIES, AND BILLETS OF**
 10 **THE MISSILE DEFENSE AGENCY.**

11 *(a) INDEPENDENT STUDY.—*

12 *(1) ASSESSMENT.—In accordance with para-*
 13 *graph (2), the Secretary of Defense shall seek to enter*
 14 *into a contract with a federally funded research and*
 15 *development center to conduct a study assessing—*

16 *(A) the organization of the Missile Defense*
 17 *Agency under the Under Secretary of Defense for*
 18 *Research and Engineering pursuant to section*
 19 *205(b) of title 10, United States Code;*

20 *(B) alternative ways to organize the Agency*
 21 *under other officials of the Department of De-*
 22 *fense, including the Under Secretary for Acquisi-*
 23 *tion and Sustainment and any other official of*
 24 *the Department the federally funded research*
 25 *and development center determines appropriate;*
 26 *and*

1 (C) *transitioning the Agency to the stand-*
2 *ard acquisition process pursuant to Department*
3 *of Defense Instruction 5000, including both the*
4 *risks and benefits of making such a transition.*

5 (2) *SCOPE OF STUDY.—Before entering into the*
6 *contract with a federally funded research and develop-*
7 *ment center to conduct the study under paragraph*
8 *(1), the Secretary shall provide to the congressional*
9 *defense committees an update on the scope of such*
10 *study.*

11 (3) *SUBMISSION TO DOD.—Not later than 150*
12 *days after the date of the enactment of this Act, the*
13 *federally funded research and development center*
14 *shall submit to the Secretary a report containing the*
15 *study conducted under paragraph (1).*

16 (4) *SUBMISSION TO CONGRESS.—Not later than*
17 *180 days after the date of the enactment of this Act,*
18 *the Secretary shall submit to the congressional defense*
19 *committees the study under paragraph (1), without*
20 *change.*

21 (b) *NOTIFICATION ON CHANGES TO NON-STANDARD*
22 *ACQUISITION PROCESSES AND RESPONSIBILITIES.—*

23 (1) *LIMITATION.—None of the funds authorized*
24 *to be appropriated by this Act or otherwise made*
25 *available for fiscal year 2020 for the Secretary of De-*

1 *fense may be obligated or expended to change the non-*
 2 *standard acquisition processes and responsibilities de-*
 3 *scribed in paragraph (2) until—*

4 *(A) the Secretary notifies the congressional*
 5 *defense committees of such proposed change; and*

6 *(B) a period of 90 days has elapsed fol-*
 7 *lowing the date of such notification.*

8 *(2) NON-STANDARD ACQUISITION PROCESSES AND*
 9 *RESPONSIBILITIES DESCRIBED.—The non-standard*
 10 *acquisition processes and responsibilities described in*
 11 *this paragraph are such processes and responsibilities*
 12 *described in—*

13 *(A) the memorandum of the Secretary of*
 14 *Defense titled “Missile Defense Program Direc-*
 15 *tion” signed on January 2, 2002;*

16 *(B) Department of Defense Directive*
 17 *5134.09, as in effect on the date of the enactment*
 18 *of this Act; and*

19 *(C) United States Strategic Command In-*
 20 *struction 583–3.*

21 *(c) LIMITATION ON CERTAIN TRANSFERS OF BIL-*
 22 *LETS.—During fiscal year 2020, the Secretary of Defense*
 23 *may not transfer civilian or military billets from the Mis-*
 24 *sile Defense Agency to any element of the Department under*

1 *the Under Secretary of Defense for Research and Engineer-*
 2 *ing until, for each such transfer—*

3 *(1) the Secretary notifies the congressional de-*
 4 *fense committees of such proposed transfer; and*

5 *(2) a period of 90 days has elapsed following the*
 6 *date of such notification.*

7 **SEC. 1666. MISSILE DEFENSE INTERCEPTOR SITE IN CON-**
 8 **TIGUOUS UNITED STATES.**

9 *(a) DESIGNATION.—The Secretary shall designate the*
 10 *preferred location of a missile defense site in the contiguous*
 11 *United States from among the locations evaluated pursuant*
 12 *to section 227 of the National Defense Authorization Act*
 13 *for Fiscal Year 2013 (Public Law 112–239; 126 Stat.*
 14 *1678). The Secretary shall make such designation based on*
 15 *the following:*

16 *(1) The environmental impact statement pre-*
 17 *pared pursuant to section 227 of the National Defense*
 18 *Authorization Act for Fiscal Year 2013 (Public Law*
 19 *112–239; 126 Stat. 1678).*

20 *(2) Strategic and operational effectiveness, in-*
 21 *cluding with respect to the location that is the most*
 22 *advantageous site in providing coverage to the entire*
 23 *contiguous United States, including having the capa-*
 24 *bility to provide shoot-assess-shoot coverage to the en-*
 25 *tire contiguous United States.*

1 (3) *Construction remediation efforts and impacts*
 2 *to the existing environment at the site.*

3 (4) *The existing infrastructure at the site.*

4 (5) *The costs to construct, equip, and operate the*
 5 *site.*

6 (b) *REPORT.*—*Not later than January 31, 2020, the*
 7 *Secretary shall submit to the congressional defense commit-*
 8 *tees a report on the designation made under subsection (a)*
 9 *with respect to each factor specified in paragraphs (1)*
 10 *through (5) of such subsection.*

11 (c) *RULE OF CONSTRUCTION.*—*Nothing in this section*
 12 *may be construed—*

13 (1) *as requiring the Secretary of Defense to begin*
 14 *a military construction project relating to the missile*
 15 *defense site in the contiguous United States; or*

16 (2) *as a statement that there is any current mili-*
 17 *tary requirement for such a site.*

18 (d) *CONFORMING REPEAL.*—*Section 1681 of the Na-*
 19 *tional Defense Authorization Act for Fiscal Year 2018 (Pub-*
 20 *lic Law 115–91; 131 Stat. 1776) is repealed.*

21 **SEC. 1667. MISSILE DEFENSE RADAR IN HAWAII.**

22 (a) *CONSTRUCTION OF HOMELAND DEFENSE RADAR—*
 23 *HAWAII.*—*Subject to subsection (b), the Director of the Mis-*
 24 *sile Defense Agency may use funds authorized to be appro-*
 25 *priated by this Act or otherwise made available for fiscal*

1 *year 2020 for research, development, test, and evaluation*
2 *for the Missile Defense Agency to design, build, and inte-*
3 *grate the foundation of the homeland defense radar in Ha-*
4 *waii and the thermal control system of the radar.*

5 *(b) LIMITATION.—Of the funds authorized to be appro-*
6 *priated by this Act or otherwise made available for fiscal*
7 *year 2020 for research, development, test, and evaluation*
8 *for the homeland defense radar in Hawaii, not more than*
9 *85 percent may be obligated or expended until the Direc-*
10 *tor—*

11 *(1) completes the critical design review of the*
12 *radar;*

13 *(2) submits to the congressional defense commit-*
14 *tees an assessment conducted by the Army Corps of*
15 *Engineers on the research, development, test, and*
16 *evaluation proposal to design, build, and integrate the*
17 *foundation of the radar and the thermal control sys-*
18 *tem of the radar that highlights any unique compo-*
19 *nents of such proposal; and*

20 *(3) provides to such committees a briefing on in-*
21 *corporating the foundation and thermal control sys-*
22 *tem 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 appro-
4 priated by this Act or otherwise made available for fiscal
5 year 2020 for the Army for the lower tier air and missile
6 defense sensor, not more than 75 percent may be obligated
7 or expended until the Secretary of the Army submits the
8 report under subsection (b).

9 (b) *REPORT.*—The Secretary of the Army shall submit
10 to the congressional defense committees a report on the test
11 and demonstration of lower tier air and missile defense sen-
12 sors that occurred during the third quarter of fiscal year
13 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 dem-*
16 *onstration set out to achieve, including—*

17 (A) *an explanation of the performance spec-*
18 *ifications used; and*

19 (B) *a description of the emulated threats*
20 *used in the test and demonstration and how such*
21 *threats compare to emerging regional air and*
22 *missile threats.*

23 (2) *An explanation of the capability of the sensor*
24 *system that the Secretary determined to be the winner*
25 *of the test and demonstration, including with respect*
26 *to—*

1 (A) the capability of such sensor system
 2 against key threats and requirements, including
 3 whether such sensor system will be delivered with
 4 full 360-degree coverage and the ability of such
 5 sensor system to detect, track, and surveil tar-
 6 gets;

7 (B) the estimated procurement and life-cycle
 8 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 property
 17 and how such improvements will be made if the
 18 United States does not own such intellectual property.

19 **SEC. 1669. COMMAND AND CONTROL, BATTLE MANAGE-**
 20 **MENT, AND COMMUNICATIONS PROGRAM.**

21 (a) *LIMITATION ON SALE.*—The Director of the Missile
 22 Defense Agency may not pursue release of the command and
 23 control, battle management, and communications program
 24 (or any variants thereof) for export until the date on which
 25 the Director submits the report under subsection (b).

1 (b) *REPORT*.—Not later than 90 days after the date
 2 of the enactment of this Act, the Director shall submit to
 3 the congressional defense committees, the Committee on For-
 4 eign Affairs of the House of Representatives, and the Com-
 5 mittee on Foreign Relations of the Senate a report con-
 6 taining the following:

7 (1) *An explanation of the rationale of the Direc-*
 8 *tor for considering to export the command and con-*
 9 *trol, battle management, and communications pro-*
 10 *gram (or any variants thereof) in light of the critical*
 11 *role of the program in the strategic national defense*
 12 *of the United States and the allies of the United*
 13 *States against ballistic missile attack.*

14 (2) *The findings of the market research and*
 15 *analysis conducted by the Director regarding export-*
 16 *able command and control solutions for ballistic mis-*
 17 *sile defense, including such solutions that are inter-*
 18 *nationally available.*

19 **SEC. 1670. ANNUAL ASSESSMENT OF BALLISTIC MISSILE**
 20 **DEFENSE SYSTEM.**

21 (a) *SENSE OF CONGRESS*.—It is the sense of Congress
 22 that operational test and evaluation of elements of the bal-
 23 listic missile defense system should be conducted thoroughly
 24 in accordance with section 2399 of title 10, United States
 25 Code, including with respect to the reports required to be

1 *submitted to the congressional defense committees under*
2 *subsection (b) of such section regarding the results of testing*
3 *conducted on major defense acquisition programs.*

4 **(b) ANNUAL ASSESSMENT.**—*As part of the annual re-*
5 *port of the Director of Operational Test and Evaluation*
6 *submitted to Congress under section 139 of title 10, United*
7 *States Code, the Director shall include an assessment of the*
8 *ballistic missile defense system and all of the elements of*
9 *the system that have been fielded or are planned, as of the*
10 *date of the assessment, including—*

11 **(1)** *the operational effectiveness, suitability, and*
12 *survivability of the ballistic missile defense system*
13 *and the elements of the system that have been fielded*
14 *or tested; and*

15 **(2)** *the adequacy and sufficiency of the test pro-*
16 *gram of such system as of the date of the assessment,*
17 *including with respect to the operational realism of*
18 *the tests.*

19 **(c) FORM.**—*Each assessment under subsection (a) may*
20 *be submitted in unclassified form, and may include a clas-*
21 *sified 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 subsection*
 17 *(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 of*
 23 *the enactment of this Act, the Secretary of Defense shall seek*
 24 *to enter into an agreement with the National Academy of*
 25 *Sciences to conduct a study on the impacts of the develop-*
 26 *ment and deployment of long-range missile defenses of the*

1 *United States on the security of the United States as a*
 2 *whole.*

3 (b) *MATTERS INCLUDED.*—*The study under subsection*
 4 *(a) shall—*

5 (1) *consider whether security benefits obtained by*
 6 *the deployment of long-range missile defenses of the*
 7 *United States are undermined or counterbalanced by*
 8 *adverse reactions of potential adversaries, including*
 9 *both rogue states and near-peer adversaries; and*

10 (2) *consider the effectiveness of the long-range*
 11 *missile defense efforts of the United States to deter the*
 12 *development of ballistic missiles, in particular by*
 13 *both rogue states and near-peer adversaries.*

14 (c) *SUBMISSION.*—*Not later than one year after the*
 15 *date of the enactment of this Act, the Secretary shall submit*
 16 *to the congressional defense committees the study under sub-*
 17 *section (a), without change.*

18 (d) *FORM.*—*The study shall be submitted under sub-*
 19 *section (c) in unclassified form, but may include a classified*
 20 *annex.*

21 **SEC. 1673. REPORT AND BRIEFING ON MULTI-OBJECT KILL**
 22 **VEHICLE.**

23 *Not later than 120 days after the date of the enactment*
 24 *of this Act, the Under Secretary of Defense for Research and*
 25 *Engineering shall submit to the congressional defense com-*

1 *mittees a report, and shall provide to such committees a*
 2 *briefing, on the potential need for a multi-object kill vehicle*
 3 *in future architecture of the ballistic missile defense system.*
 4 *Such report and briefing shall include the following:*

5 (1) *An assessment of the technology readiness*
 6 *level of needed components and the operational system*
 7 *for the multi-object kill vehicle.*

8 (2) *An assessment of the costs and a comprehen-*
 9 *sive development and testing schedule to deploy the*
 10 *multi-object kill vehicle by 2025.*

11 (3) *An assessment of whether the multi-object kill*
 12 *vehicle was considered in the redesigned kill vehicle*
 13 *program re-baseline as a replacement for future*
 14 *ground-based midcourse defense system kill vehicles.*

15 (4) *A concept of operations with respect to how*
 16 *a multi-object kill vehicle capability could be em-*
 17 *ployed and how such capability compares to alter-*
 18 *native ground-based midcourse defense system inter-*
 19 *ceptors.*

20 ***Subtitle F—Other Matters***

21 ***SEC. 1681. MODIFICATION TO REPORTS ON CERTAIN SOLID*** 22 ***ROCKET MOTORS.***

23 *Section 1696 of the John S. McCain National Defense*
 24 *Authorization Act for Fiscal Year 2019 (Public Law 115–*
 25 *232; 132 Stat. 2171) is amended—*

1 (1) by striking “rockets or missiles” and insert-
 2 ing “rockets, missiles, or space launch services” each
 3 place it appears;

4 (2) in subsection (a)(2)(C), by striking “rocket or
 5 missile” and inserting “rocket, missile, or space
 6 launch service”;

7 (3) in subsection (b)(1)—

8 (A) by inserting after “the Secretary of De-
 9 fense,” the following: “in coordination with the
 10 Administrator of the National Aeronautics and
 11 Space Administration,”;

12 (B) by inserting after “defense” the fol-
 13 lowing: “and science”; and

14 (C) by inserting after “the Department of
 15 Defense” the following: “and the National Aero-
 16 nautics and Space Administration”; and

17 (4) in subsection (b)(2)(D), by inserting after
 18 “the Secretary” the following: “or the Administrator
 19 of the National Aeronautics and Space Administra-
 20 tion”.

21 **SEC. 1682. REPEAL OF REVIEW REQUIREMENT FOR AMMO-**
 22 **NIUM PERCHLORATE REPORT.**

23 Section 1694(d) of the National Defense Authorization
 24 Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat.
 25 1792) is repealed.

1 **SEC. 1683. REPEAL OF REQUIREMENT FOR COMMISSION ON**
2 **ELECTROMAGNETIC PULSE ATTACKS AND**
3 **SIMILAR EVENTS.**

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

5 (1) *On March 26, 2019, the President released*
6 *the “Executive Order on Coordinating National Resil-*
7 *ience to Electromagnetic Pulses”.*

8 (2) *The Executive order codifies policy, roles,*
9 *and responsibilities within the executive branch in*
10 *order to foster sustainable, efficient, and cost-effective*
11 *approaches to improving the resilience of the United*
12 *States to the effects of electromagnetic pulses.*

13 (b) *REPEAL.*—Section 1691 of the National Defense
14 Authorization Act for Fiscal Year 2018 (Public Law 115–
15 91; 131 Stat. 1786) is repealed.

16 **SEC. 1684. CONVENTIONAL PROMPT GLOBAL STRIKE WEAP-**
17 **ON SYSTEM.**

18 (a) *SENSE OF CONGRESS.*—It is the sense of Congress
19 that—

20 (1) *the Under Secretary of Defense for Policy has*
21 *not adequately responded to Congress regarding the*
22 *miscalculation and ambiguity risks posed by*
23 *hypersonic weapons, specifically from submarine-*
24 *launched platforms, including pursuant to the report*
25 *required by section 1698 of the John S. McCain Na-*

1 *tional Defense Authorization Act for Fiscal Year 2019*
2 *(Public Law 115–232; 132 Stat. 2172); and*

3 *(2) the Secretary of Defense should coordinate*
4 *technology maturation efforts to develop common tech-*
5 *nologies for hypersonics, and should leverage defense*
6 *laboratories and university partners to lead*
7 *foundational hypersonic research in areas the Sec-*
8 *retary determines appropriate for the Department of*
9 *Defense.*

10 *(b) PROHIBITION.—None of the funds authorized to be*
11 *appropriated by this Act or otherwise made available for*
12 *fiscal year 2020 for the conventional prompt global strike*
13 *weapon system may be used for a submarine-launched con-*
14 *ventional prompt global strike capability, including with*
15 *respect to developing or testing such a capability, unless*
16 *such capability—*

17 *(1) is transferrable to a surface-launched plat-*
18 *form; and*

19 *(2) is not exclusive to submarines.*

20 *(c) REPORT.—Not later than 120 days after the date*
21 *of the enactment of this Act, the Secretary of the Navy shall*
22 *submit to the congressional defense committees a report on*
23 *the programmatic changes required to integrate the conven-*
24 *tional prompt global strike weapon system into the DDG–*
25 *1000 program or other surface ships.*

1 **TITLE XVII—SANCTIONS WITH**
2 **RESPECT TO FOREIGN TRAF-**
3 **FICKERS OF ILLICIT SYN-**
4 **THETIC OPIOIDS**

5 **SEC. 1701. SHORT TITLE.**

6 *This title may be cited as the “Fentanyl Sanctions*
7 *Act”.*

8 **SEC. 1702. FINDINGS.**

9 *Congress makes the following findings:*

10 *(1) The Centers for Disease Control and Preven-*
11 *tion estimate that from September 2017 through Sep-*
12 *tember 2018 more than 48,200 people in the United*
13 *States died from an opioid overdose, with synthetic*
14 *opioids (excluding methadone), contributing to a*
15 *record 31,900 overdose deaths. While drug overdose*
16 *death estimates from methadone, semi-synthetic*
17 *opioids, and heroin have decreased in recent months,*
18 *overdose deaths from synthetic opioids have continued*
19 *to increase.*

20 *(2) Congress and the President have taken a*
21 *number of actions to combat the demand for illicit*
22 *opioids in the United States, including enacting into*
23 *law the SUPPORT for Patients and Communities*
24 *Act (Public Law 115–271; 132 Stat. 3894). While*
25 *new statutes and regulations have reduced the rate of*

1 *opioid prescriptions in recent years, fully addressing*
2 *the United States opioid crisis will involve dramati-*
3 *cally restricting the foreign supply of illicit opioids.*

4 *(3) The People's Republic of China is the world's*
5 *largest producer of illicit fentanyl, fentanyl ana-*
6 *logues, and their immediate precursors. From the*
7 *People's Republic of China, those substances are*
8 *shipped primarily through express consignment car-*
9 *riers or international mail directly to the United*
10 *States, or, alternatively, shipped directly to*
11 *transnational criminal organizations in Mexico, Can-*
12 *ada, and the Caribbean.*

13 *(4) The United States and the People's Republic*
14 *of China, Mexico, and Canada have made important*
15 *strides in combating the illicit flow of opioids through*
16 *bilateral efforts of their respective law enforcement*
17 *agencies.*

18 *(5) The objective of preventing the proliferation*
19 *of illicit opioids through existing multilateral and bi-*
20 *lateral initiatives requires additional efforts to deny*
21 *illicit actors the financial means to sustain their*
22 *markets and distribution networks.*

23 *(6) The implementation on May 1, 2019, of the*
24 *regulations of the People's Republic of China to sched-*
25 *ule all fentanyl analogues as controlled substances is*

1 *a major step in combating global opioid trafficking*
2 *and represents a major achievement in United States-*
3 *China law enforcement dialogues. However, that step*
4 *will effectively fulfill the commitment that President*
5 *Xi Jinping of the People's Republic of China made to*
6 *President Donald Trump at the Group of Twenty*
7 *meeting in December 2018 only if the Government of*
8 *the People's Republic of China devotes sufficient re-*
9 *sources to full implementation and strict enforcement*
10 *of the new regulations. The effective enforcement of the*
11 *new regulations should result in diminished traf-*
12 *ficking of illicit fentanyl originating from the Peo-*
13 *ple's Republic of China into the United States.*

14 *(7) While the Department of the Treasury used*
15 *the Foreign Narcotics Kingpin Designation Act (21*
16 *U.S.C. 1901 et seq.) to sanction the first synthetic*
17 *opioid trafficking entity in April 2018, additional*
18 *economic and financial sanctions policy tools are*
19 *needed to help combat the flow of synthetic opioids*
20 *into the United States.*

21 **SEC. 1703. SENSE OF CONGRESS.**

22 *It is the sense of Congress that—*

23 *(1) the United States should apply economic and*
24 *other financial sanctions to foreign traffickers of il-*
25 *licit opioids to protect the national security, foreign*

1 *policy, and economy of the United States and the*
 2 *health of the people of the United States;*

3 *(2) it is imperative that the People’s Republic of*
 4 *China follow through on full implementation of the*
 5 *new regulations, adopted May 1, 2019, to treat all*
 6 *fentanyl analogues as controlled substances under the*
 7 *laws of the People’s Republic of China, including by*
 8 *devoting sufficient resources for implementation and*
 9 *strict enforcement of the new regulations; and*

10 *(3) the effective enforcement of the new regula-*
 11 *tions should result in diminished trafficking of illicit*
 12 *fentanyl originating from the People’s Republic of*
 13 *China into the United States.*

14 **SEC. 1704. DEFINITIONS.**

15 *In this title:*

16 *(1) ALIEN; NATIONAL; NATIONAL OF THE UNITED*
 17 *STATES.—The terms “alien”, “national”, and “na-*
 18 *tional of the United States” have the meanings given*
 19 *those terms in section 101 of the Immigration and*
 20 *Nationality Act (8 U.S.C. 1101).*

21 *(2) APPROPRIATE CONGRESSIONAL COMMITTEES*
 22 *AND LEADERSHIP.—The term “appropriate congres-*
 23 *sional committees and leadership” means—*

24 *(A) the Committee on Appropriations, the*
 25 *Committee on Armed Services, the Committee on*

1 *Banking, Housing, and Urban Affairs, the Com-*
 2 *mittee on Foreign Relations, the Committee on*
 3 *Homeland Security and Governmental Affairs,*
 4 *the Committee on the Judiciary, the Select Com-*
 5 *mittee on Intelligence, and the majority leader*
 6 *and the minority leader of the Senate; and*

7 *(B) the Committee on Appropriations, the*
 8 *Committee on Armed Services, the Committee on*
 9 *Financial Services, the Committee on Foreign*
 10 *Affairs, the Committee on Homeland Security,*
 11 *the Committee on the Judiciary, the Committee*
 12 *on Oversight and Reform, the Permanent Select*
 13 *Committee on Intelligence, and the Speaker and*
 14 *the minority leader of the House of Representa-*
 15 *tives.*

16 (3) *CONTROLLED SUBSTANCE; LISTED CHEM-*
 17 *ICAL.—The terms “controlled substance”, “listed*
 18 *chemical”, “narcotic drug”, and “opioid” have the*
 19 *meanings given those terms in section 102 of the Con-*
 20 *trolled Substances Act (21 U.S.C. 802).*

21 (4) *ENTITY.—The term “entity” means a part-*
 22 *nership, joint venture, association, corporation, orga-*
 23 *nization, network, group, or subgroup, or any form of*
 24 *business collaboration.*

1 (5) *FOREIGN OPIOID TRAFFICKER*.—*The term*
 2 *“foreign opioid trafficker” means any foreign person*
 3 *that the President determines plays a significant role*
 4 *in opioid trafficking.*

5 (6) *FOREIGN PERSON*.—*The term “foreign per-*
 6 *son”*—

7 (A) *means*—

8 (i) *any citizen or national of a foreign*
 9 *country; or*

10 (ii) *any entity not organized under the*
 11 *laws of the United States or a jurisdiction*
 12 *within the United States; and*

13 (B) *does not include the government of a*
 14 *foreign country.*

15 (7) *KNOWINGLY*.—*The term “knowingly”, with*
 16 *respect to conduct, a circumstance, or a result, means*
 17 *that a person has actual knowledge, or should have*
 18 *known, of the conduct, the circumstance, or the result.*

19 (8) *OPIOID TRAFFICKING*.—*The term “opioid*
 20 *trafficking” means any illicit activity*—

21 (A) *to produce, manufacture, distribute, sell,*
 22 *or knowingly finance or transport illicit syn-*
 23 *thetic opioids, controlled substances that are syn-*
 24 *thetic opioids, listed chemicals that are synthetic*
 25 *opioids, or active pharmaceutical ingredients or*

1 *chemicals that are used in the production of con-*
 2 *trolled substances that are synthetic opioids;*

3 *(B) to attempt to carry out an activity de-*
 4 *scribed in subparagraph (A); or*

5 *(C) to assist, abet, conspire, or collude with*
 6 *other persons to carry out such an activity.*

7 (9) *PERSON.*—*The term “person” means an in-*
 8 *dividual or entity.*

9 (10) *UNITED STATES PERSON.*—*The term*
 10 *“United States person” means—*

11 *(A) any citizen or national of the United*
 12 *States;*

13 *(B) any alien lawfully admitted for perma-*
 14 *nent residence in the United States;*

15 *(C) any entity organized under the laws of*
 16 *the United States or any jurisdiction within the*
 17 *United States (including a foreign branch of*
 18 *such an entity); or*

19 *(D) any person located in the United*
 20 *States.*

21 ***Subtitle A—Sanctions With Respect***
 22 ***to Foreign Opioid Traffickers***

23 ***SEC. 1711. IDENTIFICATION OF FOREIGN OPIOID TRAF-***
 24 ***FICKERS.***

25 (a) *PUBLIC REPORT.*—

1 (1) *IN GENERAL.*—*The President shall submit to*
2 *the appropriate congressional committees and leader-*
3 *ship, in accordance with subsection (c), a report—*

4 (A) *identifying the foreign persons that the*
5 *President determines are foreign opioid traf-*
6 *fickers;*

7 (B) *detailing progress the President has*
8 *made in implementing this subtitle; and*

9 (C) *providing an update on cooperative ef-*
10 *forts with the Governments of Mexico and the*
11 *People’s Republic of China with respect to com-*
12 *bating foreign opioid traffickers.*

13 (2) *IDENTIFICATION OF ADDITIONAL PERSONS.*—
14 *If, at any time after submitting a report required by*
15 *paragraph (1) and before the submission of the next*
16 *such report, the President determines that a foreign*
17 *person not identified in the report is a foreign opioid*
18 *trafficker, the President shall submit to the appro-*
19 *priate congressional committees and leadership an*
20 *additional report containing the information required*
21 *by paragraph (1) with respect to the foreign person.*

22 (3) *EXCLUSION.*—*The President shall not be re-*
23 *quired to include in a report under paragraph (1) or*
24 *(2) any persons with respect to which the United*
25 *States has imposed sanctions before the date of the re-*

1 *port under this subtitle or any other provision of law*
2 *with respect to opioid trafficking.*

3 (4) *FORM OF REPORT.*—

4 (A) *IN GENERAL.*—*Each report required by*
5 *paragraph (1) or (2) shall be submitted in un-*
6 *classified form but may include a classified*
7 *annex.*

8 (B) *AVAILABILITY TO PUBLIC.*—*The unclas-*
9 *sified portion of a report required by paragraph*
10 *(1) or (2) shall be made available to the public.*

11 (b) *CLASSIFIED REPORT.*—

12 (1) *IN GENERAL.*—*The President shall submit to*
13 *the appropriate congressional committees and leader-*
14 *ship, in accordance with subsection (c), a report, in*
15 *classified form—*

16 (A) *describing in detail the status of sanc-*
17 *tions imposed under this subtitle, including the*
18 *personnel and resources directed toward the im-*
19 *position of such sanctions during the preceding*
20 *fiscal year;*

21 (B) *providing background information with*
22 *respect to persons newly identified as foreign*
23 *opioid traffickers and their illicit activities;*

1 (C) describing actions the President intends
 2 to undertake or has undertaken to implement
 3 this subtitle; and

4 (D) providing a strategy for identifying ad-
 5 ditional foreign opioid traffickers.

6 (2) *EFFECT ON OTHER REPORTING REQUIRE-*
 7 *MENTS.*—The report required by paragraph (1) is in
 8 addition to, and in no way delimits or restricts, the
 9 obligations to keep Congress fully and currently in-
 10 formed pursuant to the provisions of the National Se-
 11 curity Act of 1947 (50 U.S.C. 3001 et seq.).

12 (c) *SUBMISSION OF REPORTS.*—Not later than 180
 13 days after the date of the enactment of this Act, and annu-
 14 ally thereafter until the date that is 5 years after such date
 15 of enactment, the President shall submit the reports re-
 16 quired by subsections (a) and (b) to the appropriate con-
 17 gressional committees and leadership.

18 (d) *EXCLUSION OF CERTAIN INFORMATION.*—

19 (1) *INTELLIGENCE.*—Notwithstanding any other
 20 provision of this section, a report required by sub-
 21 section (a) or (b) shall not disclose the identity of any
 22 person if the Director of National Intelligence deter-
 23 mines that such disclosure could compromise an intel-
 24 ligence operation, activity, source, or method of the
 25 United States.

1 (2) *LAW ENFORCEMENT.*—*Notwithstanding any*
2 *other provision of this section, a report required by*
3 *subsection (a) or (b) shall not disclose the identity of*
4 *any person if the Attorney General, in coordination,*
5 *as appropriate, with the Director of the Federal Bu-*
6 *reau of Investigation, the Administrator of the Drug*
7 *Enforcement Administration, the Secretary of the*
8 *Treasury, the Secretary of State, and the head of any*
9 *other appropriate Federal law enforcement agency,*
10 *determines that such disclosure could reasonably be*
11 *expected—*

12 (A) *to compromise the identity of a con-*
13 *fidential source, including a State, local, or for-*
14 *ign agency or authority or any private institu-*
15 *tion that furnished information on a confidential*
16 *basis;*

17 (B) *to jeopardize the integrity or success of*
18 *an ongoing criminal investigation or prosecu-*
19 *tion;*

20 (C) *to endanger the life or physical safety*
21 *of any person; or*

22 (D) *to cause substantial harm to physical*
23 *property.*

24 (3) *NOTIFICATION REQUIRED.*—*If the Director of*
25 *National Intelligence makes a determination under*

1 *paragraph (1) or the Attorney General makes a deter-*
2 *mination under paragraph (2), the Director or the*
3 *Attorney General, as the case may be, shall notify the*
4 *appropriate congressional committees and leadership*
5 *of the determination and the reasons for the deter-*
6 *mination.*

7 (4) *RULE OF CONSTRUCTION.—Nothing in this*
8 *section may be construed to authorize or compel the*
9 *disclosure of information determined by the President*
10 *to be law enforcement information, classified informa-*
11 *tion, national security information, or other informa-*
12 *tion the disclosure of which is prohibited by any other*
13 *provision of law.*

14 (e) *PROVISION OF INFORMATION REQUIRED FOR RE-*
15 *PORTS.—The Secretary of the Treasury, the Attorney Gen-*
16 *eral, the Secretary of Defense, the Secretary of State, the*
17 *Secretary of Homeland Security, and the Director of Na-*
18 *tional Intelligence shall consult among themselves and pro-*
19 *vide to the President and the Director of the Office of Na-*
20 *tional Drug Control Policy the appropriate and necessary*
21 *information to enable the President to submit the reports*
22 *required by subsection (a).*

1 **SEC. 1712. SENSE OF CONGRESS ON INTERNATIONAL**
 2 **OPIOID CONTROL REGIME.**

3 *It is the sense of Congress that, in order to apply eco-*
 4 *nomie and other financial sanctions to foreign traffickers*
 5 *of illicit opioids to protect the national security, foreign pol-*
 6 *icy, and economy of the United States—*

7 *(1) the President should instruct the Secretary of*
 8 *State to commence immediately diplomatic efforts,*
 9 *both in appropriate international fora such as the*
 10 *United Nations, the Group of Seven, the Group of*
 11 *Twenty, and trilaterally and bilaterally with part-*
 12 *ners of the United States, to combat foreign opioid*
 13 *trafficking, including by working to establish a multi-*
 14 *lateral sanctions regime with respect to foreign opioid*
 15 *trafficking; and*

16 *(2) the Secretary of State, in consultation with*
 17 *the Secretary of the Treasury, should intensify efforts*
 18 *to maintain and strengthen the coalition of countries*
 19 *formed to combat foreign opioid trafficking.*

20 **SEC. 1713. IMPOSITION OF SANCTIONS.**

21 *The President shall impose five or more of the sanc-*
 22 *tions described in section 1714 with respect to each foreign*
 23 *person that is an entity, and four or more of such sanctions*
 24 *with respect to each foreign person that is an individual,*
 25 *that—*

1 (1) *is identified as a foreign opioid trafficker in*
 2 *a report submitted under section 1711(a); or*

3 (2) *the President determines is owned, controlled,*
 4 *directed by, knowingly supplying or sourcing precur-*
 5 *sors for, or acting for or on behalf of, such a foreign*
 6 *opioid trafficker.*

7 **SEC. 1714. DESCRIPTION OF SANCTIONS.**

8 (a) *IN GENERAL.*—*The sanctions that may be imposed*
 9 *with respect to a foreign person under section 1713 are the*
 10 *following:*

11 (1) *LOANS FROM UNITED STATES FINANCIAL IN-*
 12 *STITUTIONS.*—*The United States Government may*
 13 *prohibit any United States financial institution from*
 14 *making loans or providing credits to the foreign per-*
 15 *son.*

16 (2) *PROHIBITIONS ON FINANCIAL INSTITU-*
 17 *TIONS.*—*The following prohibitions may be imposed*
 18 *with respect to a foreign person that is a financial in-*
 19 *stitution:*

20 (A) *PROHIBITION ON DESIGNATION AS PRI-*
 21 *MARY DEALER.*—*Neither the Board of Governors*
 22 *of the Federal Reserve System nor the Federal*
 23 *Reserve Bank of New York may designate, or*
 24 *permit the continuation of any prior designation*

1 *of, the financial institution as a primary dealer*
 2 *in United States Government debt instruments.*

3 *(B) PROHIBITION ON SERVICE AS A REPOSI-*
 4 *TORY OF GOVERNMENT FUNDS.—The financial*
 5 *institution may not serve as agent of the United*
 6 *States Government or serve as repository for*
 7 *United States Government funds.*

8 *The imposition of either sanction under subparagraph*
 9 *(A) or (B) shall be treated as one sanction for pur-*
 10 *poses of section 1713, and the imposition of both such*
 11 *sanctions shall be treated as 2 sanctions for purposes*
 12 *of that section.*

13 *(3) PROCUREMENT BAN.—The United States*
 14 *Government may not procure, or enter into any con-*
 15 *tract for the procurement of, any goods or services*
 16 *from the foreign person.*

17 *(4) FOREIGN EXCHANGE.—The President may,*
 18 *pursuant to such regulations as the President may*
 19 *prescribe, prohibit any transactions in foreign ex-*
 20 *change that are subject to the jurisdiction of the*
 21 *United States and in which the foreign person has*
 22 *any interest.*

23 *(5) BANKING TRANSACTIONS.—The President*
 24 *may, pursuant to such regulations as the President*
 25 *may prescribe, prohibit any transfers of credit or*

1 *payments between financial institutions or by,*
2 *through, or to any financial institution, to the extent*
3 *that such transfers or payments are subject to the ju-*
4 *risdiction of the United States and involve any inter-*
5 *est of the foreign person.*

6 (6) *PROPERTY TRANSACTIONS.—The President*
7 *may, pursuant to such regulations as the President*
8 *may prescribe, prohibit any person from—*

9 (A) *acquiring, holding, withholding, using,*
10 *transferring, withdrawing, or transporting any*
11 *property that is subject to the jurisdiction of the*
12 *United States and with respect to which the for-*
13 *ign person has any interest;*

14 (B) *dealing in or exercising any right,*
15 *power, or privilege with respect to such property;*
16 *or*

17 (C) *conducting any transaction involving*
18 *such property.*

19 (7) *BAN ON INVESTMENT IN EQUITY OR DEBT OF*
20 *SANCTIONED PERSON.—The President may, pursuant*
21 *to such regulations or guidelines as the President may*
22 *prescribe, prohibit any United States person from in-*
23 *vesting in or purchasing significant amounts of eq-*
24 *uity or debt instruments of the foreign person.*

1 (8) *EXCLUSION OF CORPORATE OFFICERS.*—The
2 *President may direct the Secretary of State to deny*
3 *a visa to, and the Secretary of Homeland Security to*
4 *exclude from the United States, any alien that the*
5 *President determines is a corporate officer or prin-*
6 *cipal of, or a shareholder with a controlling interest*
7 *in, the foreign person.*

8 (9) *SANCTIONS ON PRINCIPAL EXECUTIVE OFFI-*
9 *CERS.*—The *President may impose on the principal*
10 *executive officer or officers of the foreign person, or on*
11 *individuals performing similar functions and with*
12 *similar authorities as such officer or officers, any of*
13 *the sanctions described in paragraphs (1) through (8)*
14 *that are applicable.*

15 (b) *PENALTIES.*—A *person that violates, attempts to*
16 *violate, conspires to violate, or causes a violation of any*
17 *regulation, license, or order issued to carry out subsection*
18 *(a) shall be subject to the penalties set forth in subsections*
19 *(b) and (c) of section 206 of the International Emergency*
20 *Economic Powers Act (50 U.S.C. 1705) to the same extent*
21 *as a person that commits an unlawful act described in sub-*
22 *section (a) of that section.*

23 (c) *EXCEPTIONS.*—

1 (1) *INTELLIGENCE AND LAW ENFORCEMENT AC-*
 2 *TIVITIES.*—*Sanctions under this section shall not*
 3 *apply with respect to—*

4 (A) *any activity subject to the reporting re-*
 5 *quirements under title V of the National Secu-*
 6 *rity Act of 1947 (50 U.S.C. 3091 et seq.); or*

7 (B) *any authorized intelligence or law en-*
 8 *forcement activities of the United States.*

9 (2) *EXCEPTION TO COMPLY WITH UNITED NA-*
 10 *TIONS HEADQUARTERS AGREEMENT.*—*Sanctions*
 11 *under subsection (a)(8) shall not apply to an alien if*
 12 *admitting the alien into the United States is nec-*
 13 *essary to permit the United States to comply with the*
 14 *Agreement regarding the Headquarters of the United*
 15 *Nations, signed at Lake Success June 26, 1947, and*
 16 *entered into force November 21, 1947, between the*
 17 *United Nations and the United States, the Conven-*
 18 *tion on Consular Relations, done at Vienna April 24,*
 19 *1963, and entered into force March 19, 1967, or other*
 20 *applicable international obligations.*

21 (d) *IMPLEMENTATION; REGULATORY AUTHORITY.*—

22 (1) *IMPLEMENTATION.*—*The President may exer-*
 23 *cise all authorities provided under sections 203 and*
 24 *205 of the International Emergency Economic Powers*

1 *Act (50 U.S.C. 1702 and 1704) to carry out this sec-*
 2 *tion.*

3 (2) *REGULATORY AUTHORITY.*—*The President*
 4 *shall issue such regulations, licenses, and orders as*
 5 *are necessary to carry out this section.*

6 **SEC. 1715. WAIVERS.**

7 (a) *WAIVER FOR STATE-OWNED ENTITIES IN COUN-*
 8 *TRIES THAT COOPERATE IN MULTILATERAL ANTI-TRAF-*
 9 *FICKING EFFORTS.*—

10 (1) *IN GENERAL.*—*The President may waive for*
 11 *a period of not more than 12 months the application*
 12 *of sanctions under this subtitle with respect to an en-*
 13 *tity that is owned or controlled, directly or indirectly,*
 14 *by a foreign government or any political subdivision,*
 15 *agency, or instrumentality of a foreign government,*
 16 *if, not less than 15 days before the waiver is to take*
 17 *effect, the President certifies to the appropriate con-*
 18 *gressional committees and leadership that the foreign*
 19 *government is closely cooperating with the United*
 20 *States in efforts to prevent opioid trafficking.*

21 (2) *CERTIFICATION.*—*The President may certify*
 22 *under paragraph (1) that a foreign government is*
 23 *closely cooperating with the United States in efforts*
 24 *to prevent opioid trafficking if that government is—*

1 (A) implementing domestic laws to schedule
2 all fentanyl analogues as controlled substances;
3 and

4 (B) doing two or more of the following:

5 (i) Implementing substantial improve-
6 ments in regulations involving the chemical
7 and pharmaceutical production and export
8 of illicit opioids.

9 (ii) Implementing substantial improve-
10 ments in judicial regulations to combat
11 transnational criminal organizations that
12 traffic opioids.

13 (iii) Increasing efforts to prosecute for-
14 eign opioid traffickers.

15 (iv) Increasing intelligence sharing
16 and law enforcement cooperation with the
17 United States with respect to opioid traf-
18 ficking.

19 (3) *SUBSEQUENT RENEWAL OF WAIVER.*—The
20 President may renew a waiver under paragraph (1)
21 for subsequent periods of not more than 12 months
22 each if, not less than 15 days before the renewal is to
23 take effect, the Secretary of State certifies to the ap-
24 propriate congressional committees and leadership
25 that the government of the country to which the waiv-

1 *er applies has effectively implemented and is effec-*
 2 *tively enforcing the measures that formed the basis for*
 3 *the certification under paragraph (2).*

4 *(b) WAIVERS FOR NATIONAL SECURITY AND ACCESS*
 5 *TO PRESCRIPTION MEDICATIONS.—*

6 *(1) IN GENERAL.—The President may waive the*
 7 *application of sanctions under this subtitle if the*
 8 *President determines that the application of such*
 9 *sanctions would—*

10 *(A) cause a specific articulated harm or set*
 11 *of harms to a specific articulated national secu-*
 12 *rity interest or set of interests of the United*
 13 *States; or*

14 *(B) subject to paragraph (2), harm the ac-*
 15 *cess of United States persons to prescription*
 16 *medications.*

17 *(2) MONITORING.—The President shall establish*
 18 *a monitoring program to verify that a person that re-*
 19 *ceives a waiver under paragraph (1)(B) is not traf-*
 20 *ficking illicit opioids.*

21 *(3) NOTIFICATION.—Not later than 15 days after*
 22 *making a determination under paragraph (1), the*
 23 *President shall notify the appropriate congressional*
 24 *committees and leadership of the determination and*
 25 *the reasons for the determination.*

1 (c) *HUMANITARIAN WAIVER.*—*The President may*
 2 *waive, for renewable periods of 180 days, the application*
 3 *of the sanctions under this subtitle if the President certifies*
 4 *to the appropriate congressional committees and leadership*
 5 *that the waiver is necessary for the provision of humani-*
 6 *tarian assistance.*

7 **SEC. 1716. PROCEDURES FOR JUDICIAL REVIEW OF CLASSI-**
 8 **FIED INFORMATION.**

9 (a) *IN GENERAL.*—*If a finding under this subtitle, or*
 10 *a prohibition, condition, or penalty imposed as a result of*
 11 *any such finding, is based on classified information (as de-*
 12 *finied in section 1(a) of the Classified Information Proce-*
 13 *dures Act (18 U.S.C. App.)) and a court reviews the finding*
 14 *or the imposition of the prohibition, condition, or penalty,*
 15 *the President may submit such information to the court ex*
 16 *parte and in camera.*

17 (b) *RULE OF CONSTRUCTION.*—*Nothing in this section*
 18 *shall be construed to—*

19 (1) *confer or imply any right to judicial review*
 20 *of any finding under this subtitle, or any prohibition,*
 21 *condition, or penalty imposed as a result of any such*
 22 *finding; and*

23 (2) *limit or restrict any other practice, proce-*
 24 *dure, right, remedy, or safeguard that relates to the*
 25 *protection of classified information and is available*

1 *to the United States in connection with any type of*
 2 *administrative hearing, litigation, or other pro-*
 3 *ceeding.*

4 **SEC. 1717. BRIEFINGS ON IMPLEMENTATION.**

5 *Not later than 90 days after the date of the enactment*
 6 *of the Fentanyl Sanctions Act, and every 180 days there-*
 7 *after until the date that is 5 years after such date of enact-*
 8 *ment, the President, acting through the Secretary of State*
 9 *and the Director of National Intelligence, in coordination*
 10 *with the Secretary of the Treasury, shall provide to the ap-*
 11 *propriate congressional committees and leadership a com-*
 12 *prehensive briefing on efforts to implement this subtitle.*

13 **SEC. 1718. INCLUSION OF ADDITIONAL MATERIAL IN INTER-**
 14 **NATIONAL NARCOTICS CONTROL STRATEGY**
 15 **REPORT.**

16 *Section 489(a) of the Foreign Assistance Act of 1961*
 17 *(22 U.S.C. 2291(a)) is amended by adding at the end the*
 18 *following:*

19 “(9)(A) *An assessment conducted by the Sec-*
 20 *retary of State, in consultation with the Secretary of*
 21 *the Treasury and the Director of National Intel-*
 22 *ligence, of the extent to which any diplomatic efforts*
 23 *described in section 1712 of the Fentanyl Sanctions*
 24 *Act have been successful.*

1 “(B) *Each assessment required by subparagraph*
 2 (A) *shall include an identification of—*

3 “(i) *the countries the governments of which*
 4 *have agreed to undertake measures to apply eco-*
 5 *nomie or other financial sanctions to foreign*
 6 *traffickers of illicit opioids and a description of*
 7 *those measures; and*

8 “(ii) *the countries the governments of which*
 9 *have not agreed to measures described in clause*
 10 *(i), and, with respect to those countries, other*
 11 *measures the Secretary of State recommends that*
 12 *the United States take to apply economic and*
 13 *other financial sanctions to foreign traffickers of*
 14 *illicit opioids.”.*

15 ***Subtitle B—Commission on Com-***
 16 ***bating Synthetic Opioid Traf-***
 17 ***ficking***

18 ***SEC. 1721. COMMISSION ON COMBATING SYNTHETIC***
 19 ***OPIOID TRAFFICKING.***

20 (a) *ESTABLISHMENT.—*

21 (1) *IN GENERAL.—There is established a com-*
 22 *mission to develop a consensus on a strategic ap-*
 23 *proach to combating the flow of synthetic opioids into*
 24 *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.*—

(A) *IN GENERAL.*—*Subject to subparagraph (B), the Commission shall be composed of the following members:*

(i) *The Director of the Office of National Drug Control Policy.*

(ii) *The Administrator of the Drug Enforcement Administration.*

(iii) *The Secretary of Homeland Security.*

(iv) *The Secretary of Defense.*

(v) *The Secretary of the Treasury.*

(vi) *The Secretary of State.*

(vii) *The Director of National Intelligence.*

(viii) *Two members appointed by the majority leader of the Senate, one of whom shall be a Member of the Senate and one of whom shall not be.*

1 *(ix) Two members appointed by the*
 2 *minority leader of the Senate, one of whom*
 3 *shall be a Member of the Senate and one of*
 4 *whom shall not be.*

5 *(x) Two members appointed by the*
 6 *Speaker of the House of Representatives, one*
 7 *of whom shall be a Member of the House of*
 8 *Representatives and one of whom shall not*
 9 *be.*

10 *(xi) Two members appointed by the*
 11 *minority leader of the House of Representa-*
 12 *tives, one of whom shall be a Member of the*
 13 *House of Representatives and one of whom*
 14 *shall not be.*

15 *(B)(i) The members of the Commission who*
 16 *are not Members of Congress and who are ap-*
 17 *pointed under clauses (viii) through (xi) of sub-*
 18 *paragraph (A) shall be individuals who are na-*
 19 *tionally recognized for expertise, knowledge, or*
 20 *experience in—*

21 *(I) transnational criminal organiza-*
 22 *tions conducting synthetic opioid traf-*
 23 *ficking;*

1 (II) the production, manufacturing,
2 distribution, sale, or transportation of syn-
3 thetic opioids; or

4 (III) relations between—

5 (aa) the United States; and

6 (bb) the People's Republic of
7 China, Mexico, or any other country of
8 concern with respect to trafficking in
9 synthetic opioids.

10 (ii) An official who appoints members of the
11 Commission may not appoint an individual as
12 a member of the Commission if the individual
13 possesses any personal or financial interest in
14 the discharge of any of the duties of the Commis-
15 sion.

16 (iii)(I) All members of the Commission de-
17 scribed in clause (i) shall possess an appropriate
18 security clearance in accordance with applicable
19 provisions of law concerning the handling of
20 classified information.

21 (II) For the purpose of facilitating the ac-
22 tivities of the Commission, the Director of Na-
23 tional Intelligence shall expedite to the fullest de-
24 gree possible the processing of security clearances

1 *that are necessary for members of the Commis-*
2 *sion.*

3 (2) *CO-CHAIRS.*—

4 (A) *IN GENERAL.*—*The Commission shall*
5 *have 2 co-chairs, selected from among the mem-*
6 *bers of the Commission, one of whom shall be a*
7 *member of the majority party and one of whom*
8 *shall be a member of the minority party.*

9 (B) *SELECTION.*—*The individuals who*
10 *serve as the co-chairs of the Commission shall be*
11 *jointly agreed upon by the President, the major-*
12 *ity leader of the Senate, the minority leader of*
13 *the Senate, the Speaker of the House of Rep-*
14 *resentatives, and the minority leader of the*
15 *House of Representatives.*

16 (c) *DUTIES.*—*The duties of the Commission are as fol-*
17 *lows:*

18 (1) *To define the core objectives and priorities of*
19 *the strategic approach described in subsection (a)(1).*

20 (2) *To weigh the costs and benefits of various*
21 *strategic options to combat the flow of synthetic*
22 *opioids from the People's Republic of China, Mexico,*
23 *and other countries.*

24 (3) *To evaluate whether the options described in*
25 *paragraph (2) are exclusive or complementary, the*

1 *best means for executing such options, and how the*
2 *United States should incorporate and implement such*
3 *options within the strategic approach described in*
4 *subsection (a)(1).*

5 *(4) To review and make determinations on the*
6 *difficult choices present within such options, among*
7 *them what norms-based regimes the United States*
8 *should seek to establish to encourage the effective regu-*
9 *lation of dangerous synthetic opioids.*

10 *(5) To report on efforts by actors in the People's*
11 *Republic of China to subvert United States laws and*
12 *to supply illicit synthetic opioids to persons in the*
13 *United States, including up-to-date estimates of the*
14 *scale of illicit synthetic opioids flows from the Peo-*
15 *ple's Republic of China.*

16 *(6) To report on the deficiencies in the regula-*
17 *tion of pharmaceutical and chemical production of*
18 *controlled substances and export controls with respect*
19 *to such substances in the People's Republic of China*
20 *and other countries that allow opioid traffickers to*
21 *subvert such regulations and controls to traffic illicit*
22 *opioids into the United States.*

23 *(7) To report on the scale of contaminated or*
24 *counterfeit drugs originating from the People's Re-*
25 *public of China and India.*

1 (8) *To report on how the United States could*
2 *work more effectively with provincial and local offi-*
3 *cials in the People’s Republic of China and other*
4 *countries to combat the illicit production of synthetic*
5 *opioids.*

6 (9) *In weighing the options for defending the*
7 *United States against the dangers of trafficking in*
8 *synthetic opioids, to consider possible structures and*
9 *authorities that need to be established, revised, or aug-*
10 *mented within the Federal Government.*

11 (d) *FUNCTIONING OF COMMISSION.—The provisions of*
12 *subsections (c), (d), (e), (g), (h), and (i) of section 1652*
13 *of the John S. McCain National Defense Authorization Act*
14 *for Fiscal Year 2019 (Public Law 115–232) shall apply to*
15 *the Commission to the same extent and in the same manner*
16 *as such provisions apply to the commission established*
17 *under that section, except that—*

18 (1) *subsection (c)(1) of that section shall be ap-*
19 *plied and administered by substituting “30 days” for*
20 *“45 days”;*

21 (2) *subsection (g)(4)(A) of that section shall be*
22 *applied and administered by inserting “and the At-*
23 *torney General” after “Secretary of Defense”; and*

24 (3) *subsections (h)(2)(A) and (i)(1)(A) of that*
25 *section shall be applied and administered by sub-*

stituting “level V of the Executive Schedule under section 5316” for “level IV of the Executive Schedule under section 5315”.

(e) *TREATMENT OF INFORMATION FURNISHED TO COMMISSION.*—

(1) *INFORMATION RELATING TO NATIONAL SECURITY.*—

(A) *RESPONSIBILITY OF DIRECTOR OF NATIONAL INTELLIGENCE.*—*The Director of National Intelligence shall assume responsibility for the handling and disposition of any information related to the national security of the United States that is received, considered, or used by the Commission under this section.*

(B) *ACCESS AFTER TERMINATION OF COMMISSION.*—*Notwithstanding any other provision of law, after the termination of the Commission under subsection (g), only the members and designated staff of the appropriate congressional committees and leadership, the Director of National Intelligence (and the designees of the Director), and such other officials of the executive branch as the President may designate shall have access to information related to the national se-*

1 *curity of the United States that is received, con-*
2 *sidered, or used by the Commission.*

3 (2) *INFORMATION PROVIDED BY CONGRESS.—The*
4 *Commission may obtain information from any Mem-*
5 *ber, committee, or office of Congress, including infor-*
6 *mation related to the national security of the United*
7 *States, only with the consent of the Member, com-*
8 *mittee, or office involved and only in accordance with*
9 *any applicable rules and procedures of the House of*
10 *Representatives or Senate (as the case may be) gov-*
11 *erning the provision of such information by Members,*
12 *committees, and offices of Congress to entities in the*
13 *executive branch.*

14 (f) *REPORTS.—The Commission shall submit to the*
15 *appropriate congressional committees and leadership—*

16 (1) *not later than 270 days after the date of the*
17 *enactment of this Act, an initial report on the activi-*
18 *ties and recommendations of the Commission under*
19 *this section; and*

20 (2) *not later than 270 days after the submission*
21 *of the initial report under paragraph (1), a final re-*
22 *port on the activities and recommendations of the*
23 *Commission under this section.*

24 (g) *TERMINATION.—*

1 (1) *IN GENERAL.*—*The Commission, and all the*
 2 *authorities of this section, shall terminate at the end*
 3 *of the 120-day period beginning on the date on which*
 4 *the final report required by subsection (f)(2) is sub-*
 5 *mitted to the appropriate congressional committees*
 6 *and leadership.*

7 (2) *WINDING UP OF AFFAIRS.*—*The Commission*
 8 *may use the 120-day period described in paragraph*
 9 *(1) for the purposes of concluding its activities, in-*
 10 *cluding providing testimony to Congress concerning*
 11 *the final report required by subsection (f)(2) and dis-*
 12 *seminating the report.*

13 ***Subtitle C—Other Matters***

14 ***SEC. 1731. DIRECTOR OF NATIONAL INTELLIGENCE PRO-*** 15 ***GRAM ON USE OF INTELLIGENCE RESOURCES*** 16 ***IN EFFORTS TO SANCTION FOREIGN OPIOID*** 17 ***TRAFFICKERS.***

18 (a) *PROGRAM REQUIRED.*—

19 (1) *IN GENERAL.*—*The Director of National In-*
 20 *telligence shall, in consultation with the Director of*
 21 *the Office of National Drug Control Policy, carry out*
 22 *a program to allocate and enhance use of resources of*
 23 *the intelligence community, including intelligence col-*
 24 *lection and analysis, to assist the Secretary of the*
 25 *Treasury, the Secretary of State, and the Adminis-*

1 *trator of the Drug Enforcement Administration in ef-*
2 *forts to identify and impose sanctions with respect to*
3 *foreign opioid traffickers under subtitle A.*

4 (2) *FOCUS ON ILLICIT FINANCE.*—*To the extent*
5 *practicable, efforts described in paragraph (1) shall—*

6 (A) *take into account specific illicit finance*
7 *risks related to narcotics trafficking; and*

8 (B) *be developed in consultation with the*
9 *Undersecretary of the Treasury for Terrorism*
10 *and Financial Crimes, appropriate officials of*
11 *the Office of Intelligence and Analysis of the De-*
12 *partment of the Treasury, the Director of the Fi-*
13 *nancial Crimes Enforcement Network, and ap-*
14 *propriate Federal law enforcement agencies.*

15 (b) *QUARTERLY REPORTS ON PROGRAM.*—*Not later*
16 *than 90 days after the date of the enactment of this Act,*
17 *and every 90 days thereafter, the Director of National Intel-*
18 *ligence, in consultation with the Director of the Office of*
19 *National Drug Control Policy, shall submit to the appro-*
20 *priate congressional committees and leadership a report on*
21 *the status and accomplishments of the program required by*
22 *subsection (a) during the 90-day period ending on the date*
23 *of the report. The first report under this paragraph shall*
24 *also include a description of the amount of funds devoted*

1 *by the intelligence community to the efforts described in*
 2 *subsection (a) during each of fiscal years 2017 and 2018.*

3 *(c) INTELLIGENCE COMMUNITY DEFINED.—In this sec-*
 4 *tion, the term “intelligence community” has the meaning*
 5 *given that term in section 3(4) of the National Security*
 6 *Act of 1947 (50 U.S.C. 3003(4)).*

7 **SEC. 1732. DEPARTMENT OF DEFENSE OPERATIONS AND**
 8 **ACTIVITIES.**

9 *(a) IN GENERAL.—The Secretary of Defense is author-*
 10 *ized to carry out the operations and activities described in*
 11 *subsection (b) for each of fiscal years 2020 through 2025.*

12 *(b) OPERATIONS AND ACTIVITIES.—The operations*
 13 *and activities described in this subsection are the operations*
 14 *and activities of the Department of Defense in support of*
 15 *any other department or agency of the United States Gov-*
 16 *ernment solely for purposes of carrying out this title.*

17 *(c) SUPPLEMENT NOT SUPPLANT.—Amounts made*
 18 *available to carry out the operations and activities de-*
 19 *scribed in subsection (b) shall supplement and not supplant*
 20 *other amounts available to carry out the operations and ac-*
 21 *tivities described in subsection (b).*

22 *(d) NOTIFICATION REQUIREMENT.—Amounts made*
 23 *available to carry out the operations and activities de-*
 24 *scribed in subsection (b) may not be obligated until 15 days*
 25 *after the date on which the President notifies the appro-*

1 *priate committees of Congress of the President's intention*
 2 *to obligate such funds.*

3 *(e) CONCURRENCE OF SECRETARY OF STATE.—Oper-*
 4 *ations and activities described in subsection (b) carried out*
 5 *with foreign persons shall be conducted with the concurrence*
 6 *of the Secretary of State.*

7 **SEC. 1733. TERMINATION.**

8 *The provisions of this title, and any sanctions imposed*
 9 *pursuant to this title, shall terminate on the date that is*
 10 *7 years after the date of the enactment of this Act.*

11 **SEC. 1734. EXCEPTION RELATING TO IMPORTATION OF**
 12 **GOODS.**

13 *(a) IN GENERAL.—The authorities and requirements*
 14 *to impose sanctions under this title shall not include the*
 15 *authority or a requirement to impose sanctions on the im-*
 16 *portation of goods.*

17 *(b) GOOD DEFINED.—In this section, the term “good”*
 18 *means any article, natural or manmade substance, mate-*
 19 *rial, supply or manufactured product, including inspection*
 20 *and test equipment, and excluding technical data.*

21 **SEC. 1735. APPROPRIATE COMMITTEES OF CONGRESS DE-**
 22 **FINED.**

23 *In this subtitle, the term “appropriate committees of*
 24 *Congress” means—*

1 (1) *the Committee on Armed Services, the Com-*
 2 *mittee on Banking, Housing, and Urban Affairs, the*
 3 *Committee on Foreign Relations, the Select Com-*
 4 *mittee on Intelligence, and the Committee on Appro-*
 5 *priations of the Senate; and*

6 (2) *the Committee on Armed Services, the Com-*
 7 *mittee on Financial Services, the Committee on For-*
 8 *oreign Affairs, the Permanent Select Committee on In-*
 9 *telligence, and the Committee on Appropriations of*
 10 *the House of Representatives.*

11 **SEC. 1736. FUNDING.**

12 (a) *INCREASE.*—*Notwithstanding the amounts set*
 13 *forth in the funding tables in division D—*

14 (1) *the amount authorized to be appropriated in*
 15 *section 301 for Operation and Maintenance, Defense-*
 16 *Wide, as specified in the corresponding funding table*
 17 *in section 4301, for the Office of the Secretary of De-*
 18 *fense, is hereby increased by \$5,000,000 for purposes*
 19 *of carrying out subtitle B (relating to the Commission*
 20 *on Synthetic Opioid Trafficking); and*

21 (2) *the amount authorized to be appropriated for*
 22 *Counter-Drug Activities, Defense-Wide, for Counter-*
 23 *Narcotics Support, as specified in the corresponding*
 24 *funding table in section 4501, is hereby increased by*
 25 *\$25,000,000 for purposes of carrying out section 1732*

1 *(relating to Department of Defense operations and ac-*
 2 *tivities).*

3 **(b) OFFSETS.**—*Notwithstanding the amounts set forth*
 4 *in the funding tables in division D—*

5 *(1) the amount authorized to be appropriated in*
 6 *section 301 for Operations and Maintenance, Defense-*
 7 *Wide, as specified in the corresponding funding table*
 8 *in section 4301, for the Defense Security Cooperation*
 9 *Agency, line 310, is hereby reduced by \$14,000,000*
 10 *for unjustified growth; and*

11 *(2) the amount authorized to be appropriated in*
 12 *section 101 for Procurement of Wheeled and Tracked*
 13 *Combat Vehicles, Army, as specified in the cor-*
 14 *responding funding table in section 4101, for Bradley*
 15 *Program (Mod), is hereby reduced by \$16,000,000.*

16 ***DIVISION B—MILITARY CON-***
 17 ***STRUCTION AUTHORIZA-***
 18 ***TIONS***

19 ***SEC. 2001. SHORT TITLE.***

20 *This division may be cited as the “Military Construc-*
 21 *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 acqui-*
8 *sition, family housing projects and facilities, and contribu-*
9 *tions to the North Atlantic Treaty Organization Security*
10 *Investment Program (and authorizations of appropriations*
11 *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 au-*
17 *thorizations for military construction projects, land acqui-*
18 *sition, family housing projects and facilities, and contribu-*
19 *tions to the North Atlantic Treaty Organization Security*
20 *Investment Program (and authorizations of appropriations*
21 *therefor), for which appropriated funds have been obligated*
22 *before the later of—*

23 (1) *October 1, 2024; or*

24 (2) *the date of the enactment of an Act author-*
25 *izing funds for fiscal year 2025 for military construc-*
26 *tion projects, land acquisition, family housing*

projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment Program.

SEC. 2003. EFFECTIVE DATE.

Titles XXI through XXX (other than title XXVIII) shall take effect on the later of—

(1) October 1, 2019; or

(2) the date of the enactment of this Act.

TITLE XXI—ARMY MILITARY CONSTRUCTION

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) *INSIDE THE UNITED STATES.*—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

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
New York	Fort Drum	\$44,000,000
North Carolina	Fort Bragg	\$12,500,000
Oklahoma	Fort Sill	\$73,000,000

Army: Inside the United States—Continued

State	Installation	Amount
<i>Pennsylvania</i>	<i>Carlisle Barracks</i>	<i>\$98,000,000</i>
<i>South Carolina</i>	<i>Fort Jackson</i>	<i>\$88,000,000</i>
<i>Texas</i>	<i>Corpus Christi Army Depot</i>	<i>\$86,000,000</i>
	<i>Fort Hood</i>	<i>\$50,500,000</i>
<i>Virginia</i>	<i>Fort Belvoir</i>	<i>\$60,000,000</i>
	<i>Joint Base Langley-Eustis</i>	<i>\$55,000,000</i>
<i>Washington</i>	<i>Joint Base Lewis-McChord</i>	<i>\$46,000,000</i>

1 (b) *OUTSIDE THE UNITED STATES.—Using amounts*
2 *appropriated pursuant to the authorization of appropria-*
3 *tions in section 2103(a) and available for military con-*
4 *struction projects outside the United States as specified in*
5 *the funding table in section 4601, the Secretary of the Army*
6 *may acquire real property and carry out the military con-*
7 *struction project for the installation or location outside the*
8 *United States, and in the amount, set forth in the following*
9 *table:*

Army: Outside the United States

Country	Installation	Amount
<i>Honduras</i>	<i>Soto Cano Air Base</i>	<i>\$34,000,000</i>

10 (c) *STUDY OF NEAR-TERM FACILITY ALTERNATIVES*
11 *TO HOUSE HIGH VALUE DETAINEES.—*

12 (1) *STUDY REQUIRED.—The Secretary of Defense*
13 *shall conduct a study of alternatives to meet the near-*
14 *term facility requirements to safely and humanely*
15 *house high value detainees current detained at Naval*
16 *Station Guantanamo Bay, Cuba. As part of the*
17 *study, the Secretary shall consider the following alter-*
18 *natives:*

1 (A) *The construction of new facilities.*

2 (B) *The repair of current facilities.*

3 (C) *The renovation and repurposing of*
4 *other facilities at Naval Station Guantanamo*
5 *Bay, Cuba.*

6 (D) *Such other alternatives as the Secretary*
7 *considers practicable.*

8 (2) *SUBMISSION OF RESULTS.—Not later than*
9 *90 days after the date of the enactment of this Act,*
10 *the Secretary of Defense shall submit to the congres-*
11 *sional defense committees a report containing the re-*
12 *sults of the study conducted under paragraph (1). The*
13 *report shall be unclassified, but may include a classi-*
14 *fied annex.*

15 **SEC. 2102. FAMILY HOUSING.**

16 (a) *CONSTRUCTION AND ACQUISITION.—Using*
17 *amounts appropriated pursuant to the authorization of ap-*
18 *propriations in section 2103(a) and available for military*
19 *family housing functions as specified in the funding table*
20 *in section 4601, the Secretary of the Army may construct*
21 *or acquire family housing units (including land acquisition*
22 *and supporting facilities) at the installation, and in the*
23 *amount, set forth in the following table:*

Army: Family Housing

State/Country	Installation	Units	Amount
<i>Pennsylvania</i>	<i>Tobyhanna Army Depot</i>	<i>Family Housing Replacement Construction</i>	\$19,000,000

1 (b) *PLANNING AND DESIGN.*—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed \$9,222,000.

9 **SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

10 (a) *AUTHORIZATION OF APPROPRIATIONS.*—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2019, for military construction, land acquisition, and military family housing functions of the Department of the Army as specified in the funding table in section 4601.

16 (b) *LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.*—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2101 of this Act may not exceed the total amount authorized to be appro-

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 Fis-
 8 cal Year 2019 (Public Law 115–232; 132 Stat. 2241) for
 9 Anniston Army Depot, Alabama, for construction of a
 10 weapon maintenance shop, as specified in the funding table
 11 in section 4601 of such Act (132 Stat. 2401), the Secretary
 12 of the Army may construct a 21,000-square foot weapon
 13 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 strik-
 19 ing “\$160,000,000” and inserting “\$197,000,000” for con-
 20 struction of a Consolidated Engineering Center and Park-
 21 ing Structure rather than the separate projects specified in
 22 the funding table in section 4601 of such Act (132 Stat.
 23 2401).

1 ***TITLE XXII—NAVY MILITARY***
2 ***CONSTRUCTION***

3 ***SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND***
4 ***ACQUISITION PROJECTS.***

5 *(a) INSIDE THE UNITED STATES.—Using amounts ap-*
6 *propriated pursuant to the authorization of appropriations*
7 *in section 2204(a) and available for military construction*
8 *projects inside the United States as specified in the funding*
9 *table in section 4601, the Secretary of the Navy may ac-*
10 *quire real property and carry out military construction*
11 *projects for the installations or locations inside the United*
12 *States, and in the amounts, set forth in the following table:*

Navy: Inside the United States

<i>State</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>Arizona</i>	<i>Marine Corps Air Station Yuma</i>	<i>\$ 189,760,000</i>
<i>California</i>	<i>Camp Pendleton</i>	<i>\$185,569,000</i>
	<i>Marine Corps Air Station Miramar</i>	<i>\$37,400,000</i>
	<i>Naval Air Weapons Station China Lake</i>	<i>\$64,500,000</i>
	<i>Navel Base Coronado</i>	<i>\$165,830,000</i>
	<i>Naval Base San Diego</i>	<i>\$9,900,000</i>
	<i>Naval Weapons Station Seal Beach</i>	<i>\$123,310,000</i>
	<i>Travis Air Force Base</i>	<i>\$64,000,000</i>
<i>Connecticut</i>	<i>Naval Submarine Base New London</i>	<i>\$72,260,000</i>
<i>Florida</i>	<i>Blount Island</i>	<i>\$18,700,000</i>
	<i>Naval Air Station Jacksonville</i>	<i>\$32,420,000</i>
<i>Guam</i>	<i>Joint Region Marianas</i>	<i>\$226,000,000</i>
<i>Hawaii</i>	<i>Marine Corps Air Station Kaneohe Bay</i>	<i>\$134,050,000</i>
	<i>Naval Ammunition Depot West Loch</i>	<i>\$53,790,000</i>
<i>Maryland</i>	<i>Saint Inigoes</i>	<i>\$15,000,000</i>
<i>North Carolina</i>	<i>Camp Lejeune</i>	<i>\$217,440,000</i>
	<i>Marine Corps Air Station Cherry Point</i>	<i>\$114,570,000</i>
	<i>Marine Corps Air Station New River</i>	<i>\$11,320,000</i>
<i>Pennsylvania</i>	<i>Philadelphia</i>	<i>\$66,000,000</i>
<i>South Carolina</i>	<i>Parris Island</i>	<i>\$37,200,000</i>
<i>Virginia</i>	<i>Marine Corps Base Quantico</i>	<i>\$143,350,000</i>
	<i>Naval Station Norfolk</i>	<i>\$128,100,000</i>
	<i>Portsmouth Naval Shipyard</i>	<i>\$48,930,000</i>
	<i>Yorktown Naval Weapons Station</i>	<i>\$59,000,000</i>
<i>Washington</i>	<i>Bremerton</i>	<i>\$51,010,000</i>
	<i>Keyport</i>	<i>\$25,050,000</i>

1 (b) *OUTSIDE THE UNITED STATES.*—Using amounts
 2 appropriated pursuant to the authorization of appropria-
 3 tions in section 2204(a) and available for military con-
 4 struction projects outside the United States as specified in
 5 the funding table in section 4601, the Secretary of the Navy
 6 may acquire real property and carry out military construc-
 7 tion projects for the installations or locations outside the
 8 United States, and in the amounts, set forth in the following
 9 table:

Navy: Outside the United States

<i>Country</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>Japan</i>	<i>Fleet Activities Yokosuka</i>	<i>\$174,692,000</i>
	<i>Marine Corps Air Station Iwakuni</i>	<i>\$15,870,000</i>

10 ***SEC. 2202. FAMILY HOUSING.***

11 Using amounts appropriated pursuant to the author-
 12 ization of appropriations in section 2204(a) and available
 13 for military family housing functions as specified in the
 14 funding table in section 4601, the Secretary of the Navy
 15 may carry out architectural and engineering services and
 16 construction design activities with respect to the construc-
 17 tion or improvement of family housing units in an amount
 18 not to exceed \$5,863,000.

19 ***SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING***
 20 ***UNITS.***

21 Subject to section 2825 of title 10, United States Code,
 22 and using amounts appropriated pursuant to the author-

1 ization of appropriations in section 2204(a) and available
 2 for military family housing functions as specified in the
 3 funding table in section 4601, the Secretary of the Navy
 4 may improve existing military family housing units in an
 5 amount not to exceed \$41,798,000.

6 **SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

7 (a) *AUTHORIZATION OF APPROPRIATIONS.*—Funds are
 8 hereby authorized to be appropriated for fiscal years begin-
 9 ning after September 30, 2019, for military construction,
 10 land acquisition, and military family housing functions of
 11 the Department of the Navy, as specified in the funding
 12 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 ap-*
 10 *propriated pursuant to the authorization of appropriations*
 11 *in section 2304(a) and available for military construction*
 12 *projects inside the United States as specified in the funding*
 13 *table in section 4601, the Secretary of the Air Force may*
 14 *acquire real property and carry out military construction*
 15 *projects for the installations or locations inside the United*
 16 *States, and in the amounts, set forth in the following table:*

Air Force: Inside the United States

<i>State</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>Alaska</i>	<i>Eielson Air Force Base</i>	<i>\$8,600,000</i>
<i>Arkansas</i>	<i>Little Rock Air Force Base</i>	<i>\$47,000,000</i>
<i>California</i>	<i>Travis Air Force Base</i>	<i>\$43,100,000</i>
<i>Colorado</i>	<i>Peterson Air Force Base</i>	<i>\$54,000,000</i>
	<i>Schriever Air Force Base</i>	<i>\$148,000,000</i>
	<i>United States Air Force Academy</i>	<i>\$49,000,000</i>
<i>Georgia</i>	<i>Moody Air Force Base</i>	<i>\$12,500,000</i>
<i>Guam</i>	<i>Joint Region Marianas</i>	<i>\$65,000,000</i>
<i>Illinois</i>	<i>Scott Air Force Base</i>	<i>\$100,000,000</i>
<i>Mariana Islands</i>	<i>Tinian</i>	<i>\$316,000,000</i>
<i>Missouri</i>	<i>Whiteman Air Force Base</i>	<i>\$27,000,000</i>
<i>Montana</i>	<i>Malmstrom Air Force Base</i>	<i>\$235,000,000</i>
<i>Nevada</i>	<i>Nellis Air Force Base</i>	<i>\$65,200,000</i>
<i>New Mexico</i>	<i>Holloman Air Force Base</i>	<i>\$20,000,000</i>
	<i>Kirtland Air Force Base</i>	<i>\$37,900,000</i>
<i>Texas</i>	<i>Joint Base San Antonio</i>	<i>\$207,300,000</i>
	<i>Joint Base San Antonio-Ran-</i>	
	<i>dolph</i>	<i>\$36,000,000</i>
<i>Utah</i>	<i>Hill Air Force Base</i>	<i>\$114,500,000</i>
<i>Washington</i>	<i>Fairchild-White Bluff</i>	<i>\$31,000,000</i>

(b) *OUTSIDE THE UNITED STATES.*—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Air Force: Outside the United States

Country	Installation or Location	Amount
<i>Australia</i>	<i>Tindal</i>	\$70,600,000
<i>Cyprus</i>	<i>Royal Air Force Akrotiri</i>	\$27,000,000
<i>Japan</i>	<i>Yokota Air Base</i>	\$12,400,000
<i>United Kingdom</i>	<i>Royal Air Force Lakenheath</i>	\$14,300,000

SEC. 2302. FAMILY HOUSING.

(a) *CONSTRUCTION AND ACQUISITION.*—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may construct or acquire family housing units (including land acquisition and supporting facilities) at the installation, and in the amount, set forth in the following table:

Air Force: Family Housing

Country	Installation	Units	Amount
<i>Germany</i>	<i>Spangdahlem Air Base</i>	<i>Family Housing Construction</i>	\$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 Code,
 12 and using amounts appropriated pursuant to the author-
 13 ization of appropriations in section 2304(a) and available
 14 for military family housing functions as specified in the
 15 funding table in section 4601, the Secretary of the Air Force
 16 may improve existing military family housing units in an
 17 amount not to exceed \$53,584,000.

18 **SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR**
 19 **FORCE.**

20 (a) *AUTHORIZATION OF APPROPRIATIONS.*—Funds are
 21 hereby authorized to be appropriated for fiscal years begin-
 22 ning after September 30, 2019, for military construction,
 23 land acquisition, and military family housing functions of
 24 the Department of the Air Force, as specified in the funding
 25 table in section 4601.

1 (b) *LIMITATION ON TOTAL COST OF CONSTRUCTION*
 2 *PROJECTS.*—*Notwithstanding the cost variations author-*
 3 *ized by section 2853 of title 10, United States Code, and*
 4 *any other cost variation authorized by law, the total cost*
 5 *of all projects carried out under section 2301 of this Act*
 6 *may not exceed the total amount authorized to be appro-*
 7 *priated under subsection (a), as specified in the funding*
 8 *table in section 4601.*

9 **SEC. 2305. MODIFICATION OF AUTHORITIES TO CARRY OUT**
 10 **PHASED JOINT INTELLIGENCE ANALYSIS**
 11 **COMPLEX CONSOLIDATION.**

12 (a) *FISCAL YEAR 2015 PROJECT AUTHORITY.*—*In the*
 13 *case of the authorization contained in the table in section*
 14 *2301(b) of the National Defense Authorization Act for Fis-*
 15 *cal Year 2015 (Public Law 113–291; 128 Stat. 3679) for*
 16 *Royal Air Force Croughton, United Kingdom, for Phase 1*
 17 *of the Joint Intelligence Analysis Complex consolidation, as*
 18 *specified in the funding table in section 4601 of such Act*
 19 *(128 Stat. 3973), the Secretary of the Air Force shall carry*
 20 *out the construction at Royal Air Force Molesworth, United*
 21 *Kingdom.*

22 (b) *FISCAL YEAR 2016 PROJECT AUTHORITY.*—*In the*
 23 *case of the authorization contained in the table in section*
 24 *2301(b) of the National Defense Authorization Act for Fis-*
 25 *cal Year 2016 (Public Law 114–92; 129 Stat. 1153), for*

1 *Royal Air Force Croughton, United Kingdom, for Phase 2*
2 *of the Joint Intelligence Analysis Complex consolidation, as*
3 *specified in the funding table in section 4601 of such Act*
4 *(129 Stat. 1294), the Secretary of the Air Force may con-*
5 *struct a 5,152-square meter Intelligence Analytic Center, a*
6 *5,234-square meter Intelligence Fusion Center, and a 807-*
7 *square meter Battlefield Information Collection and Exploi-*
8 *tation System Center at Royal Air Force Molesworth,*
9 *United Kingdom.*

10 (c) *FISCAL YEAR 2017 PROJECT AUTHORITY.—In the*
11 *case of the authorization contained in the table in section*
12 *2301(b) of the National Defense Authorization Act for Fis-*
13 *cal Year 2017 (Public Law 114–328; 130 Stat. 2697), for*
14 *Royal Air Force Croughton, United Kingdom, for Phase 3*
15 *of the Joint Intelligence Analysis Complex consolidation, as*
16 *specified in the funding table in section 4601 of such Act*
17 *(130 Stat. 2878), the Secretary of the Air Force may con-*
18 *struct a 1,562-square meter Regional Joint Intelligence*
19 *Training Facility and a 4,495-square meter Combatant*
20 *Command Intelligence Facility at Royal Air Force*
21 *Molesworth, United Kingdom.*

22 (d) *CONFORMING REPEAL.—Section 2305 of the Na-*
23 *tional Defense Authorization Act for Fiscal Year 2019 (Pub-*
24 *lic Law 115–232; 132 Stat. 2247) is repealed.*

1 **SEC. 2306. MODIFICATION OF AUTHORITY TO CARRY OUT**
 2 **CERTAIN FISCAL YEAR 2016 PROJECT.**

3 *The table in section 2301(a) of the National Defense*
 4 *Authorization Act for Fiscal Year 2016 (Public Law 114–*
 5 *92; 129 Stat. 1152) is amended in the item relating to*
 6 *Nellis Air Force Base, Nevada, by striking “\$68,950,000”*
 7 *and inserting “\$72,050,000” for construction of F–35A Mu-*
 8 *nitions Maintenance Facilities, as specified in the funding*
 9 *table in section 4601 of such Act (129 Stat. 1293).*

10 **SEC. 2307. MODIFICATION OF AUTHORITY TO CARRY OUT**
 11 **CERTAIN FISCAL YEAR 2017 PROJECT.**

12 *The table in section 2301(a) of the National Defense*
 13 *Authorization Act for Fiscal Year 2017 (Public Law 114–*
 14 *328; 130 Stat. 2696) is amended in the item relating to*
 15 *Fairchild Air Force Base, Washington, by striking*
 16 *“\$27,000,000” and inserting “\$31,800,000” for construc-*
 17 *tion of a SERE School Pipeline Dormitory, as specified*
 18 *in the funding table in section 4601 of such Act (130 Stat.*
 19 *2878).*

20 **SEC. 2308. MODIFICATION OF AUTHORITY TO CARRY OUT**
 21 **CERTAIN FISCAL YEAR 2018 PROJECTS.**

22 *(a) LITTLE ROCK AIR FORCE BASE, ARKANSAS.—The*
 23 *table in section 2301(a) of the National Defense Authoriza-*
 24 *tion Act for Fiscal Year 2018 (Public Law 115–91; 131*
 25 *Stat. 1825) is amended in the item relating to Little Rock*
 26 *Air Force Base, Arkansas, by striking “\$20,000,000” and*

1 inserting “\$27,000,000” for construction of a dormitory fa-
 2 cility, as specified in the funding table in section 4601 of
 3 such Act (131 Stat. 2002).

4 (b) *JOINT BASE SAN ANTONIO, TEXAS.*—In the case
 5 of the authorization contained in the table in section
 6 2301(a) of the National Defense Authorization Act for Fis-
 7 cal Year 2018 (Public Law 115–91; 131 Stat. 1826) for
 8 Joint Base San Antonio, Texas, the Secretary of the Air
 9 Force may construct—

10 (1) a 750-square meter equipment building for
 11 construction of a Classrooms/Dining Facility, as spec-
 12 ified in the funding table in section 4601 of such Act
 13 (131 Stat. 2003); and

14 (2) a 636-square meter air traffic control tower
 15 for construction of an Air Traffic Control Tower, as
 16 specified in the funding table in section 4601 of such
 17 Act (131 Stat. 2003).

18 (c) *F.E. WARREN AIR FORCE BASE, WYOMING.*—The
 19 table in section 2301(a) of the National Defense Authoriza-
 20 tion Act for Fiscal Year 2018 (Public Law 115–91; 131
 21 Stat. 1825) is amended in the item relating to F.E. Warren
 22 Air Force Base, Wyoming, by striking “\$62,000,000” and
 23 inserting “\$80,100,000” for construction of a Consolidated
 24 Helo/TRF Ops/AMU and Alert Facility, as specified in the
 25 funding table in section 4601 of such Act (131 Stat. 2004).

1 (d) *RYGGE AIR STATION, NORWAY.*—*In the case of the*
 2 *authorization contained in the table in section 2903 of the*
 3 *National Defense Authorization Act for Fiscal Year 2018*
 4 *(Public Law 115–91; 131 Stat. 1876) for Rygge Air Sta-*
 5 *tion, Norway, for replacement/expansion of a Quick Reac-*
 6 *tion Alert Pad, as specified in the funding table in section*
 7 *4602 of such Act (131 Stat. 2014), the Secretary of the Air*
 8 *Force may construct 1,327 square meters of aircraft shelter*
 9 *and a 404-square meter fire protection support building.*

10 (e) *INCIRLIK AIR BASE, TURKEY.*—*In the case of the*
 11 *authorization contained in the table in section 2903 of the*
 12 *National Defense Authorization Act for Fiscal Year 2018*
 13 *(Public Law 115–91; 131 Stat. 1876) for Incirlik Air Base,*
 14 *Turkey, for Relocating Base Main Access Control Point, as*
 15 *specified in the funding table in section 4602 of such Act*
 16 *(131 Stat. 2015), the Secretary of the Air Force may con-*
 17 *struct a 176-square meter pedestrian search building.*

18 **SEC. 2309. MODIFICATION OF AUTHORITY TO CARRY OUT**

19 **CERTAIN FISCAL YEAR 2019 PROJECTS.**

20 (a) *HANSCOM AIR FORCE BASE, MASSACHUSETTS.*—
 21 *In the case of the authorization contained in the table in*
 22 *section 2301(a) of the National Defense Authorization Act*
 23 *for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2246)*
 24 *for Hanscom Air Force Base, Massachusetts, for the con-*
 25 *struction of a semi-conductor/microelectronics laboratory*

1 *facility, as specified in the funding table in section 4601*
2 *of such Act (132 Stat. 2405), the Secretary of the Air Force*
3 *may construct a 1,000 kilowatt stand-by generator.*

4 **(b) MINOT AIR FORCE BASE, NORTH DAKOTA.**—*The*
5 *table in section 2301(a) of the National Defense Authoriza-*
6 *tion Act for Fiscal Year 2019 (Public Law 115–232; 132*
7 *Stat. 2246) is amended in the item relating to Minot Air*
8 *Force Base, North Dakota, by striking “\$66,000,000” and*
9 *inserting “\$71,500,000” for construction of a Consolidated*
10 *Helo/TRF Ops/AMU and Alert Facility, as specified in the*
11 *funding table in section 4601 of such Act (132 Stat. 2405).*

12 **(c) ROYAL AIR FORCE LAKENHEATH, UNITED KING-**
13 *DOM.*—*In the case of the authorization contained in the*
14 *table in section 2301(b) of the National Defense Authoriza-*
15 *tion Act for Fiscal Year 2019 (Public Law 115–232; 132*
16 *Stat. 2247) for Royal Air Force Lakenheath, United King-*
17 *dom, for the construction of an F–35A Dormitory, as speci-*
18 *fied in the funding table in section 4601 of such Act (132*
19 *Stat. 2405), the Secretary of the Air Force may construct*
20 *a 5,900-square meter dormitory.*

1 **TITLE XXIV—DEFENSE AGEN-**
 2 **CIES MILITARY CONSTRUC-**
 3 **TION**

4 **SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUC-**
 5 **TION AND LAND ACQUISITION PROJECTS.**

6 (a) *INSIDE THE UNITED STATES.*—Using amounts ap-
 7 propriated pursuant to the authorization of appropriations
 8 in section 2403(a) and available for military construction
 9 projects inside the United States as specified in the funding
 10 table in section 4601, the Secretary of Defense may acquire
 11 real property and carry out military construction projects
 12 for the installations or locations inside the United States,
 13 and in the amounts, set forth in 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
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

14 (b) *OUTSIDE THE UNITED STATES.*—Using amounts
 15 appropriated pursuant to the authorization of appropria-

tions 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, United States Code, as specified in the funding table in section 4601.

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2019, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), as specified in the funding table in section 4601.

1 (b) *LIMITATION ON TOTAL COST OF CONSTRUCTION*
 2 *PROJECTS.*—*Notwithstanding the cost variations author-*
 3 *ized by section 2853 of title 10, United States Code, and*
 4 *any other cost variation authorized by law, the total cost*
 5 *of all projects carried out under section 2401 of this Act*
 6 *may not exceed the total amount authorized to be appro-*
 7 *priated under subsection (a), as specified in the funding*
 8 *table in section 4601.*

9 ***TITLE XXV—INTERNATIONAL***
 10 ***PROGRAMS***
 11 ***Subtitle A—North Atlantic Treaty***
 12 ***Organization Security Invest-***
 13 ***ment Program***

14 ***SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND***
 15 ***ACQUISITION PROJECTS.***

16 *The Secretary of Defense may make contributions for*
 17 *the North Atlantic Treaty Organization Security Invest-*
 18 *ment Program as provided in section 2806 of title 10,*
 19 *United States Code, in an amount not to exceed the sum*
 20 *of the amount authorized to be appropriated for this pur-*
 21 *pose in section 2502 and the amount collected from the*
 22 *North Atlantic Treaty Organization as a result of construc-*
 23 *tion previously financed by the United States.*

1 **SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

2 (a) *AUTHORIZATION.*—*Funds are hereby authorized to*
 3 *be appropriated for fiscal years beginning after September*
 4 *30, 2019, for contributions by the Secretary of Defense*
 5 *under section 2806 of title 10, United States Code, for the*
 6 *share of the United States of the cost of projects for the*
 7 *North Atlantic Treaty Organization Security Investment*
 8 *Program authorized by section 2501 as specified in the*
 9 *funding table in section 4601.*

10 (b) *AUTHORITY TO RECOGNIZE NATO AUTHORIZA-*
 11 *TION AMOUNTS AS BUDGETARY RESOURCES FOR PROJECT*
 12 *EXECUTION.*—*When the United States is designated as the*
 13 *Host Nation for the purposes of executing a project under*
 14 *the NATO Security Investment Program (NSIP), the De-*
 15 *partment of Defense construction agent may recognize the*
 16 *NATO project authorization amounts as budgetary re-*
 17 *sources to incur obligations for the purposes of executing*
 18 *the NSIP project.*

19 ***Subtitle B—Host Country In-Kind***
 20 ***Contributions***

21 **SEC. 2511. REPUBLIC OF KOREA FUNDED CONSTRUCTION**
 22 **PROJECTS.**

23 *Pursuant to agreement with the Republic of Korea for*
 24 *required in-kind contributions, the Secretary of Defense*
 25 *may accept military construction projects for the installa-*

tions or locations in the Republic of Korea, and in the amounts, set forth in the following table:

Republic of Korea Funded Construction Projects

<i>Component</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Amount</i>
<i>Army</i>	<i>Camp Carroll</i>	<i>Army Prepositioned Stock-4 Wheeled Vehicle Maintenance Facility</i>	<i>\$51,000,000</i>
<i>Army</i>	<i>Camp Humphreys</i>	<i>Unaccompanied Enlisted Personnel Housing, P1</i>	<i>\$154,000,000</i>
<i>Army</i>	<i>Camp Humphreys</i>	<i>Unaccompanied Enlisted Personnel Housing, P2</i>	<i>\$211,000,000</i>
<i>Army</i>	<i>Camp Humphreys</i>	<i>Satellite Communications Facility ..</i>	<i>\$32,000,000</i>
<i>Air Force</i>	<i>Gwangju Air Base</i>	<i>Hydrant Fuel System</i>	<i>\$35,000,000</i>
<i>Air Force</i>	<i>Kunsan Air Base</i>	<i>Upgrade Electrical Distribution System</i>	<i>\$14,200,000</i>
<i>Air Force</i>	<i>Kunsan Air Base</i>	<i>Dining Facility</i>	<i>\$21,000,000</i>
<i>Air Force</i>	<i>Suwon Air Base</i>	<i>Hydrant Fuel System</i>	<i>\$24,000,000</i>

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations inside the United States, and in the amounts, set forth in the following table:

Army National Guard

<i>State</i>	<i>Location</i>	<i>Amount</i>
<i>Alabama</i>	<i>Anniston Army Depot</i>	<i>\$34,000,000</i>
	<i>Foley</i>	<i>\$12,000,000</i>
<i>California</i>	<i>Camp Roberts</i>	<i>\$12,000,000</i>

Army National Guard—Continued

<i>State</i>	<i>Location</i>	<i>Amount</i>
<i>Idaho</i>	<i>Orchard Combat Training Center</i>	<i>\$29,000,000</i>
<i>Maryland</i>	<i>Havre De Grace</i>	<i>\$12,000,000</i>
<i>Massachusetts</i>	<i>Camp Edwards</i>	<i>\$9,700,000</i>
<i>Minnesota</i>	<i>New Ulm</i>	<i>\$11,200,000</i>
<i>Mississippi</i>	<i>Camp Shelby</i>	<i>\$8,100,000</i>
<i>Missouri</i>	<i>Springfield</i>	<i>\$12,000,000</i>
<i>Nebraska</i>	<i>Bellevue</i>	<i>\$29,000,000</i>
<i>New Hampshire</i>	<i>Concord</i>	<i>\$5,950,000</i>
<i>New York</i>	<i>Jamaica Armory</i>	<i>\$91,000,000</i>
<i>Pennsylvania</i>	<i>Moon Township</i>	<i>\$23,000,000</i>
<i>Vermont</i>	<i>Jericho</i>	<i>\$30,000,000</i>
<i>Washington</i>	<i>Richland</i>	<i>\$11,400,000</i>

1 SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION
2 AND LAND ACQUISITION PROJECTS.

3 *Using amounts appropriated pursuant to the author-*
4 *ization of appropriations in section 2606 and available for*
5 *the National Guard and Reserve as specified in the funding*
6 *table in section 4601, the Secretary of the Army may ac-*
7 *quire real property and carry out military construction*
8 *projects for the Army Reserve locations inside the United*
9 *States, and in the amounts, set forth in the following table:*

Army Reserve

<i>State</i>	<i>Location</i>	<i>Amount</i>
<i>Delaware</i>	<i>Newark Army Reserve Center</i>	<i>\$21,000,000</i>
<i>Wisconsin</i>	<i>Fort McCoy</i>	<i>\$25,000,000</i>

10 SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE
11 CORPS RESERVE CONSTRUCTION AND LAND
12 ACQUISITION PROJECTS.

13 *Using amounts appropriated pursuant to the author-*
14 *ization of appropriations in section 2606 and available for*
15 *the National Guard and Reserve as specified in the funding*
16 *table in section 4601, the Secretary of the Navy may ac-*

1 *quire real property and carry out military construction*
 2 *projects for the Navy Reserve and Marine Corps Reserve*
 3 *locations inside the United States, and in the amounts, set*
 4 *forth in the following table:*

Navy Reserve and Marine Corps Reserve

<i>State</i>	<i>Location</i>	<i>Amount</i>
<i>Louisiana</i>	<i>New Orleans</i>	<i>\$25,260,000</i>

5 ***SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUC-***
 6 ***TION AND LAND ACQUISITION PROJECTS.***

7 *Using amounts appropriated pursuant to the author-*
 8 *ization of appropriations in section 2606 and available for*
 9 *the National Guard and Reserve as specified in the funding*
 10 *table in section 4601, the Secretary of the Air Force may*
 11 *acquire real property and carry out military construction*
 12 *projects for the Air National Guard locations inside the*
 13 *United States, and in the amounts, set forth in the following*
 14 *table:*

Air National Guard

<i>State</i>	<i>Location</i>	<i>Amount</i>
<i>California</i>	<i>Moffett Air National Guard Base</i>	<i>\$57,000,000</i>
<i>Georgia</i>	<i>Savannah/Hilton Head International Airport</i>	<i>\$24,000,000</i>
<i>Missouri</i>	<i>Rosecrans Memorial Airport</i>	<i>\$9,500,000</i>
<i>Puerto Rico</i>	<i>Luis Munoz-Marin International Airport</i>	<i>\$50,000,000</i>
<i>Wisconsin</i>	<i>Truax Field</i>	<i>\$34,000,000</i>

15 ***SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUC-***
 16 ***TION AND LAND ACQUISITION PROJECTS.***

17 *Using amounts appropriated pursuant to the author-*
 18 *ization of appropriations in section 2606 and available for*
 19 *the National Guard and Reserve as specified in the funding*

1 *table in section 4601, the Secretary of the Air Force may*
 2 *acquire real property and carry out military construction*
 3 *projects for the Air Force Reserve locations inside the*
 4 *United States, and in the amounts, set forth in the following*
 5 *table:*

Air Force Reserve

<i>State</i>	<i>Location</i>	<i>Amount</i>
<i>Georgia</i>	<i>Robins Air Force Base</i>	<i>\$43,000,000</i>
<i>Maryland</i>	<i>Joint Base Andrews</i>	<i>\$15,000,000</i>
<i>Minnesota</i>	<i>Minneapolis-St. Paul IAP</i>	<i>\$9,800,000</i>

6 **SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NA-**
 7 **TIONAL GUARD AND RESERVE.**

8 *Funds are hereby authorized to be appropriated for fis-*
 9 *cal years beginning after September 30, 2019, for the costs*
 10 *of acquisition, architectural and engineering services, and*
 11 *construction of facilities for the Guard and Reserve Forces,*
 12 *and for contributions therefor, under chapter 1803 of title*
 13 *10, United States Code (including the cost of acquisition*
 14 *of land for those facilities), as specified in the funding table*
 15 *in section 4601.*

16 **SEC. 2607. REVIEW AND REPORT ON CONSTRUCTION OF**
 17 **NEW, OR MAINTENANCE OF EXISTING, DI-**
 18 **RECT FUEL PIPELINE CONNECTIONS AT AIR**
 19 **NATIONAL GUARD AND AIR FORCE RESERVE**
 20 **INSTALLATIONS.**

21 *(a) REVIEW REQUIRED.—Not later than 180 days*
 22 *after the date of the enactment of this Act, the Secretary*

1 *of the Air Force, in conjunction with the Defense Logistics*
2 *Agency, shall complete a review considering—*

3 *(1) the need for, and benefits of, the construction*
4 *of new, or maintenance of existing, direct fuel pipe-*
5 *line connections at Air National Guard and Air*
6 *Force Reserve installations; and*

7 *(2) the barriers, including funding needs and*
8 *any inconsistent guidance and consideration of such*
9 *projects by the Air Force, that may impede such*
10 *projects.*

11 *(b) ELEMENTS OF REVIEW.—The review required by*
12 *subsection (a) shall include the following:*

13 *(1) An analysis of the extent that the Air Force*
14 *and Defense Logistics Agency have identified direct*
15 *fuel pipeline projects as an effective and efficient way*
16 *to enhance the ability of regular component, Air Na-*
17 *tional Guard, and Air Force Reserve installations, to*
18 *improve the readiness of affected units and help them*
19 *to meet their mission requirements, including an as-*
20 *essment of how the Air National Guard and Air*
21 *Force Reserve facilities, across all States and terri-*
22 *tries, can leverage such connections to better support*
23 *current and emerging air refueling requirements.*

24 *(2) An assessment of how direct fuel pipeline*
25 *connections enhance the resiliency and efficiency of*

1 *the installations and help meet existing Defense Lo-*
2 *gistics Agency requirements for secondary storage and*
3 *other fuel requirements.*

4 *(3) A list of Air National Guard and Air Force*
5 *Reserve installations that currently do not have a di-*
6 *rect connection pipeline but have access to such a*
7 *pipeline within reasonable proximity (less than five*
8 *miles) to the facility.*

9 *(4) An overview and summary of the current*
10 *process for considering such proposals, including the*
11 *factors used to consider requests, including the weight*
12 *provided to each factor and including a list of Air*
13 *National Guard and Air Force Reserve installations*
14 *that have sought funding for projects to create direct*
15 *access to a national fuel pipeline or to maintain ac-*
16 *cess to such pipelines over the last five years.*

17 *(5) A list of the total instances in the past five*
18 *years in which projects for direct fuel pipeline connec-*
19 *tions have been approved for regular component, Air*
20 *National Guard, or Air Force Reserve installations,*
21 *including the costs of each project and the justifica-*
22 *tion for such approval.*

23 *(6) A list of Air National Guard and Air Force*
24 *Reserve installations with current pipeline connec-*

1 *tions that the Air Force or Defense Logistics Agency*
2 *has determined should no longer be used, including—*

3 *(A) an analysis of the justifications for each*
4 *such determination, such as decisions to switch*
5 *from pipelines to using trucks as the primary*
6 *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 railroad,*
12 *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 the*
16 *fuel supply by reducing the threat of interrup-*
17 *tion, enhance mission reliability by providing*
18 *access to greater fuel storage capability, and the*
19 *ability of such projects once completed to better*
20 *support the domestic and global operations of the*
21 *Air National Guard or Air Force Reserve instal-*
22 *lation.*

23 *(7) An assessment of how costs associated with*
24 *each direct fuel pipeline connection project is consid-*

1 *ered by the Air Force or Defense Logistics Agency and*
2 *the weight given to such costs in the final analysis.*

3 (8) *An assessment of the effectiveness or useful-*
4 *ness of guidance or technical assistance provided to*
5 *installations requesting or proposing direct fuel pipe-*
6 *line connection projects and recommend ways to pro-*
7 *vide additional assistance to ensure the Air Force and*
8 *Defense Logistics Agency receive the most up to date*
9 *information about the costs and benefits of proposed*
10 *projects from installations.*

11 (9) *An assessment of the available funding*
12 *sources though the Air Force, Defense Logistics Agen-*
13 *cy, other Department of Defense entities, or other*
14 *mechanisms, such as a public-private partnership or*
15 *enhanced use lease, that can support direct fuel pipe-*
16 *line connection projects either in whole or in part.*

17 (10) *An assessment of the extent to which direct*
18 *fuel pipeline connection projects have been incor-*
19 *porated in any comprehensive plan the Air Force has*
20 *developed or will develop regarding investments need-*
21 *ed to improve Air National Guard, Air Force Reserve,*
22 *and regular component installations to meet the De-*
23 *partment's needs.*

24 (c) *FINAL REPORT.*—*Not later than one year after the*
25 *date of the enactment of this Act, the Secretary of the Air*

1 *Force shall provide a final report to the Committees on*
 2 *Armed Services of the Senate and the House of Representa-*
 3 *tives containing the results of the review required by sub-*
 4 *section (a) and recommendations from the review on how*
 5 *the Air Force can better expedite and support the use of*
 6 *fuel pipelines at Air National Guard and Air Force Reserve*
 7 *installations. Such recommendations shall include options*
 8 *for accelerating the development and consideration of such*
 9 *projects where most feasible and appropriate, including*
 10 *whether costs savings could be obtained by including such*
 11 *projects as part of other related projects already authorized*
 12 *at an installation.*

13 ***TITLE XXVII—BASE REALIGN-***
 14 ***MENT AND CLOSURE ACTIVI-***
 15 ***TIES***

16 ***SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE***
 17 ***REALIGNMENT AND CLOSURE ACTIVITIES***
 18 ***FUNDED THROUGH DEPARTMENT OF DE-***
 19 ***FENSE BASE CLOSURE ACCOUNT.***

20 *Funds are hereby authorized to be appropriated for fis-*
 21 *cal years beginning after September 30, 2019, for base re-*
 22 *alignment and closure activities, including real property*
 23 *acquisition and military construction projects, as author-*
 24 *ized by the Defense Base Closure and Realignment Act of*
 25 *1990 (part A of title XXIX of Public Law 101–510; 10*

1 *U.S.C. 2687 note) and funded through the Department of*
 2 *Defense Base Closure Account established by section 2906*
 3 *of such Act (as amended by section 2711 of the Military*
 4 *Construction Authorization Act for Fiscal Year 2013 (divi-*
 5 *sion B of Public Law 112–239; 126 Stat. 2140)), as speci-*
 6 *fied in the funding table in section 4601.*

7 **TITLE XXVIII—MILITARY CON-**
 8 **STRUCTION GENERAL PROVI-**
 9 **SIONS**

10 ***Subtitle A—Military Construction***
 11 ***Program Changes***

12 **SEC. 2801. PROHIBITION ON USE OF MILITARY CONSTRUC-**
 13 **TION FUNDS FOR CONSTRUCTION OF A WALL,**
 14 **FENCE, OR OTHER PHYSICAL BARRIER ALONG**
 15 **THE SOUTHERN BORDER OF THE UNITED**
 16 **STATES.**

17 (a) *PROHIBITION.*—*Military construction funds may*
 18 *not be obligated, expended, or otherwise used to design or*
 19 *carry out a project to construct, replace, or modify a wall,*
 20 *fence, or other physical barrier along the international bor-*
 21 *der between the United States and Mexico.*

22 (b) *DEFINITIONS.*—*In this section:*

23 (1) *MILITARY CONSTRUCTION FUNDS.*—*The term*
 24 *“military construction funds” means—*

1 (A) amounts authorized to be appropriated
 2 for a military construction project authorized in
 3 this division or authorized in any Military Con-
 4 struction Authorization Act for any of fiscal
 5 years 2015 through 2019, including any
 6 amounts of such an authorization made avail-
 7 able to the Department of Defense and trans-
 8 ferred to another authorization by the Secretary
 9 of Defense pursuant to transfer authority avail-
 10 able to the Secretary; and

11 (B) funds appropriated in any Act for a
 12 military construction project described in sub-
 13 paragraph (A).

14 (2) *MILITARY CONSTRUCTION PROJECT.*—The
 15 term “military construction project” has the meaning
 16 given that term in section 2801 of title 10, United
 17 States Code.

18 **SEC. 2802. MODIFICATION AND CLARIFICATION OF CON-**
 19 **STRUCTION AUTHORITY IN THE EVENT OF A**
 20 **DECLARATION OF WAR OR NATIONAL EMER-**
 21 **GENCY.**

22 (a) *LIMITATION ON AMOUNT OF FUNDS AVAILABLE*
 23 *FOR NATIONAL EMERGENCY.*—Section 2808 of title 10,
 24 *United States Code, is amended—*

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

3 (2) *by inserting after subsection (a) the following*
 4 *new subsection:*

5 “(c) *LIMITATION ON AMOUNT OF FUNDS AVAILABLE*
 6 *FOR NATIONAL EMERGENCY.—(1) Except as provided in*
 7 *paragraph (2), in the event of a declaration by the Presi-*
 8 *dent of a national emergency in which the construction au-*
 9 *thority described in subsection (a) is used, the total cost*
 10 *of all military construction projects undertaken using that*
 11 *authority during the national emergency may not exceed*
 12 *\$500,000,000.*

13 “(2) *In the event of a national emergency declaration*
 14 *in which the construction authority described in subsection*
 15 *(a) will be used only within the United States, the total*
 16 *cost of all military construction projects undertaken using*
 17 *that authority during the national emergency may not ex-*
 18 *ceed \$100,000,000.”.*

19 (b) *ADDITIONAL CONDITION ON SOURCE OF FUNDS.—*
 20 *Section 2808(a) of title 10, United States Code, is amend-*
 21 *ed—*

22 (1) *in the second sentence—*

23 (A) *by striking “Such projects may” and*
 24 *inserting the following:*

1 “(b) *CONDITIONS ON SOURCE OF FUNDS.*—(1) *Mili-*
 2 *tary construction projects to be undertaken using the con-*
 3 *struction authority described in subsection (a) may*”; and

4 *(B) by inserting before the period at the end*
 5 *of the sentence the following: “and that the Sec-*
 6 *retary of Defense determines are otherwise*
 7 *unexecutable*”; and

8 *(2) by adding after the second sentence the fol-*
 9 *lowing:*

10 “(2) *For purposes of paragraph (1), the Secretary may*
 11 *determine that funds appropriated for military construc-*
 12 *tion are unexecutable if—*

13 *“(A) a military construction project for which*
 14 *the funds were appropriated has been cancelled, for a*
 15 *reason other than to provide funds to carry out mili-*
 16 *tary construction under this section; or*

17 *“(B) the cost of a military construction project*
 18 *for which the funds were appropriated has been re-*
 19 *duced because of project modifications or other cost*
 20 *savings, for a reason other than to provide funds to*
 21 *carry out military construction under this section.”.*

22 *(c) WAIVER OF OTHER PROVISIONS OF LAW.*—*Section*
 23 *2808 of title 10, United States Code, is amended by insert-*
 24 *ing after subsection (c), as added by subsection (a), the fol-*
 25 *lowing new subsection:*

1 “(d) *WAIVER OF OTHER PROVISIONS OF LAW IN*
 2 *EVENT OF NATIONAL EMERGENCY.*—*In the event of a dec-*
 3 *laration by the President of a national emergency in which*
 4 *the construction authority described in subsection (a) is*
 5 *used, the authority provided by such subsection to waive*
 6 *or disregard another provision of law that would otherwise*
 7 *apply to a military construction project authorized by this*
 8 *section may be used only if—*

9 “(1) *such other provision of law does not provide*
 10 *a means by which compliance with the requirements*
 11 *of the law may be waived, modified, or expedited; and*

12 “(2) *the Secretary of Defense determines that the*
 13 *nature of the national emergency necessitates the non-*
 14 *compliance with the requirements of the law.”.*

15 “(d) *ADDITIONAL NOTIFICATION REQUIREMENTS.*—
 16 *Subsection (e) of section 2808 of title 10, United States*
 17 *Code, as redesignated by subsection (a)(1), is amended—*

18 “(1) *by striking “of the decision” and all that fol-*
 19 *lows through the end of the subsection and inserting*
 20 *the following: “of the following:*

21 “(A) *The reasons for the decision to use the con-*
 22 *struction authority described in subsection (a), in-*
 23 *cluding, in the event of a declaration by the President*
 24 *of a national emergency, the reasons why use of the*

1 *armed forces is required in response to the declared*
2 *national emergency.*

3 *“(B) The construction projects to be undertaken*
4 *using the construction authority described in sub-*
5 *section (a), including, in the event of a declaration by*
6 *the President of a national emergency, an expla-*
7 *nation of how each construction project directly sup-*
8 *ports the immediate security, logistical, or short-term*
9 *housing and ancillary supporting facility needs of the*
10 *members of the armed forces used in the national*
11 *emergency.*

12 *“(C) The estimated cost of the construction*
13 *projects to be undertaken using the construction au-*
14 *thority described in subsection (a), including the cost*
15 *of any real estate action pertaining to the construc-*
16 *tion projects, and certification of compliance with the*
17 *funding conditions imposed by subsections (b) and*
18 *(c).*

19 *“(D) Any determination made pursuant to sub-*
20 *section (d)(2) to waive or disregard another provision*
21 *of law to undertake any construction project using the*
22 *construction authority described in subsection (a).*

23 *“(E) The military construction projects, includ-*
24 *ing any military family housing and ancillary sup-*
25 *porting facility projects, to be canceled or deferred in*

1 order to provide funds to undertake construction
 2 projects using the construction authority described in
 3 subsection (a) and the possible impact of the cancella-
 4 tion or deferment of such military construction
 5 projects on military readiness and the quality of life
 6 of members of the armed forces and their depend-
 7 ents.”; and

8 (2) by adding at the end the following new para-
 9 graph:

10 “(2) In the event of a declaration by the President of
 11 a national emergency in which the construction authority
 12 described in subsection (a) is used, a construction project
 13 to be undertaken using such construction authority may be
 14 carried out only after the end of the five-day period begin-
 15 ning on the date the notification required by paragraph (1)
 16 is received by the appropriate committees of Congress.”.

17 (e) CLERICAL AMENDMENTS.—Section 2808 of title 10,
 18 United States Code, is further amended—

19 (1) in subsection (a), by inserting “CONSTRUC-
 20 TION AUTHORIZED.—” after “(a)”;

21 (2) in subsection (e), as redesignated by sub-
 22 section (a)(1), by inserting “NOTIFICATION REQUIRE-
 23 MENT.—(1)” after “(e)”;

1 (3) in subsection (f), as redesignated by sub-
 2 section (a)(1), by inserting “TERMINATION OF AU-
 3 THORITY.—” after “(f)”.

4 **SEC. 2803. INCLUSION OF INFORMATION REGARDING MILI-**
 5 **TARY INSTALLATION RESILIENCE IN MASTER**
 6 **PLANS FOR MAJOR MILITARY INSTALLA-**
 7 **TIONS.**

8 (a) *MILITARY INSTALLATION RESILIENCE*.—Section
 9 2864 of title 10, United States Code, is amended—

10 (1) in subsection (a)(1), by inserting “military
 11 installation resilience,” after “master planning,”;

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

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

16 “(c) *MILITARY INSTALLATION RESILIENCE COMPO-*
 17 *NENT.*—To address military installation resilience under
 18 subsection (a)(1), each installation master plan shall dis-
 19 cuss the following:

20 “(1) *Risks and threats to military installation*
 21 *resilience that exist at the time of the development of*
 22 *the plan and that are projected for the future, includ-*
 23 *ing from extreme weather events, mean sea level fluc-*
 24 *tuation, wildfires, flooding, and other changes in en-*
 25 *vironmental conditions.*

1 “(2) *Assets or infrastructure located on the mili-*
2 *tary installation vulnerable to the risks and threats*
3 *described in paragraph (1), with a special emphasis*
4 *on assets or infrastructure critical to the mission of*
5 *the installation and the mission of members of the*
6 *armed forces.*

7 “(3) *Lessons learned from the impacts of extreme*
8 *weather events, including changes made to the mili-*
9 *tary installation to address such impacts, since the*
10 *prior master plan developed under this section.*

11 “(4) *Ongoing or planned infrastructure projects*
12 *or other measures, as of the time of the development*
13 *of the plan, to mitigate the impacts of the risks and*
14 *threats described in paragraph (1).*

15 “(5) *Community infrastructure and resources lo-*
16 *cated outside the installation (such as medical facili-*
17 *ties, transportation systems, and energy infrastruc-*
18 *ture) that are—*

19 “(A) *necessary to maintain mission capa-*
20 *bility or that impact the resilience of the mili-*
21 *tary installation; and*

22 “(B) *vulnerable to the risks and threats de-*
23 *scribed in paragraph (1).*

24 “(6) *Agreements in effect or planned, as of the*
25 *time of the development of the plan, with public or*

1 *private entities for the purpose of maintaining or en-*
2 *hancing military installation resilience or resilience*
3 *of the community infrastructure and resources de-*
4 *scribed in paragraph (5).*

5 “(7) *Projections from recognized governmental*
6 *and scientific entities such as the Census Bureau, the*
7 *National Academies of Sciences, the United States Ge-*
8 *ological Survey, and the United States Global Change*
9 *Research Office (or any similar successor entities)*
10 *with respect to future risks and threats (including the*
11 *risks and threats described in paragraph (1)) to the*
12 *resilience of any project considered in the installation*
13 *master plan during the 50-year lifespan of the instal-*
14 *lation.”.*

15 (b) *REPORT ON MASTER PLANS.*—Section 2864 of title
16 10, *United States Code*, is amended by inserting after sub-
17 section (c), as added by subsection (a), the following new
18 subsection:

19 “(d) *REPORT.*—Not later than March 1 of each year,
20 *the Secretary of Defense shall submit to the congressional*
21 *defense committees a report listing all master plans com-*
22 *pleted pursuant to this section in the prior calendar year.”.*

1 **SEC. 2804. IMPROVED CONSULTATION WITH TRIBAL GOV-**
2 **ERNMENTS WHEN PROPOSED MILITARY CON-**
3 **STRUCTION PROJECTS POTENTIALLY IMPACT**
4 **INDIAN TRIBES.**

5 *Section 2802 of title 10, United States Code, is amend-*
6 *ed by adding at the end the following new subsection:*

7 *“(f)(1) If a proposed military construction project has*
8 *the potential to significantly affect tribal lands, sacred sites,*
9 *or tribal treaty rights, the Secretary concerned shall initiate*
10 *consultation with the tribal government of each impacted*
11 *Indian tribe—*

12 *“(A) to determine the nature, extent, and esti-*
13 *mated costs of the adverse impacts;*

14 *“(B) to determine whether the adverse impacts*
15 *can be avoided or mitigated in the design and imple-*
16 *mentation of the project; and*

17 *“(C) if the adverse impacts cannot be avoided, to*
18 *develop feasible measures to mitigate the impacts and*
19 *estimate the cost of the mitigation measures.*

20 *“(2) As part of the Department of Defense Form 1391*
21 *submitted to the appropriate committees of Congress for a*
22 *military construction project covered by paragraph (1), the*
23 *Secretary concerned shall include a description of the cur-*
24 *rent status of the consultation conducted under such para-*
25 *graph and specifically address each of the items specified*
26 *in subparagraphs (A), (B), and (C) of such paragraph.*

1 “(3) *In this subsection:*

2 “(A) *The term ‘Indian tribe’ has the meaning*
 3 *given that term in section 4 of the Indian Self-Deter-*
 4 *mination and Education Assistance Act (25 U.S.C.*
 5 *5304).*

6 “(B) *The term ‘tribal government’ means the rec-*
 7 *ognized governing body of an Indian tribe.*

8 “(C) *The term ‘sacred site’ has the meaning*
 9 *given that term in Executive Order No. 13007, as in*
 10 *effect on the date of the enactment of the National De-*
 11 *fense Authorization Act for Fiscal Year 2020.”.*

12 **SEC. 2805. AMENDMENT OF UNIFIED FACILITIES CRITERIA**
 13 **TO PROMOTE MILITARY INSTALLATION RE-**
 14 **SILIENCE, ENERGY RESILIENCE, ENERGY AND**
 15 **CLIMATE RESILIENCY, AND CYBER RESIL-**
 16 **IENCE.**

17 (a) *AMENDMENT REQUIRED.*—*Not later than Sep-*
 18 *tember 1, 2020, the Secretary of Defense shall amend the*
 19 *Unified Facility Criteria related to military construction*
 20 *planning and design to ensure that building practices and*
 21 *standards promote military installation resilience, energy*
 22 *resilience, energy and climate resiliency, and cyber resil-*
 23 *ience. To prepare the amendments required by this sub-*
 24 *section, the Secretary of Defense shall take into account his-*
 25 *torical data, current conditions, and sea level rise projec-*

1 *tions. The Secretary may consult with the heads of other*
 2 *Federal departments and agencies with expertise regarding*
 3 *military installation resilience, energy resilience, energy*
 4 *and climate resiliency, and cyber resilience.*

5 *(b) CONDITIONAL AVAILABILITY OF FUNDS PENDING*
 6 *INITIATION OF AMENDMENT PROCESS.—Not more than 25*
 7 *percent of the funds authorized to be appropriated for fiscal*
 8 *year 2020 for Department of Defense planning and design*
 9 *accounts related to military construction projects may be*
 10 *obligated until the date on which the Secretary of Defense*
 11 *submits to the Committees on Armed Services of the House*
 12 *of Representatives and the Senate a certification that the*
 13 *Secretary has initiated the process to amend the Unified*
 14 *Facility Criteria to comply with the requirements of sub-*
 15 *section (a) and intends to complete the amendment process*
 16 *by the date specified in such subsection.*

17 *(c) IMPLEMENTATION OF UNIFIED FACILITIES CRI-*
 18 *TERIA AMENDMENT.—*

19 *(1) IMPLEMENTATION.—Any Department of De-*
 20 *fense Form 1391 submitted to Congress after the date*
 21 *specified in subsection (a) must be in compliance*
 22 *with the Unified Facility Criteria, amended as re-*
 23 *quired by subsection (a).*

24 *(2) CERTIFICATION.—Not later than March 1,*
 25 *2021, the Secretary of Defense shall certify to the*

1 *Committees on Armed Services of the House of Rep-*
 2 *resentatives and the Senate that the amendment re-*
 3 *quired by subsection (a) and the amendment required*
 4 *by section 2805(c) of the Military Construction Au-*
 5 *thorization Act for Fiscal Year 2019 (division B of*
 6 *Public Law 115–232; 132 Stat. 2262; 10 U.S.C. 2864*
 7 *note) have been completed and fully incorporated into*
 8 *military construction planning and design.*

9 *(d) ANNUAL REVIEW.—Beginning with fiscal year*
 10 *2022, and annually thereafter, the Secretary of Defense*
 11 *shall conduct a review comparing the Unified Facility Cri-*
 12 *teria and industry best practices to ensure that military*
 13 *construction building practices and standards related to*
 14 *military installation resilience, energy resilience, energy*
 15 *and climate resiliency, and cyber resilience remain current.*

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

17 *(1) The terms “energy resilience” and “military*
 18 *installation resilience” have the meanings given those*
 19 *terms in section 101(e) of title 10, United States*
 20 *Code.*

21 *(2) The term “energy and climate resiliency” has*
 22 *the meaning given that term in section 2864 of title*
 23 *10, United States Code.*

1 **SEC. 2806. MODIFICATION TO DEPARTMENT OF DEFENSE**
2 **FORM 1391 REGARDING CONSIDERATION OF**
3 **POTENTIAL LONG-TERM ADVERSE ENVIRON-**
4 **MENTAL EFFECTS.**

5 (a) *MODIFICATION.*—

6 (1) *CERTIFICATION REQUIREMENT.*—*The Sec-*
7 *retary of Defense shall modify Department of Defense*
8 *Form 1391 to require, with respect to any proposed*
9 *major or minor military construction project requir-*
10 *ing congressional notification or approval, the inclu-*
11 *sion of a certification by the Secretary of Defense or*
12 *the Secretary of the military department concerned*
13 *that the proposed military construction project takes*
14 *into consideration—*

15 (A) *the potential adverse consequences of*
16 *long-term changes in environmental conditions,*
17 *such as increasingly frequent extreme weather*
18 *events, that could affect the military installation*
19 *resilience of the installation for which the mili-*
20 *tary construction project is proposed; and*

21 (B) *building requirements in effect for the*
22 *locality in which the military construction*
23 *project is proposed and industry best practices*
24 *that are developed to withstand extreme weather*
25 *events and other consequences of changes in envi-*
26 *ronmental conditions.*

(2) *ELEMENTS OF CERTIFICATION.*—As part of the certification required by paragraph (1) for a proposed military construction project, the Secretary concerned shall identify the potential changes in environmental conditions, such as increasingly frequent extreme weather events, considered and addressed under subparagraphs (A) and (B) of paragraph (1).

(b) *RELATION TO RECENT MODIFICATION REQUIRE-*
MENT.—The modification of Department of Defense Form
1391 required by subsection (a) is in addition to, and ex-
pands upon, the modification of Department of Defense
Form 1391 with respect to flood risk disclosure for military
construction required by section 2805(a) of the Military
Construction Authorization Act for Fiscal Year 2019 (divi-
sion B of Public Law 115–232; 132 Stat. 2262; 10 U.S.C.
2802 note).

(c) *MILITARY INSTALLATION RESILIENCE DEFINED.*—
In this section, the term “military installation resilience”
has the meaning given that term in section 101(e)(8) of title
10, United States Code.

21 *SEC. 2807. IMPROVED FLOOD RISK DISCLOSURE FOR MILI-*
22 *TARY CONSTRUCTION.*

23 (a) WHEN DISCLOSURE REQUIRED.—Section
24 2805(a)(1) 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 subparagraph (A), by inserting after*
 4 *“hazard data” the following: “, or will be impacted*
 5 *by projected current and future mean sea level fluc-*
 6 *tuations over the lifetime of the project”; and*

7 *(2) in subparagraph (B), by inserting after*
 8 *“floodplain” the following: “or will be impacted by*
 9 *projected current and future mean sea level fluctua-*
 10 *tions over the lifetime of the project”.*

11 *(b) REPORTING REQUIREMENTS.—Section 2805(a)(3)*
 12 *of the Military Construction Authorization Act for Fiscal*
 13 *Year 2019 (division B of Public Law 115–232; 132 Stat.*
 14 *2262; 10 U.S.C. 2802 note) is amended—*

15 *(1) in the matter preceding the subparagraphs,*
 16 *by inserting after “floodplain” the following: “or are*
 17 *to be impacted by projected current and future mean*
 18 *sea level fluctuations over the lifetime of the project”;*
 19 *and*

20 *(2) by adding at the end the following new sub-*
 21 *paragraph:*

22 *“(D) A description of how the proposed*
 23 *project has taken into account projected current*
 24 *and future mean sea level fluctuations over the*
 25 *lifetime of the project.”.*

1 (c) *MITIGATION PLAN ASSUMPTIONS.*—Section
 2 *2805(a)(4) of the Military Construction Authorization Act*
 3 *for Fiscal Year 2019 (division B of Public Law 115–232;*
 4 *132 Stat. 2262; 10 U.S.C. 2802 note) is amended—*

5 (1) *in the matter preceding the subparagraphs—*

6 (A) *by inserting after “floodplain” the fol-*
 7 *lowing: “or that will be impacted by projected*
 8 *current and future mean sea level fluctuations*
 9 *over the lifetime of the project”; and*

10 (B) *by striking “an additional”;*

11 (2) *in subparagraph (A)—*

12 (A) *by inserting “an additional” before “2*
 13 *feet”; and*

14 (B) *by striking “and” at the end of the sub-*
 15 *paragraph;*

16 (3) *in subparagraph (B)—*

17 (A) *by inserting “an additional” before “3*
 18 *feet”; and*

19 (B) *by striking the period at the end of the*
 20 *subparagraph and inserting “; and”; and*

21 (4) *by adding at the end the following new sub-*
 22 *paragraph:*

23 “(C) *any additional flooding that will re-*
 24 *sult from projected current and future mean sea*

1 *level fluctuations over the lifetime of the*
 2 *project.”.*

3 **SEC. 2808. TECHNICAL CORRECTIONS AND IMPROVEMENTS**
 4 **TO DEFENSE ACCESS ROAD RESILIENCE.**

5 *Section 210 of title 23, United States Code, is amend-*
 6 *ed—*

7 *(1) in subsection (a), by striking “(a)(1) The*
 8 *Secretary” and all that follows through the end of*
 9 *paragraph (1) and inserting the following:*

10 “(a) *AUTHORIZATION.—*

11 “(1) *IN GENERAL.—When defense access roads*
 12 *are certified to the Secretary as important to the na-*
 13 *tional defense by the Secretary of Defense or such*
 14 *other official as the President may designate, the Sec-*
 15 *retary is authorized, out of the funds appropriated for*
 16 *defense access roads, to provide for—*

17 “(A) *the construction and maintenance of*
 18 *defense access roads (including bridges, tubes,*
 19 *tunnels, and culverts or other hydraulic appur-*
 20 *tenances on those roads) to—*

21 “(i) *military reservations;*

22 “(ii) *defense industry sites;*

23 “(iii) *air or sea ports that are nec-*
 24 *essary for or are planned to be used for the*
 25 *deployment or sustainment of members of*

1 *the Armed Forces, equipment, or supplies;*
 2 *or*

3 “(iv) *sources of raw materials;*

4 “(B) *the reconstruction or enhancement of,*
 5 *or improvements to, those roads to ensure the*
 6 *continued effective use of the roads, regardless of*
 7 *current or projected increases in mean tides, re-*
 8 *current flooding, or other weather-related condi-*
 9 *tions or natural disasters; and*

10 “(C) *replacing existing highways and high-*
 11 *way connections that are shut off from general*
 12 *public use by necessary closures, closures due to*
 13 *mean sea level fluctuation and flooding, or re-*
 14 *strictions at—*

15 “(i) *military reservations;*

16 “(ii) *air or sea ports that are nec-*
 17 *essary for or are planned to be used for the*
 18 *deployment or sustainment of members of*
 19 *the Armed Forces, equipment, or supplies;*
 20 *or*

21 “(iii) *defense industry sites.”;*

22 (2) *in subsection (b), by striking “the construc-*
 23 *tion and maintenance of” and inserting “construc-*
 24 *tion, reconstruction, resurfacing, restoration, rehabili-*
 25 *tation, and preservation of, or enhancements to,”;*

1 (3) in subsection (c)—

2 (A) by striking “him” and inserting “the
3 Secretary”;

4 (B) by striking “construction, maintenance,
5 and repair work” and inserting “activities for
6 construction, maintenance, reconstruction, en-
7 hancement, improvement, and repair”;

8 (C) by striking “therein” and inserting “in
9 those areas”; and

10 (D) by striking “condition for such training
11 purposes and for repairing the damage caused to
12 such highways by the operations of men and
13 equipment in such training.” and inserting the
14 following: “condition for—

15 “(1) that training; and

16 “(2) repairing the damage to those highways
17 caused by—

18 “(A) weather-related events, increases in
19 mean high tide levels, recurrent flooding, or nat-
20 ural disasters; or

21 “(B) the operations of men and equipment
22 in such training.”;

23 (4) in subsection (g)—

24 (A) by striking “he” and inserting “the Sec-
25 retary”;

1 (B) by striking “construction which has
2 been” and inserting “construction and other ac-
3 tivities”; and

4 (C) by striking “upon his demand” and in-
5 serting “upon demand by the Secretary”; and

6 (5) by striking subsection (i) and inserting the
7 following:

8 “(i) *REPAIR OF CERTAIN DAMAGES AND INFRASTRUC-*
9 *TURE.—The funds appropriated to carry out this section*
10 *may be used to pay the cost of repairing damage caused,*
11 *or any infrastructure to mitigate a risk posed, to a defense*
12 *access road by recurrent or projected recurrent flooding, sea*
13 *level fluctuation, a natural disaster, or any other current*
14 *or projected change in applicable environmental conditions,*
15 *if the Secretary determines that continued access to a mili-*
16 *tary installation, defense industry site, air or sea port nec-*
17 *essary for or planned to be used for the deployment or*
18 *sustainment of members of the Armed Forces, equipment,*
19 *or supplies, or to a source of raw materials, has been or*
20 *is projected to be impacted by those events or conditions.”.*

***Subtitle B—Military Family
Housing Reforms***

***SEC. 2811. ENHANCED PROTECTIONS FOR MEMBERS OF
THE ARMED FORCES AND THEIR DEPEND-
ENTS RESIDING IN PRIVATIZED MILITARY
HOUSING UNITS.***

*(a) SPECIFIED RIGHTS OF TENANCY IN PRIVATIZED
MILITARY HOUSING UNITS.—*

*(1) IN GENERAL.—Section 2886 of title 10,
United States Code, is amended to read as follows:*

***“§2886. Specified rights of tenancy in military hous-
ing units***

***“(a) CONTRACT REQUIREMENT FOR MILITARY HOUS-
ING UNITS.—***

***“(1) INCLUSION OF RIGHTS OF TENANCY.—Each
contract between the Secretary concerned and a land-
lord shall guarantee the rights of tenancy specified in
this section for military tenants who reside in mili-
tary housing units covered by the contract.***

***“(2) RULE OF CONSTRUCTION.—The rights of
tenancy in military housing units specified in this
section are not intended to be exclusive. The omission
of a tenant right or protection shall not be construed
to deny the existence of such a right or protection for
military tenants.***

1 “(3) *WRITTEN LEASE AND EXPLANATION OF TEN-*
2 *ANCY.—(A) The lease between a landlord and mili-*
3 *tary tenant shall be in writing to establish tenancy*
4 *in a military housing unit. The landlord shall pro-*
5 *vide the military tenant with a copy of the lease, any*
6 *addendums, and any other regulations imposed by the*
7 *landlord regarding occupancy of the military housing*
8 *unit and use of common areas.*

9 “(B) *The Secretary concerned shall require that*
10 *a military tenant receive a plain-language briefing*
11 *regarding the rights of tenancy guaranteed by this*
12 *section and the respective responsibilities of landlords*
13 *and military tenants related to tenancy, including the*
14 *existence of any additional fees authorized by sub-*
15 *section (c)(2), any utilities payments, the procedures*
16 *for submitting and tracking work orders, the identity*
17 *of the military tenant advocate, and the dispute reso-*
18 *lution process.*

19 “(b) *PROTECTION AGAINST RETALIATION.—*

20 “(1) *IN GENERAL.—A landlord may not retaliate*
21 *against a military tenant, directly or through the*
22 *chain-of-command of a member of the armed forces*
23 *who is a military tenant, in response to a military*
24 *tenant making a complaint relating to a military*
25 *housing unit or common areas. Evidence of retalia-*

1 *tion may include any of the following actions, includ-*
 2 *ing unsuccessful attempts to commit such an action:*

3 *“(A) Unlawful recovery of, or attempt to re-*
 4 *cover, possession of a military housing unit.*

5 *“(B) Unlawfully increasing the rent, de-*
 6 *creasing services, or increasing the obligations of*
 7 *a military tenant.*

8 *“(C) Interference with a military tenant’s*
 9 *right to privacy.*

10 *“(D) Harassment of a military tenant.*

11 *“(E) Refusal to honor the terms of the lease.*

12 *“(F) Interference with the career of a mili-*
 13 *tary tenant.*

14 *“(2) INVESTIGATION.—The Inspector General of*
 15 *the Department of Defense and the Inspector General*
 16 *of a military department may investigate allegations*
 17 *of retaliation against a military tenant in connection*
 18 *with a complaint relating to a military housing unit.*

19 *“(c) PROHIBITION AGAINST COLLECTION OF AMOUNTS*
 20 *IN ADDITION TO RENT.—*

21 *“(1) IN GENERAL.—A landlord may not impose*
 22 *on a military tenant a supplemental payment, such*
 23 *as an out-of-pocket fee, in addition to the amount of*
 24 *rent the landlord charges for a unit of similar size*
 25 *and composition to the military housing unit, with-*

1 *out regard to whether or not the amount of the mem-*
2 *ber's basic allowance for housing under section 403 of*
3 *title 37 is less than the amount of the rent.*

4 *“(2) EXCEPTIONS.—Nothing in paragraph (1)*
5 *shall be construed—*

6 *“(A) to prohibit a landlord from imposing*
7 *an additional payment—*

8 *“(i) for optional services provided to*
9 *military tenants, such as access to a gym or*
10 *a parking space;*

11 *“(ii) for non-essential utility services,*
12 *as determined in accordance with regula-*
13 *tions promulgated by the Secretary con-*
14 *cerned; or*

15 *“(iii) to recover damages associated*
16 *with tenant negligence; or*

17 *“(B) to limit or otherwise affect the author-*
18 *ity of the Secretary concerned to enter into rent-*
19 *al guarantee agreements under section 2876 of*
20 *this title or to make differential lease payments*
21 *under section 2877 of this title, so long as such*
22 *agreements or payments do not require a mili-*
23 *tary tenant to pay an out-of-pocket fee or pay-*
24 *ment in addition to the basic allowance for hous-*
25 *ing of the member.*

1 “(d) *DISPUTE RESOLUTION PROCESS.*—

2 “(1) *ESTABLISHMENT.*—*The Secretary concerned*
 3 *shall establish a dispute resolution process for the res-*
 4 *olution of disputes between landlords and military*
 5 *tenants related to military housing units. The resolu-*
 6 *tion process shall use neutral arbitrators and mini-*
 7 *mize costs incurred by military tenants to partici-*
 8 *pate.*

9 “(2) *TREATMENT OF BASIC ALLOWANCE FOR*
 10 *HOUSING.*—*During the dispute resolution process be-*
 11 *tween a landlord and military tenant, the Secretary*
 12 *concerned may withhold from the landlord amounts of*
 13 *the military tenant’s basic allowance for housing*
 14 *under section 403 of title 37 that otherwise would be*
 15 *paid to the landlord directly by the military tenant*
 16 *or through allotments of the pay of the military ten-*
 17 *ant under section 701 of such title.*

18 “(e) *PROMPT MAINTENANCE AND REPAIRS.*—

19 “(1) *IN GENERAL.*—*The Secretary concerned*
 20 *shall ensure that landlords—*

21 “(A) *respond promptly to requests for the*
 22 *maintenance or repair of a military housing*
 23 *unit; and*

1 “(B) *communicate effectively with military*
 2 *tenants regarding the schedule and status of*
 3 *maintenance or repair requests.*

4 “(2) *ELECTRONIC WORK ORDER SYSTEM.—To*
 5 *promote the policy objective described in paragraph*
 6 *(1), the Secretary concerned shall require the estab-*
 7 *lishment of an electronic work order system through*
 8 *which a military tenant may request maintenance or*
 9 *repairs of a military housing unit and track the*
 10 *progress of the work.*

11 “(3) *ACCESS TO SYSTEM.—The electronic work*
 12 *order system shall be accessible—*

13 “(A) *to a military tenant to track a work*
 14 *request made through the system by the military*
 15 *tenant;*

16 “(B) *to military tenant advocates or a com-*
 17 *mander of the relevant military installation to*
 18 *track a work request made through the system;*
 19 *and*

20 “(C) *to the landlord responsible for the*
 21 *military housing unit to track a work request*
 22 *made through the system by a military tenant.*

23 “(f) *DISCLOSURE OF HOUSING CODE VIOLATIONS AND*
 24 *HAZARDS.—*

1 “(1) *IN GENERAL.*—*Before accepting a rental ap-*
2 *plication from a prospective military tenant to lease*
3 *a military housing unit, the landlord must disclose to*
4 *the prospective military tenant the following:*

5 “(A) *Any housing code violations with re-*
6 *spect to the military housing unit incurred with-*
7 *in the previous three years.*

8 “(B) *Either a three-year history of mold*
9 *contamination with respect to the military hous-*
10 *ing unit and common areas or proof of proper*
11 *remediation.*

12 “(C) *Either a three-year history of lead*
13 *contamination in water with respect to the mili-*
14 *tary housing unit and common areas or proof of*
15 *proper remediation.*

16 “(D) *Either a three-year history of rodent*
17 *infestation with respect to the military housing*
18 *unit and common areas or proof of proper reme-*
19 *diation.*

20 “(E) *Any information regarding health-re-*
21 *lated symptoms among previous residents of the*
22 *military housing unit that may have been the re-*
23 *sult of exposure to environmental hazards in the*
24 *military housing unit or common areas, if such*
25 *residents agreed to voluntarily disclose such in-*

1 *formation. The military tenant advocate shall*
2 *inform military tenants of their option to dis-*
3 *close or decline to disclose such information.*

4 “(2) *CONTINUED REQUIREMENT.*—*The landlord*
5 *must make the information referred to in paragraph*
6 *(1) accessible to the military tenant throughout the*
7 *lease of the military housing unit.*

8 “(g) *UNIT INSPECTIONS.*—

9 “(1) *MOVE-IN.*—*A military tenant is entitled to*
10 *be present for an inspection of a military housing*
11 *unit before accepting occupancy of the military hous-*
12 *ing unit to ensure that the military housing unit is*
13 *habitable and that facilities and common areas of the*
14 *building are in good repair.*

15 “(2) *MOVE-OUT.*—*A military tenant is entitled*
16 *to be present for the move-out inspection and must be*
17 *given sufficient time to address any concerns related*
18 *to the military tenant’s occupancy of the military*
19 *housing unit.*

20 “(h) *MILITARY TENANT ADVOCATES.*—(1)(A) *The Sec-*
21 *retary concerned shall assign personnel of the Department*
22 *of Defense or contractor personnel to serve as a military*
23 *tenant advocate—*

24 “(i) *to assist in the resolution of a dispute*
25 *between a landlord and a military tenant; and*

1 “(ii) to serve as a liaison between military
2 tenants and landlords, officials in the chain of
3 command at the installation, and the individual
4 designated in paragraph (2) within the Office of
5 the Secretary of Defense, with respect to concerns
6 of military tenants at the applicable installation.

7 “(B) A military tenant advocate may not be an em-
8 ployee of a landlord or occupy office-space provided by a
9 landlord.

10 “(2)(A) The Secretary of Defense shall designate an in-
11 dividual within the Office of the Secretary of Defense to
12 serve as the liaison between the Secretary and the Secre-
13 taries concerned, the military tenant advocates under para-
14 graph (1), landlords, and other offices of the Department
15 as the Secretary determines appropriate with respect to
16 military tenant issues.

17 “(B) Not later than one year after the date of the en-
18 actment of the National Defense Authorization Act for Fis-
19 cal Year 2020, and annually thereafter for the next two
20 years, the individual designated under subparagraph (A)
21 shall submit to the Secretary of Defense and the congres-
22 sional defense committees a report containing a description
23 of—

24 “(i) common issues encountered by military ten-
25 ants with respect to military housing; and

1 “(ii) the responsiveness of landlords to tenant re-
 2 quests for the maintenance or repair of military hous-
 3 ing units.”.

4 (2) *CLERICAL AMENDMENT.*—The table of sec-
 5 tions at the beginning of subchapter IV of title 10,
 6 United States Code, is amended by striking the item
 7 relating to section 2886 and inserting the following
 8 new item:

 “2886. Specified rights of tenancy in military housing units.”.

9 (b) *DEFINITIONS.*—Section 2871 of title 10, United
 10 States Code, is amended—

11 (1) by redesignating paragraphs (7) and (8) as
 12 paragraphs (10) and (11), respectively; and

13 (2) by inserting after paragraph (6) the fol-
 14 lowing new paragraphs:

15 “(7) The term ‘landlord’ means an eligible entity
 16 that enters into a contract as a partner with the Sec-
 17 retary concerned for the acquisition or construction of
 18 a military housing unit under this subchapter or any
 19 subsequent lessor who owns, manages, or is otherwise
 20 responsible for a military housing unit.

21 “(8) The term ‘military housing unit’ means a
 22 unit of military family housing or military unaccom-
 23 panied housing acquired or constructed under this
 24 subchapter.

1 “(9) *The term ‘military tenant’ means a member*
2 *of the armed forces who occupies a military housing*
3 *unit and any dependent of the member who is a*
4 *party to a lease for a military housing unit or is au-*
5 *thorized to act on behalf of the member in the event*
6 *of the assignment or deployment of the member.’”.*

7 *(c) IMPLEMENTATION REPORT.—Not later than March*
8 *1, 2020, the Secretary of Defense shall submit to the Com-*
9 *mittees on Armed Services of the House of Representatives*
10 *and the Senate a report containing a plan to implement*
11 *section 2886 of title 10, United States Code, as amended*
12 *by subsection (a). In the report, the Secretary shall identify*
13 *any circumstances that would impede application of the re-*
14 *quirements of such section to existing contracts for the ac-*
15 *quisition or construction of military family housing units*
16 *or military unaccompanied housing units under subchapter*
17 *IV of chapter 169 of such title, and to existing contracts*
18 *for the management of such military housing units.*

1 **SEC. 2812. PROHIBITION ON USE OF NONDISCLOSURE**
 2 **AGREEMENTS IN CONNECTION WITH LEASES**
 3 **OF MILITARY HOUSING CONSTRUCTED OR**
 4 **ACQUIRED USING ALTERNATIVE AUTHORITY**
 5 **FOR ACQUISITION AND IMPROVEMENT OF**
 6 **MILITARY HOUSING.**

7 (a) *NONDISCLOSURE AGREEMENTS PROHIBITED.—*
 8 *Section 2882 of title 10, United States Code, is amended*
 9 *by adding at the end the following new subsection:*

10 “(d) *PROHIBITION ON USE OF NONDISCLOSURE*
 11 *AGREEMENTS.—(1) A member of the armed forces who*
 12 *leases a housing unit acquired or constructed under this*
 13 *subchapter, and any dependent of the member who is a*
 14 *party to a lease for such a unit or is authorized to act on*
 15 *behalf of the member in the event of the assignment or de-*
 16 *ployment of the member, may not be required to sign a non-*
 17 *disclosure agreement in connection with entering into, con-*
 18 *tinuing, or terminating the lease. Any such agreement*
 19 *against the interests of the member is invalid.*

20 “(2) *Paragraph (1) shall not apply to a nondisclosure*
 21 *agreement executed as part of the settlement of litigation.”.*

22 (b) *IMPLEMENTATION.—The Secretary of Defense and*
 23 *the Secretaries of the military departments shall promul-*
 24 *gate regulations necessary to give full force and effect to*
 25 *subsection (d) of section 2882 of title 10, United States*
 26 *Code, as added by subsection (a).*

1 (c) *RETROACTIVE APPLICATION OF AMENDMENT.*—
 2 Subsection (d) of section 2882 of title 10, United States
 3 Code, as added by subsection (a), shall apply with respect
 4 to any nondisclosure agreement covered by the terms of such
 5 subsection (d) regardless of the date on which the agreement
 6 was executed.

7 **SEC. 2813. AUTHORITY TO FURNISH CERTAIN SERVICES IN**
 8 **CONNECTION WITH USE OF ALTERNATIVE AU-**
 9 **THORITY FOR ACQUISITION AND IMPROVE-**
 10 **MENT OF MILITARY HOUSING.**

11 Section 2872a(b) of title 10, United States Code, is
 12 amended by adding at the end the following new para-
 13 graphs:

14 “(13) Street sweeping.

15 “(14) Tree trimming and removal.”.

16 **SEC. 2814. MODIFICATION TO REQUIREMENTS FOR WINDOW**
 17 **FALL PREVENTION DEVICES IN MILITARY**
 18 **FAMILY HOUSING UNITS.**

19 (a) *FALL PREVENTION DEVICE REQUIREMENTS.*—Sec-
 20 tion 2879(a) of title 10, United States Code, is amended—

21 (1) in paragraph (1), by striking “that protect
 22 against unintentional window falls by young children
 23 and that are in compliance with applicable Inter-
 24 national Building Code (IBC) standards” and insert-
 25 ing “described in paragraph (3)”;

1 (2) *in paragraph (2)—*

2 (A) *in subparagraph (A), by striking “De-*
3 *cember 11, 2017” and inserting “October 1,*
4 *2019”; and*

5 (B) *in subparagraph (B), by striking “Sep-*
6 *tember 1, 2018” and inserting “October 1,*
7 *2019”; and*

8 (3) *by adding at the end the following new para-*
9 *graph:*

10 “(3) *FALL PREVENTION DEVICE DESCRIBED.—A*
11 *fall prevention device is a window screen or guard*
12 *that complies with applicable standards in ASTM*
13 *standard F2090–13 (or any successor standard).”.*

14 (b) *MODIFICATION TO WINDOW DESCRIPTION.—Sec-*
15 *tion 2879(c) of title 10, United States Code, is amended*
16 *by striking “24” and inserting “42”.*

17 (c) *CONFORMING AMENDMENT.—Section 2879(b)(1) of*
18 *title 10, United States Code, is amended by striking “para-*
19 *graph (1)” and inserting “paragraph (3)”.*

20 **SEC. 2815. ASSESSMENT OF HAZARDS IN DEPARTMENT OF**
21 **DEFENSE HOUSING.**

22 (a) *HAZARD ASSESSMENT TOOL.—*

23 (1) *DEVELOPMENT REQUIRED.—Not later than*
24 *180 days after the date of the enactment of this Act,*
25 *the Secretary of Defense shall develop an assessment*

1 *tool, such as a rating system or similar mechanism,*
2 *to identify and measure health and safety hazards in*
3 *housing under the jurisdiction of the Department of*
4 *Defense (including privatized housing).*

5 (2) *COMPONENTS.—The assessment tool shall*
6 *provide for the identification and measurement of the*
7 *following hazards:*

8 (A) *Physiological hazards, including damp-*
9 *ness and mold growth, lead-based paint, asbestos*
10 *and manmade fibers, radiation, biocides, carbon*
11 *monoxide, and volatile organic compounds.*

12 (B) *Psychological hazards, including ease of*
13 *access by unlawful intruders, and lighting issues.*

14 (C) *Infection hazards.*

15 (D) *Safety hazards.*

16 (3) *PUBLIC FORUMS.—In developing the assess-*
17 *ment tool, the Secretary of Defense shall provide for*
18 *multiple public forums at which the Secretary may*
19 *receive input with respect to such assessment tool*
20 *from occupants of housing under the jurisdiction of*
21 *the Department of Defense (including privatized hous-*
22 *ing).*

23 (4) *REPORT.—Not later than 210 days after the*
24 *date of the enactment of this Act, the Secretary of De-*
25 *fense shall submit to the Committees on Armed Serv-*

1 *ices of the Senate and the House of Representatives a*
 2 *report on the assessment tool.*

3 *(b) HAZARD ASSESSMENTS.—*

4 *(1) ASSESSMENTS REQUIRED.—Not later than*
 5 *one year after the date of the enactment of this Act,*
 6 *the Secretary of Defense, using the assessment tool de-*
 7 *veloped under subsection (a)(1), shall complete a haz-*
 8 *ard assessment for each housing facility under the ju-*
 9 *risdiction of the Department of Defense (including*
 10 *privatized housing).*

11 *(2) TENANT INFORMATION.—As soon as prac-*
 12 *ticable after the completion of the hazard assessment*
 13 *conducted for a housing facility under paragraph (1),*
 14 *the Secretary of Defense shall provide to each indi-*
 15 *vidual who leases or is assigned to a housing unit in*
 16 *the facility a summary of the results of the assess-*
 17 *ment.*

18 **SEC. 2816. DEVELOPMENT OF PROCESS TO IDENTIFY AND**
 19 **ADDRESS ENVIRONMENTAL HEALTH HAZ-**
 20 **ARDS IN DEPARTMENT OF DEFENSE HOUS-**
 21 **ING.**

22 *(a) PROCESS REQUIRED.—Not later than 180 days*
 23 *after the date of the enactment of this Act, the Secretary*
 24 *of Defense, in coordination with the Secretaries of the mili-*
 25 *tary departments, shall develop a process to identify, record,*

1 *and resolve environmental health hazards in housing under*
2 *the jurisdiction of the Department of Defense (including*
3 *privatized housing) in a timely manner.*

4 (b) *ELEMENTS OF PROCESS.—The process developed*
5 *under subsection (a) shall provide for the following with*
6 *respect to each identified environmental health hazard:*

7 (1) *Categorization of the hazard.*

8 (2) *Identification of health risks posed by the*
9 *hazard.*

10 (3) *Identification of the number of housing occu-*
11 *pants potentially affected by the hazard.*

12 (4) *Recording and maintenance of information*
13 *regarding the hazard.*

14 (5) *Resolution of the hazard, which shall in-*
15 *clude—*

16 (A) *the performance by the Secretary of De-*
17 *fense (or in the case of privatized housing, the*
18 *landlord) of hazard remediation activities at the*
19 *affected facility; and*

20 (B) *follow-up by the Secretary of Defense to*
21 *collect information on medical care related to the*
22 *hazard sought or received by individuals affected*
23 *by the hazard.*

24 (c) *COORDINATION.—The Secretary of Defense shall*
25 *ensure coordination between military treatment facilities,*

1 *appropriate public health officials, and housing managers*
 2 *at military installations with respect to the development*
 3 *and implementation of the process required by subsection*
 4 *(a).*

5 *(d) REPORT.—Not later than 210 days after the date*
 6 *of the enactment of this Act, the Secretary of Defense shall*
 7 *submit to the Committees on Armed Services of the Senate*
 8 *and the House of Representatives a report on the process*
 9 *required by subsection (a).*

10 **SEC. 2817. REPORT ON CIVILIAN PERSONNEL SHORTAGES**
 11 **FOR APPROPRIATE OVERSIGHT OF MANAGE-**
 12 **MENT OF MILITARY HOUSING CONSTRUCTED**
 13 **OR ACQUIRED USING ALTERNATIVE AUTHOR-**
 14 **ITY FOR ACQUISITION AND IMPROVEMENT OF**
 15 **MILITARY HOUSING.**

16 *(a) REPORT REQUIRED.—Not later than six months*
 17 *after the date of the enactment of this Act, the Secretary*
 18 *of Defense, in coordination with the Secretaries of the mili-*
 19 *tary departments, shall submit to the congressional defense*
 20 *committees a report containing the following:*

21 *(1) An evaluation of the extent to which short-*
 22 *ages in the number of civilian personnel performing*
 23 *oversight functions at Department of Defense housing*
 24 *management offices or assigned to housing-related*
 25 *functions at headquarters levels contribute to problems*

1 *regarding the management of military housing con-*
2 *structed or acquired using the alternative authority*
3 *for the acquisition and improvement of military hous-*
4 *ing under subchapter IV of chapter 169 of title 10,*
5 *United States Code.*

6 *(2) Recommendations to address such personnel*
7 *shortages in order to eliminate management problems*
8 *regarding such military housing, ensure oversight of*
9 *the partner's execution of the housing agreement and*
10 *the delivery of all requirements in accordance with*
11 *implementing guidance provided by the Secretaries of*
12 *the military departments, improve oversight of and*
13 *expedite the work-order process, and facilitate a posi-*
14 *tive experience for members of the Armed Forces and*
15 *their dependents who reside in military housing.*

16 *(b) PERSONNEL RECOMMENDATIONS.—As part of the*
17 *recommendations required by subsection (a)(2), the Sec-*
18 *retary of Defense shall—*

19 *(1) determine the number of additional personnel*
20 *who are required, the installation and headquarter lo-*
21 *cations at which they will be employed, the employ-*
22 *ment positions they will fill, and the duties they will*
23 *perform;*

24 *(2) identify the number of additional personnel*
25 *already hired as of the date on which the report is*

1 *submitted and their locations and the timeline for*
 2 *employing the remaining required personnel; and*
 3 *(3) estimate the cost of employing the additional*
 4 *personnel.*

5 **SEC. 2818. INSPECTOR GENERAL REVIEW OF DEPARTMENT**
 6 **OF DEFENSE OVERSIGHT OF PRIVATIZED**
 7 **MILITARY HOUSING.**

8 *Not later than one year after the date of the enactment*
 9 *of this Act, and annually thereafter until 2022, the Inspec-*
 10 *tor General of the Department of Defense shall—*

11 *(1) conduct a review at not less than 15 ran-*
 12 *domly selected military installations of the oversight*
 13 *by the Secretary of Defense of privatized military*
 14 *housing at such installations; and*

15 *(2) make publicly available on a website of the*
 16 *Department a summary of the results of such review.*

17 **SEC. 2819. DEPARTMENT OF DEFENSE INSPECTION AU-**
 18 **THORITY REGARDING PRIVATIZED MILITARY**
 19 **HOUSING.**

20 *(a) INSPECTION AUTHORITY.—Section 2885 of title 10,*
 21 *United States Code, is amended by adding at the end the*
 22 *following new subsection:*

23 *“(g) POST-CONSTRUCTION ACCESS AND INSPECTION*
 24 *AUTHORITY.—*

1 “(1) *REQUIREMENT.*—*The Secretary concerned*
 2 *shall retain the authority after the completion of a*
 3 *military housing privatization project to access and*
 4 *inspect any military housing unit, ancillary sup-*
 5 *porting facility, or common area acquired, con-*
 6 *structed, or renovated as part of the project in order*
 7 *to protect the health and safety of members of the*
 8 *armed forces and their dependents who occupy the*
 9 *privatized military housing units.*

10 “(2) *NOTICE AND RIGHT OF REFUSAL OF ACCESS*
 11 *AND INSPECTION.*—*The Secretary concerned shall en-*
 12 *sure that the individuals who lease or are assigned a*
 13 *military housing unit—*

14 “(A) *are provided not less than 48 hours*
 15 *notice prior to the Secretary concerned accessing*
 16 *and inspecting the unit as authorized under*
 17 *paragraph (1); and*

18 “(B) *have the right to refuse the Secretary*
 19 *concerned such access.”.*

20 “(b) *RETROACTIVE APPLICATION OF AMENDMENT.*—
 21 *Subsection (g) of section 2885 of title 10, United States*
 22 *Code, as added by subsection (a), shall apply to each mili-*
 23 *tary housing privatization project completed prior to the*
 24 *date of the enactment of this Act, and to each such project*
 25 *completed on or after such date.*

1 **SEC. 2820. IMPROVEMENT OF PRIVATIZED MILITARY HOUS-**
 2 **ING.**

3 (a) *COMPLAINT DATABASE AND FINANCIAL TRANS-*
 4 *PARENCY.—*

5 (1) *IN GENERAL.—Subchapter IV of chapter 169*
 6 *of title 10, United States Code, is amended by adding*
 7 *at the end the following new sections:*

8 **“§2887. Complaint database**

9 “(a) *DATABASE REQUIRED.—The Secretary of Defense*
 10 *shall establish a database that is available to the public of*
 11 *complaints relating to housing units under this subchapter.*

12 “(b) *FILING OF COMPLAINTS.—The Secretary shall en-*
 13 *sure that a tenant of a housing unit under this subchapter*
 14 *may file a complaint relating to such housing unit for in-*
 15 *clusion in the database under subsection (a).*

16 “(c) *RESPONSE BY LANDLORD.—(1) The Secretary*
 17 *shall include in any contract with a landlord responsible*
 18 *for a housing unit under this subchapter a requirement that*
 19 *the landlord respond to any complaints included in the*
 20 *database under subsection (a) that relate to the housing*
 21 *unit.*

22 “(2) *Any response under paragraph (1) shall be in-*
 23 *cluded in the database under subsection (a).*

24 **“§2888. Financial transparency**

25 “(a) *AUDITS OF AGREEMENTS WITH PARTNERS.—(1)*
 26 *Not less frequently than annually, the Comptroller General*

1 *of the United States, in accordance with best audit prac-*
2 *tices, shall randomly select one small, medium, and large*
3 *military installation participating in the Military*
4 *Privatized Housing Initiative for the purposes of con-*
5 *ducting a full financial audit of the privatized housing*
6 *project or projects at each installation. The results of audits*
7 *conducted under this section shall be provided to the Sec-*
8 *retary of Defense and the Committees on Armed Services*
9 *of the Senate and the House of Representatives.*

10 “(2) Audits conducted under paragraph (1) shall in-
11 clude an analysis, at a minimum, of the following:

12 “(A) Base management fees for managing the
13 housing units.

14 “(B) Incentive fees relating to the housing units,
15 including details on the following:

16 “(i) Metrics upon which such incentive fees
17 are paid.

18 “(ii) Whether incentive fees were paid in
19 full or withheld in part or in full during the
20 year covered by the publication, and if so, why.

21 “(C) Asset management fees relating to the hous-
22 ing units.

23 “(D) Preferred return fees relating to the housing
24 units.

1 “(E) *Any deferred fees or other fees relating to*
2 *the housing units.*

3 “(F) *Residual cash flow distributions relating to*
4 *the housing units.*

5 “(G) *Provider’s financial relationship with and*
6 *use of subsidiaries and third parties to manage/im-*
7 *plement housing agreements.”.*

8 (2) *CLERICAL AMENDMENT.—The table of sec-*
9 *tions at the beginning of subchapter IV of chapter 169*
10 *of title 10, United States Code, is amended by insert-*
11 *ing after the item relating to section 2886 the fol-*
12 *lowing new items:*

 “2887. *Complaint database.*

 “2888. *Financial transparency.”.*

13 (b) *ANNUAL REPORTS ON PRIVATIZED MILITARY*
14 *HOUSING.—Section 2884 of title 10, United States Code,*
15 *is amended by adding at the end the following new sub-*
16 *section:*

17 “(d) *ANNUAL REPORT ON HOUSING.—(1) Not less fre-*
18 *quently than annually, the Secretary of Defense shall sub-*
19 *mit to the congressional defense committees and publish on*
20 *a publicly available website of the Department of Defense*
21 *a report on housing units under this subchapter,*
22 *disaggregated by military installation.*

23 “(2) *Each report submitted under paragraph (1) shall*
24 *include the following:*

1 “(A) *An assessment of the condition of housing*
 2 *units under this subchapter based on the average age*
 3 *of those units and the estimated time until recapital-*
 4 *ization.*

5 “(B) *An analysis of complaints of tenants of*
 6 *such housing units.*

7 “(C) *An assessment of maintenance response*
 8 *times and completion of maintenance requests relat-*
 9 *ing to such housing units.*

10 “(D) *An assessment of dispute resolution relating*
 11 *to such housing units, which must include an anal-*
 12 *ysis of all denied tenant requests to withhold rent*
 13 *payments, or where the dispute resolution process re-*
 14 *sulted in a favorable outcome for the housing pro-*
 15 *vider.*

16 “(E) *An assessment of overall customer service*
 17 *for tenants of such housing units.*

18 “(F) *A description of the results of any no-notice*
 19 *housing inspections conducted for such housing units.*

20 “(G) *The results of any resident surveys con-*
 21 *ducted with respect to such housing units.”.*

22 **SEC. 2821. INSTALLATION OF CARBON MONOXIDE DETEC-**
 23 **TORS IN MILITARY FAMILY HOUSING.**

24 *Section 2821 of title 10, United States Code, is amend-*
 25 *ed by adding at the end the following new subsection:*

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 INSTALLATIONS.—*

8 (1) *IN GENERAL.—Not later than February 1,*
 9 *2020, the Secretary of Defense shall establish a policy*
 10 *under which—*

11 (A) *a qualified individual may access a*
 12 *military installation for the purpose of con-*
 13 *ducting lead testing on the installation, subject*
 14 *to the approval of the Secretary; and*

15 (B) *the results of any lead testing conducted*
 16 *on a military installation shall be transmitted—*

17 (i) *in the case of a military installa-*
 18 *tion located inside the United States, to—*

19 (I) *the civil engineer of the instal-*
 20 *lation;*

21 (II) *the housing management of-*
 22 *fice of the installation;*

23 (III) *the public health organiza-*
 24 *tion on the installation;*

1 (IV) *the major subordinate com-*
 2 *mand of the Armed Force with juris-*
 3 *isdiction over the installation; and*

4 (V) *if required by law, any rel-*
 5 *evant Federal, State, and local agen-*
 6 *cies; and*

7 (ii) *in the case of a military installa-*
 8 *tion located outside the United States, to the*
 9 *civil engineer or commander of the installa-*
 10 *tion who shall transmit those results to the*
 11 *major subordinate command of the Armed*
 12 *Force with jurisdiction over the installa-*
 13 *tion.*

14 (2) *DEFINITIONS.—In this subsection:*

15 (A) *UNITED STATES.—The term “United*
 16 *States” has the meaning given such term in sec-*
 17 *tion 101(a)(1) of title 10, United States Code.*

18 (B) *QUALIFIED INDIVIDUAL.—The term*
 19 *“qualified individual” means an individual who*
 20 *is certified by the Environmental Protection*
 21 *Agency or by a State as—*

22 (i) *a lead-based paint inspector; or*

23 (ii) *a lead-based paint risk assessor.*

24 (b) *ANNUAL REPORTING ON LEAD-BASED PAINT IN*
 25 *MILITARY HOUSING.—*

1 (1) *IN GENERAL.*—Subchapter III of chapter 169
2 of title 10, United States Code, is amended by adding
3 at the end the following new section:

4 **“SEC. 2869a. ANNUAL REPORTING ON LEAD-BASED PAINT**
5 **IN MILITARY HOUSING.**

6 “(a) *ANNUAL REPORTS.*—

7 “(1) *IN GENERAL.*—Not later than February 1 of
8 each year, the Secretary of Defense shall submit to the
9 congressional defense committees a report that sets
10 forth, with respect to military housing under the ju-
11 risdiction of each Secretary of a military department
12 for the calendar year preceding the year in which the
13 report is submitted, the following:

14 “(A) A certification that indicates whether
15 the military housing under the jurisdiction of the
16 Secretary concerned is in compliance with the
17 requirements respecting lead-based paint, lead-
18 based paint activities, and lead-based paint haz-
19 ards described in section 408 of the Toxic Sub-
20 stances Control Act (15 U.S.C. 2688).

21 “(B) A detailed summary of the data,
22 disaggregated by military department, used in
23 making the certification under subparagraph
24 (A).

1 “(C) *The total number of military housing*
2 *units under the jurisdiction of the Secretary con-*
3 *cerned that were inspected for lead-based paint*
4 *in accordance with the requirements described in*
5 *subparagraph (A).*

6 “(D) *The total number of military housing*
7 *units under the jurisdiction of the Secretary con-*
8 *cerned that were not inspected for lead-based*
9 *paint.*

10 “(E) *The total number of military housing*
11 *units that were found to contain lead-based*
12 *paint in the course of the inspections described*
13 *in subparagraph (C).*

14 “(F) *A description of any abatement efforts*
15 *with respect to lead-based paint conducted re-*
16 *garding the military housing units described in*
17 *subparagraph (E).*

18 “(2) *PUBLICATION.—The Secretary of Defense*
19 *shall publish each report submitted under paragraph*
20 *(1) on a publicly available website of the Department*
21 *of Defense.*

22 “(b) *MILITARY HOUSING DEFINED.—In this section,*
23 *the term ‘military housing’ includes military family hous-*
24 *ing and military unaccompanied housing (as such term is*
25 *defined in section 2871 of this title).’.*

1 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
 2 *tions at the beginning of such subchapter is amended*
 3 *by adding at the end the following new item:*

“2869a. Annual reporting on lead-based paint in military housing”.

4 **SEC. 2823. PILOT PROGRAM TO BUILD AND MONITOR USE**
 5 **OF SINGLE FAMILY HOMES.**

6 (a) *IN GENERAL.*—*The Secretary of the Army shall*
 7 *carry out a pilot program to build and monitor the use*
 8 *of not fewer than 5 single family homes for members of the*
 9 *Army and their families.*

10 (b) *LOCATION.*—*The Secretary of the Army shall carry*
 11 *out the pilot program at no less than two installations of*
 12 *the Army located in different climate regions of the United*
 13 *States as determined by the Secretary.*

14 (c) *DESIGN.*—*In building homes under the pilot pro-*
 15 *gram, the Secretary of the Army shall use the All-American*
 16 *Abode design from the suburban single-family division de-*
 17 *sign by the United States Military Academy.*

18 (d) *FUNDING INCREASE.*—*Notwithstanding the*
 19 *amounts set forth in the funding tables in division D, the*
 20 *amount authorized to be appropriated in section 2103 for*
 21 *Army military construction, as specified in the cor-*
 22 *responding funding table in section 4601, for Military Con-*
 23 *struction, FH Con Army Family Housing P&D, is hereby*
 24 *increased by \$5,000,000, with the amount of such increase*
 25 *to be made available to carry out the pilot program.*

1 (e) *OFFSET*.—Notwithstanding the amounts set forth
 2 in the funding tables in division D, the amount authorized
 3 to be appropriated in section 201 for research, development,
 4 test, and evaluation, as specified in the corresponding fund-
 5 ing table in section 4201, for Air Force, Line 088, Program
 6 Element 0604933F, ICBM FUZE MODERNIZATION, is
 7 hereby reduced by \$5,000,000.

8 **SEC. 2824. INVESTIGATION OF REPORTS OF REPRISALS RE-**
 9 **LATING TO PRIVATIZED MILITARY HOUSING**
 10 **AND TREATMENT AS MATERIAL BREACH.**

11 Section 2885 of title 10, United States Code, is amend-
 12 ed by inserting after subsection (g), as added by section
 13 2819, the following new subsection:

14 “(h) *INVESTIGATION OF REPORTS OF REPRISALS;*
 15 *TREATMENT AS MATERIAL BREACH.*—(1) *The Assistant*
 16 *Secretary of Defense for Sustainment shall investigate all*
 17 *reports of reprisal against a member of the armed forces*
 18 *for reporting an issue relating to a housing unit under this*
 19 *subchapter.*

20 “(2) *If the Assistant Secretary of Defense for*
 21 *Sustainment determines under paragraph (1) that a land-*
 22 *lord has retaliated against a member of the armed forces*
 23 *for reporting an issue relating to a housing unit under this*
 24 *subchapter, the Assistant Secretary shall—*

1 “(A) provide initial notice to the Committees on
2 Armed Services of the Senate and the House of Rep-
3 resentatives as soon as practicable; and

4 “(B) following the initial notice under subpara-
5 graph (A), provide an update to such committees
6 every 30 days thereafter until such time as the Assist-
7 ant Secretary has taken final action with respect to
8 the retaliation.

9 “(3) The Assistant Secretary of Defense for
10 Sustainment shall carry out this subsection in coordination
11 with the Secretary of the military department concerned.”.

12 ***Subtitle C—Real Property and***
13 ***Facilities Administration***

14 ***SEC. 2831. IMPROVED ENERGY SECURITY FOR MAIN OPER-***
15 ***ATING BASES IN EUROPE.***

16 (a) *PROHIBITION ON USE OF CERTAIN ENERGY*
17 *SOURCE.*—The Secretary of Defense shall ensure that each
18 contract for the acquisition of furnished energy for a covered
19 military installation in Europe does not use any energy
20 sourced from inside the Russian Federation as a means of
21 generating the furnished energy for the covered military in-
22 stallation.

23 (b) *WAIVER FOR NATIONAL SECURITY INTERESTS.*—

24 (1) *WAIVER AUTHORITY; CERTIFICATION.*—The
25 Secretary of Defense may waive application of sub-

1 *section (a) to a specific contract for the acquisition of*
2 *furnished energy for a covered military installation if*
3 *the Secretary certifies to the congressional defense*
4 *committees that—*

5 *(A) the waiver of such subsection is nec-*
6 *essary to ensure an adequate supply of furnished*
7 *energy for the covered military installation; and*

8 *(B) the Secretary has balanced these na-*
9 *tional security requirements against the poten-*
10 *tial risk associated with reliance upon the Rus-*
11 *sian Federation for furnished energy.*

12 *(2) SUBMISSION OF WAIVER NOTICE.—Not later*
13 *than 14 days before the execution of any energy con-*
14 *tract for which a waiver is granted under paragraph*
15 *(1), the Secretary of Defense shall submit to the con-*
16 *gressional defense committees notice of the waiver.*
17 *The waiver notice shall include the following:*

18 *(A) The rationale for the waiver, including*
19 *the basis for the certifications required by sub-*
20 *paragraphs (A) and (B) of paragraph (1).*

21 *(B) An assessment of how the waiver may*
22 *impact the European energy resiliency strategy.*

23 *(C) An explanation of the measures the De-*
24 *partment of Defense is taking to mitigate the*

1 *risk of using Russian Federation furnished en-*
 2 *ergy.*

3 (c) *DEFINITIONS.—In this section:*

4 (1) *The term “covered military installation”*
 5 *means a military installation in Europe identified by*
 6 *the Department of Defense as a main operating base.*

7 (2) *The term “furnished energy” means energy*
 8 *furnished to a covered military installation in any*
 9 *form and for any purpose, including heating, cooling,*
 10 *and electricity.*

11 (d) *CONFORMING REPEAL.—Section 2811 of the Mili-*
 12 *tary Construction Authorization Act for Fiscal Year 2019*
 13 *(division B of Public Law 115–232; 132 Stat. 2266) is re-*
 14 *pealed.*

15 **SEC. 2832. ACCESS TO DEPARTMENT OF DEFENSE FACILI-**
 16 **TIES FOR CREDENTIALLED TRANSPORTATION**
 17 **WORKERS.**

18 *Section 1050 of the National Defense Authorization*
 19 *Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C.*
 20 *113 note) is amended—*

21 (1) *by striking subsection (a) and inserting the*
 22 *following new subsection:*

23 “(a) *ACCESS TO FACILITIES FOR CREDENTIALLED*
 24 *TRANSPORTATION WORKERS.—The Secretary of Defense, to*
 25 *the extent practicable—*

1 “(1) shall ensure that the Transportation Worker
 2 Identification Credential is accepted as a valid cre-
 3 dential for unescorted access to a work site at a mari-
 4 time terminal of the Department of Defense; and

5 “(2) may provide that the Transportation Work-
 6 er Identification Credential be accepted as a valid
 7 credential for unescorted access to Department of De-
 8 fense facilities other than those specified in paragraph
 9 (1).”; and

10 (2) in the section heading, by striking “**INSTAL-**
 11 **LATIONS**” and inserting “**FACILITIES**”.

12 **SEC. 2833. REPORT ON ENCROACHMENT CHALLENGES ON**
 13 **MILITARY INSTALLATIONS POSED BY NON-**
 14 **MILITARY AIRCRAFT.**

15 (a) *REPORT REQUIRED.*—Not later than 180 days
 16 after the date of the enactment of this Act, the Assistant
 17 Secretary of Defense for Sustainment shall submit to the
 18 congressional defense committees a report describing—

19 (1) the encroachment challenges and security
 20 risks posed by non-military aircraft overflying mili-
 21 tary installations inside the United States, to include
 22 operational impacts, installation and personnel secu-
 23 rity, and intelligence concerns, and

1 (2) *practicable strategies and recommendations*
 2 *for mitigation of any such challenges and risks, to in-*
 3 *clude—*

4 (A) *increased military regulatory authority;*
 5 *and*

6 (B) *distinctions, if any, among government/*
 7 *first responder, commercial, civil and rec-*
 8 *reational aviation.*

9 (b) *EXCLUSION OF DRONE AIRCRAFT.—In this section,*
 10 *the term “aircraft” does not include unmanned aerial vehi-*
 11 *cles known as drones, whether used for military or non-*
 12 *military purposes, except that the Assistant Secretary of*
 13 *Defense for Sustainment may make reference in the report*
 14 *required by subsection (a) to the use of such unmanned aer-*
 15 *ial vehicles if the Secretary considers reference to such use*
 16 *relevant to the subject of the report.*

17 **SEC. 2834. REPORT ON CAPACITY OF DEPARTMENT OF DE-**
 18 **FENSE TO PROVIDE SURVIVORS OF NATURAL**
 19 **DISASTERS WITH EMERGENCY SHORT-TERM**
 20 **HOUSING.**

21 *Not later than 220 days after the date of the enactment*
 22 *of this Act, the Secretary of Defense shall submit to the con-*
 23 *gressional defense committees a report analyzing the capac-*
 24 *ity of the Department of Defense to provide survivors of*
 25 *natural disasters with emergency short-term housing.*

1 **SEC. 2835. IMPROVED RECORDING AND MAINTAINING OF**
2 **DEPARTMENT OF DEFENSE REAL PROPERTY**
3 **DATA.**

4 (a) *INITIAL REPORT.*—Not later than 150 days after
5 the date of the enactment of this Act, the Undersecretary
6 of Defense for Acquisition and Sustainment shall submit
7 to Congress a report evaluating service-level best practices
8 for recording and maintaining real property data.

9 (b) *ISSUANCE OF GUIDANCE.*—Not later than 300 days
10 after the date of the enactment of this Act, the Undersecre-
11 tary of Defense for Acquisition and Sustainment shall issue
12 service-wide guidance on the recording and collection of real
13 property data based on the best practices described in the
14 report.

15 **SEC. 2836. CONTINUED DEPARTMENT OF DEFENSE USE OF**
16 **HEATING, VENTILATION, AND AIR CONDI-**
17 **TIONING SYSTEMS UTILIZING VARIABLE RE-**
18 **FRIGERANT FLOW.**

19 *Notwithstanding any provision of law to the contrary,*
20 *the Department of Defense may continue to consider and*
21 *select heating, ventilation, and air conditioning systems*
22 *that utilize variable refrigerant flow as an option for use*
23 *in Department of Defense facilities.*

1 **SEC. 2837. REPORT ON DEPARTMENT OF DEFENSE USE OF**
2 **INTERGOVERNMENTAL SUPPORT AGREE-**
3 **MENTS.**

4 (a) *PLAN REQUIRED.*—Not later than July 31, 2020,
5 the Secretary of Defense shall submit to the Committees on
6 Armed Service of the Senate and the House of Representa-
7 tives a report containing a plan to improve the collection
8 and monitoring of information regarding the consideration
9 and use of intergovernmental support agreements, as au-
10 thorized by section 2679 of title 10, United States Code,
11 including information regarding the financial and non-
12 financial benefits derived from the use of such agreements.

13 (b) *ADDITIONAL PLAN ELEMENTS.*—The plan required
14 by subsection (a) also shall include the following:

15 (1) *A timeline for implementation of the plan.*

16 (2) *A education and outreach component for in-*
17 *stallation commanders to improve understanding of*
18 *the benefits of intergovernmental support agreements*
19 *and to encourage greater use of such agreements.*

20 (3) *Proposals to standardize across all military*
21 *departments the approval process for intergovern-*
22 *mental support agreements.*

23 (4) *Proposals to achieve efficiencies in intergov-*
24 *ernmental support agreements based on inherent*
25 *intergovernmental trust.*

1 (5) *Proposals for the development of criteria to*
 2 *evaluate the effectiveness of intergovernmental support*
 3 *agreements separate from Federal Acquisition Regula-*
 4 *tions.*

5 ***Subtitle D—Land Conveyances***

6 ***SEC. 2841. LAND CONVEYANCE, HILL AIR FORCE BASE,***
 7 ***UTAH.***

8 (a) *CONVEYANCE AUTHORIZED.*—*The Secretary of the*
 9 *Air Force may convey, without consideration, to the State*
 10 *of Utah or a designee of the State of Utah (in this section*
 11 *referred to as the “State”) all right, title, and interest of*
 12 *the United States in and to a parcel of real property, in-*
 13 *cluding improvements thereon, consisting of approximately*
 14 *35 acres located at Hill Air Force Base (commonly known*
 15 *as the Defense Nontactical Generator and Rail Center), and*
 16 *such real property adjacent to the Center as the parties con-*
 17 *sider to be appropriate, for the purpose of permitting the*
 18 *State to construct a new interchange for Interstate 15.*

19 (b) *CONDITION OF CONVEYANCE.*—*As a condition on*
 20 *the conveyance authorized by subsection (a), the State shall*
 21 *agree to the following:*

22 (1) *That, not later than two years after the date*
 23 *of the conveyance of the property under such sub-*
 24 *section, the State, at no cost to the United States,*
 25 *shall—*

1 (A) *demolish all improvements, and infra-*
 2 *structure associated with the improvements, in*
 3 *existence on the property as of the date of the*
 4 *conveyance; and*

5 (B) *subject to subsection (c), complete all*
 6 *environmental cleanup and remediation activi-*
 7 *ties as may be required for the planned redevel-*
 8 *opment and use of the property.*

9 (2) *That, as part of the construction of the new*
 10 *Interstate 15 interchange referred to in subsection (a),*
 11 *the State, at no cost to the United States, shall con-*
 12 *struct on the property a new gate for Hill Air Force*
 13 *Base in compliance with such construction, security,*
 14 *and other requirements as the Secretary of the Air*
 15 *Force considers to be necessary.*

16 (3) *That the State shall coordinate any demoli-*
 17 *tion, cleanup, remediation, design, redevelopment,*
 18 *and construction activities performed pursuant to the*
 19 *conveyance of property under subsection (a) with the*
 20 *Secretary and the Utah Department of Transpor-*
 21 *tation.*

22 (c) *ENVIRONMENTAL OBLIGATIONS.—The State shall*
 23 *not have any obligation in relation to any environmental*
 24 *conditions on the property to be conveyed under subsection*
 25 *(a) unless—*

1 (1) *the conditions were in existence and known*
 2 *before the date of the conveyance of the property; and*

3 (2) *the State agrees to address the conditions*
 4 *under subsection (b)(1)(B).*

5 (d) *PAYMENT OF COSTS OF CONVEYANCE.—*

6 (1) *PAYMENT REQUIRED.—The Secretary of the*
 7 *Air Force shall require the State to cover costs to be*
 8 *incurred by the Secretary, or to reimburse the Sec-*
 9 *retary for such costs incurred, to carry out the con-*
 10 *veyance under subsection (a), including survey costs,*
 11 *costs for environmental documentation, and other ad-*
 12 *ministrative costs related to the conveyance. If*
 13 *amounts collected are in advance of the Secretary in-*
 14 *curring actual costs, and the amount collected exceeds*
 15 *the costs actually incurred by the Secretary to carry*
 16 *out the conveyance, the Secretary shall refund the ex-*
 17 *cess amount.*

18 (2) *TREATMENT OF AMOUNTS RECEIVED.—*
 19 *Amounts received under paragraph (1) as reimburse-*
 20 *ment for costs incurred by the Secretary to carry out*
 21 *the conveyance under subsection (a) shall be credited*
 22 *to the fund or account that was used to cover the costs*
 23 *incurred by the Secretary in carrying out the convey-*
 24 *ance, or to an appropriate fund or account currently*
 25 *available to the Secretary for the purposes for which*

1 *the costs were paid. Amounts so credited shall be*
 2 *merged with amounts in such fund or account and*
 3 *shall be available for the same purposes, and subject*
 4 *to the same conditions and limitations, as amounts in*
 5 *such fund or account.*

6 *(e) DESCRIPTION OF PROPERTY.—The exact acreage*
 7 *and legal description of the property to be conveyed under*
 8 *subsection (a) shall be determined by a survey satisfactory*
 9 *to the Secretary of the Air Force.*

10 *(f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-*
 11 *retary of the Air Force may require such additional terms*
 12 *and conditions in connection with the conveyance under*
 13 *subsection (a) as the Secretary considers appropriate to*
 14 *protect the interests of the United States.*

15 **SEC. 2842. RELEASE OF CONDITIONS AND REVERSIONARY**
 16 **INTEREST, CAMP JOSEPH T. ROBINSON, AR-**
 17 **KANSAS.**

18 *(a) RELEASE OF CONDITIONS AND RETAINED INTER-*
 19 *ESTS.—With respect to a parcel of real property at Camp*
 20 *Joseph T. Robinson, Arkansas, consisting of approximately*
 21 *141.52 acres and conveyed by the United States to the State*
 22 *of Arkansas pursuant to the Act entitled “An Act author-*
 23 *izing the transfer of part of Camp Joseph T. Robinson to*
 24 *the State of Arkansas”, approved June 30, 1950 (64 Stat.*
 25 *311, chapter 429), the Secretary of the Army may release,*

1 *without consideration, the terms and conditions imposed by*
2 *the United States and the reversionary interest retained by*
3 *the United States under section 2 of such Act and the right*
4 *to reenter and use the property retained by the United*
5 *States under section 3 of such Act.*

6 (b) *CONDITION OF RELEASE.—As a condition of the*
7 *release of terms and conditions and retained interests under*
8 *subsection (a) and subject to subsection (c), the State of Ar-*
9 *kansas shall agree to convey, without consideration, the*
10 *parcel of real property described in subsection (a) to the*
11 *Arkansas Department of Veterans Affairs for the purpose*
12 *of expanding the Arkansas State Veterans Cemetery in*
13 *North Little Rock, Arkansas.*

14 (c) *NEW REVERSIONARY INTEREST.—The conveyance*
15 *required by subsection (b) of the real property described in*
16 *subsection (a) shall include a reversionary interest to pro-*
17 *tect the interests of the United States. Under the terms of*
18 *such reversionary interest, if the Secretary of the Army de-*
19 *termines at any time that the real property conveyed pursu-*
20 *ant to subsection (b) is not being used in accordance with*
21 *the purpose of the conveyance specified in such subsection,*
22 *all right, title, and interest in and to the real property,*
23 *including any improvements thereto, shall, at the option of*
24 *the Secretary, revert to and become the property of the*
25 *United States, and the United States shall have the right*

1 *of immediate entry onto the real property. A determination*
 2 *by the Secretary under this subsection shall be made on the*
 3 *record after an opportunity for a hearing.*

4 (d) *INSTRUMENT OF RELEASE AND DESCRIPTION OF*
 5 *PROPERTY.*—*The Secretary of the Army may execute and*
 6 *file in the appropriate office a deed of release, amended*
 7 *deed, or other appropriate instrument reflecting the release*
 8 *of terms and conditions and retained interests under sub-*
 9 *section (a). The exact acreage and legal description of the*
 10 *property described in this section shall be determined by*
 11 *a survey satisfactory to the Secretary of the Army.*

12 (e) *PAYMENT OF ADMINISTRATIVE COSTS.*—

13 (1) *PAYMENT REQUIRED.*—*The Secretary of the*
 14 *Army may require the State of Arkansas to cover*
 15 *costs to be incurred by the Secretary, or to reimburse*
 16 *the Secretary for costs incurred by the Secretary, to*
 17 *carry out the release of terms and conditions and re-*
 18 *tained interests under subsection (a), including sur-*
 19 *vey costs, costs related to environmental documenta-*
 20 *tion, and other administrative costs related to the re-*
 21 *lease. If amounts paid to the Secretary in advance ex-*
 22 *ceed the costs actually incurred by the Secretary to*
 23 *carry out the release, the Secretary shall refund the*
 24 *excess amount to the State.*

1 (2) *TREATMENT OF AMOUNTS RECEIVED.*—

2 *Amounts received under subsection (a) as reimburse-*
 3 *ment for costs incurred by the Secretary to carry out*
 4 *the release of terms and conditions and retained in-*
 5 *terests under subsection (a) shall be credited to the*
 6 *fund or account that was used to cover the costs in-*
 7 *curring by the Secretary in carrying out the release.*
 8 *Amounts so credited shall be merged with amounts in*
 9 *such fund or account and shall be available for the*
 10 *same purposes, and subject to the same conditions*
 11 *and limitations, as amounts in such fund or account.*

12 (f) *ADDITIONAL TERMS AND CONDITIONS.*—*The Sec-*
 13 *retary of the Army may require such additional terms and*
 14 *conditions in connection with the release of terms and con-*
 15 *ditions and retained interests under subsection (a) as the*
 16 *Secretary considers appropriate to protect the interests of*
 17 *the United States.*

18 **SEC. 2843. MODIFICATION OF AUTHORIZED USES OF CER-**
 19 **TAIN PROPERTY CONVEYED BY THE UNITED**
 20 **STATES IN LOS ANGELES, CALIFORNIA.**

21 (a) *IN GENERAL.*—*Section 2 of Public Law 85–236*
 22 *(71 Stat. 517) is amended in the first sentence by inserting*
 23 *after “for other military purposes” the following: “and for*
 24 *purposes of meeting the needs of the homeless (as that term*

1 *is defined in section 103 of the McKinney-Vento Homeless*
2 *Assistance Act (42 U.S.C. 11302))”.*

3 *(b) MODIFICATION OF USE.—*

4 *(1) APPLICATION.—The State of California shall*
5 *submit to the Administrator of General Services an*
6 *application for use of the property conveyed by sec-*
7 *tion 2 of Public Law 85–236 for purposes of meeting*
8 *the needs of the homeless in accordance with the*
9 *amendment made by subsection (a).*

10 *(2) REVIEW OF APPLICATION.—Not later than 60*
11 *days after the date of receipt of an application pursu-*
12 *ant to paragraph (1), the Administrator and the Sec-*
13 *retary of Health and Human Services shall jointly*
14 *determine whether the use of the property described in*
15 *the application is a use for purposes of meeting the*
16 *needs of the homeless.*

17 *(3) MODIFICATION OF INSTRUMENT OF CONVEY-*
18 *ANCE.—If the Administrator and the Secretary joint-*
19 *ly determine that the use of the property described in*
20 *the application is for purposes of meeting the needs*
21 *of the homeless, the Administrator shall execute and*
22 *record in the appropriate office an instrument of*
23 *modification of the deed of conveyance executed pur-*
24 *suant to Public Law 85–236 in order to authorize*
25 *such use of the property. The instrument shall include*

1 *such additional terms and conditions as the Adminis-*
 2 *trator considers appropriate to protect the interests of*
 3 *the United States.*

4 (4) *COMPATIBILITY WITH MILITARY PURPOSES.—*
 5 *Before executing any instrument of modification of*
 6 *the deed of conveyance, the Administrator and the*
 7 *Secretary shall request a review by the Chief of the*
 8 *National Guard Bureau, in consultation with the*
 9 *Secretary of the Army, to ensure that any modifica-*
 10 *tion of the use of the property described in the appli-*
 11 *cation is compatible with the training of members of*
 12 *the National Guard and other military purposes.*

13 ***Subtitle E—Military Land***
 14 ***Withdrawals***

15 ***SEC. 2851. PUBLIC NOTICE REGARDING UPCOMING PERI-***
 16 ***ODS OF SECRETARY OF THE NAVY MANAGE-***
 17 ***MENT OF SHARED USE AREA OF THE JOHN-***
 18 ***SON VALLEY OFF-HIGHWAY VEHICLE RECRE-***
 19 ***ATION AREA.***

20 (a) *PUBLIC NOTICE REQUIRED.—Section 2942(b)(2)*
 21 *of the Military Land Withdrawals Act of 2013 (title XXIX*
 22 *of Public Law 113–66; 127 Stat. 1036) is amended by add-*
 23 *ing at the end the following new subparagraph:*

24 “(D) *PUBLIC NOTICE.—Not later than one*
 25 *year before the date on which a 30-day period of*

1 *Secretary of the Navy management of the Shared*
 2 *Use Area will start, the Secretary of the Navy,*
 3 *acting through the Resource Management Group*
 4 *established pursuant to section 2944, shall notify*
 5 *the public of the start date and the intention of*
 6 *the Armed Forces to use the Shared Use Area for*
 7 *military training purposes. The Secretary of the*
 8 *Navy, upon notice to the Secretary of the Inte-*
 9 *rior, may waive such public notice in the event*
 10 *of an emergent military training requirement.”.*

11 (b) *APPLICATION OF AMENDMENT.*—Subparagraph
 12 (D) of section 2942(b)(2) of the Military Land Withdrawals
 13 Act of 2013 (title XXIX of Public Law 113–66; 127 Stat.
 14 1036), as added by subsection (a), shall apply to periods
 15 of Secretary of the Navy management of the Shared Use
 16 Area of the Johnson Valley Off-Highway Vehicle Recreation
 17 Area under such section that start on or after January 1,
 18 2021.

19 ***Subtitle F—White Sands National***
 20 ***Park and White Sands Missile***
 21 ***Range***

22 ***SEC. 2861. SHORT TITLE.***

23 *This subtitle may be cited as the “White Sands Na-*
 24 *tional Park Establishment Act”.*

1 **SEC. 2862. DEFINITIONS.**

2 *In this subtitle:*

3 (1) *MAP.*—*The term “Map” means the map enti-*
4 *tled “White Sands National Park Proposed Boundary*
5 *Revision & Transfer of Lands Between National Park*
6 *Service & Department of the Army”, numbered 142/*
7 *136,271, and dated February 14, 2017.*

8 (2) *MILITARY MUNITIONS.*—*The term “military*
9 *munitions” has the meaning given the term in section*
10 *101(e) of title 10, United States Code.*

11 (3) *MISSILE RANGE.*—*The term “Missile Range”*
12 *means the White Sands Missile Range, New Mexico,*
13 *administered by the Secretary of the Army.*

14 (4) *MONUMENT.*—*The term “Monument” means*
15 *the White Sands National Monument, New Mexico,*
16 *established by Presidential Proclamation No. 2025*
17 *(54 U.S.C. 320301 note), dated January 18, 1933,*
18 *and administered by the Secretary of the Interior.*

19 (5) *MUNITIONS DEBRIS.*—*The term “munitions*
20 *debris” has the meaning given the term in volume 8*
21 *of the Department of Defense Manual Number*
22 *6055.09–M entitled “DoD Ammunitions and Explo-*
23 *sives Safety Standards” and dated February 29, 2008*
24 *(as in effect on the date of enactment of this Act).*

1 (6) *NATIONAL PARK*.—*The term “National Park”*
2 *means the White Sands National Park established by*
3 *this subtitle.*

4 (7) *PUBLIC LAND ORDER*.—*The term “Public*
5 *Land Order” means Public Land Order 833, dated*
6 *May 21, 1952 (17 Fed. Reg. 4822).*

7 **SEC. 2863. FINDINGS.**

8 *Congress finds the following:*

9 (1) *White Sands National Monument was estab-*
10 *lished on January 18, 1933, by President Herbert*
11 *Hoover pursuant to the Antiquities Act of 1906 (now*
12 *chapter 3203 of title 54, United States Code).*

13 (2) *President Hoover proclaimed that the Monu-*
14 *ment was established “for the preservation of the*
15 *white sands and additional features of scenic, sci-*
16 *entific, and educational interest”.*

17 (3) *The Monument was expanded by Presidents*
18 *Roosevelt, Eisenhower, Carter, and Clinton in 1934,*
19 *1942, 1953, 1978, and 1996, respectively.*

20 (4) *The Monument contains a substantially more*
21 *diverse set of nationally significant historical, archae-*
22 *ological, scientific, and natural resources than were*
23 *known of at the time the Monument was established,*
24 *including a number of recent discoveries.*

1 (5) *The Monument is recognized as a major unit*
 2 *of the National Park System with extraordinary val-*
 3 *ues enjoyed by more visitors each year since 1995*
 4 *than any other unit in the State of New Mexico.*

5 (6) *The Monument contributes significantly to*
 6 *the local economy by attracting tourists.*

7 (7) *Designation of the Monument as a national*
 8 *park would increase public recognition of the diverse*
 9 *array of nationally significant resources at the Monu-*
 10 *ment and visitation to the unit.*

11 **SEC. 2864. ESTABLISHMENT OF WHITE SANDS NATIONAL**
 12 **PARK IN THE STATE OF NEW MEXICO.**

13 (a) *ESTABLISHMENT.*—*To protect, preserve, and re-*
 14 *store its scenic, scientific, educational, natural, geological,*
 15 *historical, cultural, archaeological, paleontological,*
 16 *hydrological, fish, wildlife, and recreational values and to*
 17 *enhance visitor experiences, there is established the White*
 18 *Sands National Park as a unit of the National Park Sys-*
 19 *tem.*

20 (b) *ABOLISHMENT OF WHITE SANDS NATIONAL MONU-*
 21 *MENT.*—

22 (1) *ABOLISHMENT.*—*Due to the establishment of*
 23 *the National Park, the Monument is abolished.*

24 (2) *INCORPORATION.*—*The land and interests in*
 25 *land that comprise the Monument are incorporated*

1 *in, and shall be considered to be part of, the National*
 2 *Park.*

3 (c) *REFERENCES.*—*Any reference in a law, map, regu-*
 4 *lation, document, paper, or other record of the United*
 5 *States to White Sands National Monument shall be consid-*
 6 *ered to be a reference to White Sands National Park.*

7 (d) *AVAILABILITY OF FUNDS.*—*Any funds available for*
 8 *the Monument shall be available for the National Park.*

9 (e) *ADMINISTRATION.*—*The Secretary of the Interior*
 10 *shall administer the National Park in accordance with—*

11 (1) *this subtitle; and*

12 (2) *the laws generally applicable to units of the*
 13 *National Park System, including section 100101(a),*
 14 *chapter 1003, sections 100751(a), 100752, 100753,*
 15 *and 102101, and chapter 3201 of title 54, United*
 16 *States Code.*

17 (f) *EFFECT.*—*Nothing in this section affects—*

18 (1) *valid existing rights (including water rights);*

19 (2) *permits or contracts issued by the Monument;*

20 (3) *existing agreements, including agreements*
 21 *with the Department of Defense;*

22 (4) *the jurisdiction of the Department of Defense*
 23 *regarding the restricted airspace above the National*
 24 *Park; or*

1 (5) *the airshed classification of the National*
 2 *Park under the Clean Air Act (42 U.S.C. 7401 et*
 3 *seq.).*

4 **SEC. 2865. TRANSFERS OF ADMINISTRATIVE JURISDICTION**
 5 **RELATED TO THE NATIONAL PARK AND**
 6 **WHITE SANDS MISSILE RANGE.**

7 (a) *TRANSFER OF ADMINISTRATIVE JURISDICTION TO*
 8 *THE SECRETARY OF THE INTERIOR.—*

9 (1) *IN GENERAL.—Administrative jurisdiction*
 10 *over the land described in paragraph (2) is trans-*
 11 *ferred from the Secretary of the Army to the Secretary*
 12 *of the Interior.*

13 (2) *DESCRIPTION OF LAND.—The land referred*
 14 *to in paragraph (1) consists of the following:*

15 (A) *The approximately 2,826 acres of land*
 16 *identified as “To NPS, lands inside current*
 17 *boundary” on the Map.*

18 (B) *The approximately 5,766 acres of land*
 19 *identified as “To NPS, new additions” on the*
 20 *Map.*

21 (b) *TRANSFER OF ADMINISTRATIVE JURISDICTION TO*
 22 *THE SECRETARY OF THE ARMY.—*

23 (1) *IN GENERAL.—Administrative jurisdiction*
 24 *over the land described in paragraph (2) is trans-*

1 *ferred from the Secretary of the Interior to the Sec-*
 2 *retary of the Army.*

3 (2) *DESCRIPTION OF LAND.*—*The land referred*
 4 *to in paragraph (1) consists of the approximately*
 5 *3,737 acres of land identified as “To DOA” on the*
 6 *Map.*

7 (c) *ADMINISTRATION.*—

8 (1) *NATIONAL PARK.*—*The Secretary of the Inte-*
 9 *rior shall administer the land transferred under sub-*
 10 *section (a) in accordance with laws (including regula-*
 11 *tions) applicable to the National Park.*

12 (2) *MISSILE RANGE.*—*Subject to subsection (d),*
 13 *the Secretary of the Army shall administer the land*
 14 *transferred to the Secretary of the Army under sub-*
 15 *section (b) as part of the Missile Range.*

16 (d) *INFRASTRUCTURE; RESOURCE MANAGEMENT.*—

17 (1) *RANGE ROAD 7.*—

18 (A) *INFRASTRUCTURE MANAGEMENT.*—*To*
 19 *the maximum extent practicable, in planning,*
 20 *constructing, and managing infrastructure on*
 21 *the land described in subparagraph (C), the Sec-*
 22 *retary of the Army shall apply low-impact devel-*
 23 *opment techniques and strategies to prevent im-*
 24 *pacts within the Missile Range and the National*

1 *Park from stormwater runoff from the land de-*
 2 *scribed in that subparagraph.*

3 (B) *RESOURCE MANAGEMENT.*—*The Sec-*
 4 *retary of the Army shall—*

5 (i) *manage the land described in sub-*
 6 *paragraph (C) in a manner consistent with*
 7 *the protection of natural and cultural re-*
 8 *sources within the Missile Range and the*
 9 *National Park and in accordance with sec-*
 10 *tion 101(a)(1)(B) of the Sikes Act (16*
 11 *U.S.C. 670a(a)(1)(B)), division A of sub-*
 12 *title III of title 54, United States Code, and*
 13 *the Native American Graves Protection and*
 14 *Repatriation Act (25 U.S.C. 3001 et seq.);*
 15 *and*

16 (ii) *include the land described in sub-*
 17 *paragraph (C) in the integrated natural*
 18 *and cultural resource management plan for*
 19 *the Missile Range.*

20 (C) *DESCRIPTION OF LAND.*—*The land re-*
 21 *ferred to in subparagraphs (A) and (B) is the*
 22 *land that is transferred to the administrative ju-*
 23 *risdiction of the Secretary of the Army under*
 24 *subsection (b) and located in the area east of*
 25 *Range Road 7 in—*

1 (i) *T. 17 S., R. 5 E., sec. 31;*

2 (ii) *T. 18 S., R. 5 E.; and*

3 (iii) *T. 19 S., R. 5 E., sec. 5.*

4 (2) *FENCE.—*

5 (A) *IN GENERAL.—The Secretary of the*
 6 *Army shall continue to allow the Secretary of the*
 7 *Interior to maintain the fence shown on the Map*
 8 *until such time as the Secretary of the Interior*
 9 *determines that the fence is unnecessary for the*
 10 *management of the National Park.*

11 (B) *REMOVAL.—If the Secretary of the Inte-*
 12 *rior determines that the fence is unnecessary for*
 13 *the management of the National Park under sub-*
 14 *paragraph (A), the Secretary of the Interior shall*
 15 *promptly remove the fence at the expense of the*
 16 *Department of the Interior.*

17 (e) *RESEARCH.—The Secretary of the Army and the*
 18 *Secretary of the Interior may enter into an agreement to*
 19 *allow the Secretary of the Interior to conduct certain re-*
 20 *search in the area identified as “Cooperative Use Research*
 21 *Area” on the Map.*

22 (f) *MILITARY MUNITIONS AND MUNITIONS DEBRIS.—*

23 (1) *RESPONSE ACTION.—With respect to any*
 24 *Federal liability, the Secretary of the Army shall re-*
 25 *main responsible for any response action addressing*

1 *military munitions or munitions debris on the land*
 2 *transferred under subsection (a) to the same extent as*
 3 *on the day before the date of enactment of this Act.*

4 (2) *INVESTIGATION OF MILITARY MUNITIONS AND*
 5 *MUNITIONS DEBRIS.—*

6 (A) *IN GENERAL.—The Secretary of the In-*
 7 *terior may request that the Secretary of the*
 8 *Army conduct one or more investigations of*
 9 *military munitions or munitions debris on any*
 10 *land transferred under subsection (a).*

11 (B) *ACCESS.—The Secretary of the Interior*
 12 *shall give access to the Secretary of the Army to*
 13 *the land covered by a request under subpara-*
 14 *graph (A) for the purposes of conducting an in-*
 15 *vestigation under that subparagraph.*

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 ac-*
 21 *cordance with—*

22 (A) *the Comprehensive Environmental Re-*
 23 *sponse, Compensation, and Liability Act of 1980*
 24 *(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 National*
 8 *Park is revised to reflect the boundary depicted on the*
 9 *Map.*

10 (2) *MAP.*—

11 (A) *IN GENERAL.*—*The Secretary of the In-*
 12 *terior, in coordination with the Secretary of the*
 13 *Army, shall prepare and keep on file for public*
 14 *inspection in the appropriate office of the Sec-*
 15 *retary of the Interior a map and a legal descrip-*
 16 *tion of the revised boundary of the National*
 17 *Park.*

18 (B) *EFFECT.*—*The map and legal descrip-*
 19 *tion under subparagraph (A) shall have the same*
 20 *force and effect as if included in this Act, except*
 21 *that the Secretary of the Interior may correct*
 22 *clerical and typographical errors in the map and*
 23 *legal description.*

24 (3) *BOUNDARY SURVEY.*—*As soon as practicable*
 25 *after the date of the establishment of the National*

1 *Park and subject to the availability of funds, the Sec-*
 2 *retary of the Interior shall complete an official bound-*
 3 *ary 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 ex-*
 7 *clude the land transferred to the Secretary of the Inte-*
 8 *rior under subsection (a) of section 2865 and to in-*
 9 *clude 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 to*
 17 *the modification of boundaries of the Monument and the*
 18 *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 fire*
 24 *extinguishers are installed and maintained in all Depart-*
 25 *ment of Defense facilities in accordance with requirements*

1 *of national model fire codes developed by the National Fire*
 2 *Protection Association and the International Code Council*
 3 *that require redundancy and extinguishers throughout occu-*
 4 *pancies regardless of the presence of other suppression sys-*
 5 *tems 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 subparagraph*
 14 *(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.*

1 “(ii) A school, hospital, police, fire, emer-
2 gency response, or other community support fa-
3 cility.

4 “(iii) A water, waste-water, telecommuni-
5 cations, electric, gas, or other utility infrastruc-
6 ture project.”.

7 **SEC. 2873. REPORT ON VULNERABILITIES FROM SEA LEVEL**
8 **RISE TO CERTAIN MILITARY INSTALLATIONS**
9 **LOCATED OUTSIDE THE CONTINENTAL**
10 **UNITED STATES.**

11 (a) *REPORT REQUIRED.*—Not later than one year
12 after the date of the enactment of this Act, the Secretary
13 of Defense shall submit to the Committees on Armed Serv-
14 ices of the Senate and the House of Representatives a report
15 on vulnerabilities from sea level rise to covered installations
16 located outside of the continental United States.

17 (b) *CONTENTS.*—For each covered installation, the re-
18 port required by subsection (a) shall include the following:

19 (1) *An analysis of the impacts to the operations,*
20 *contingency plans, and readiness of such installation*
21 *from a sea level rise.*

22 (2) *A discussion of mitigation efforts, including*
23 *dredging, reclaiming land, and island building, that*
24 *may be necessary due to a sea level rise—*

1 (A) to ensure the continued operational via-
2 bility of such installation; and

3 (B) to increase the resiliency of such instal-
4 lation.

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 Test
18 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 not
23 previously been conducted, for the purpose of identifying
24 any shortcomings in infrastructure, joint operations, joint

1 coordination, and security that would result from a loss of
2 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 first
8 such exercise and ending on December 31, 2019, including
9 the three most recurring issues identified as a result of such
10 exercises with respect to infrastructure, joint coordination
11 efforts, and security.

12 (c) *BLACK START EXERCISE DEFINED.*—In this sec-
13 tion, the term “black start exercise” means, with respect to
14 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 com-
19 mercial 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 enactment*
 6 *of this Act, the Secretary of Defense shall submit to Congress*
 7 *a report describing the projects that, as of the date of the*
 8 *report, are awaiting approval from the Realty Governance*
 9 *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 of*
 24 *the Santa Ynez Band of Chumash Indians voted to*
 25 *approve the Memorandum of Agreement between the*

1 *County of Santa Barbara and the Santa Ynez Band*
 2 *of Chumash Indians regarding the approximately*
 3 *1,427.28 acres of land, commonly known as Camp 4,*
 4 *and authorized the Tribal Chairman to sign the*
 5 *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 Agreement.*

10 *(3) The Secretary of the Interior approved the*
 11 *Memorandum of Agreement pursuant to section 2103*
 12 *of the Revised Statutes (25 U.S.C. 81).*

13 *(c) LAND TO BE TAKEN INTO TRUST.—*

14 *(1) IN GENERAL.—The approximately 1,427.28*
 15 *acres of land in Santa Barbara County, CA described*
 16 *in paragraph (3), is hereby taken into trust for the*
 17 *benefit of the Tribe, subject to valid existing rights,*
 18 *contracts, and management agreements related to*
 19 *easements and rights-of-way.*

20 *(2) ADMINISTRATION.—*

21 *(A) ADMINISTRATION.—The land described*
 22 *in paragraph (3) shall be a part of the Santa*
 23 *Ynez Indian Reservation and administered in*
 24 *accordance with the laws and regulations gen-*

erally applicable to the land held in trust by the
United States for an Indian tribe.

(B) *EFFECT.*—For purposes of certain California State laws (including the California Land Conservation Act of 1965, Government Code Section 51200, *et seq.*), placing the land described in paragraph (3) into trust shall remove any restrictions on the property pursuant to California Government Code Section 51295 or any other provision of such Act.

(3) *LEGAL DESCRIPTION OF LANDS TRANSFERRED.*—The lands to be taken into trust for the benefit of the Tribe pursuant to this Act are described as follows:

Legal Land Description/Site Location: Real property in the unincorporated area of the County of Santa Barbara, State of California, described as follows: PARCEL 1: (APN: 141-121-51 AND PORTION OF APN 141-140-10) LOTS 9 THROUGH 18, INCLUSIVE, OF TRACT 18, IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, AS SHOWN ON THE MAP SHOWING THE SUBDIVISIONS OF THE CANADA DE LOS PINOS OR COLLEGE RANCHO, FILED IN RACK 3, AS MAP 4 IN THE OFFICE OF THE COUNTY RE-

1 *CORDER OF SAID COUNTY. THIS LEGAL IS*
2 *MADE PURSUANT TO THAT CERTAIN CER-*
3 *TIFICATE OF COMPLIANCE RECORDED DE-*
4 *CEMBER 5, 2001 AS INSTRUMENT NO. 01-*
5 *105580 OF OFFICIAL RECORDS. PARCEL 2:*
6 *(PORTION OF APN: 141-140-10) LOTS 1*
7 *THROUGH 12, INCLUSIVE, OF TRACT 24, IN*
8 *THE COUNTY OF SANTA BARBARA, STATE OF*
9 *CALIFORNIA, AS SHOWN ON THE MAP SHOW-*
10 *ING THE SUBDIVISIONS OF THE CANADA DE*
11 *LOS PINOS OR COLLEGE RANCHO, FILED IN*
12 *RACK 3, AS MAP 4 IN THE OFFICE OF THE*
13 *COUNTY RECORDER OF SAID COUNTY. THIS*
14 *LEGAL IS MADE PURSUANT TO THAT CER-*
15 *TAIN CERTIFICATE OF COMPLIANCE RE-*
16 *CORDED DECEMBER 5, 2001 AS INSTRUMENT*
17 *NO. 01-105581 OF OFFICIAL RECORDS. PAR-*
18 *CEL 3: (PORTIONS OF APNS: 141-230-23 AND*
19 *141-140-10) LOTS 19 AND 20 OF TRACT 18 AND*
20 *THAT PORTION OF LOTS 1, 2, 7, 8, 9, 10, AND*
21 *15 THROUGH 20, INCLUSIVE, OF TRACT 16, IN*
22 *THE COUNTY OF SANTA BARBARA, STATE OF*
23 *CALIFORNIA, AS SHOWN ON THE MAP SHOW-*
24 *ING THE SUBDIVISIONS OF THE CANADA DE*
25 *LOS PINOS OR COLLEGE RANCHO, FILED IN*

1 *RACK 3, AS MAP 4 IN THE OFFICE OF THE*
2 *COUNTY RECORDER OF SAID COUNTY, THAT*
3 *LIES NORTHEASTERLY OF THE NORTHEAST-*
4 *ERLY LINE OF THE LAND GRANTED TO THE*
5 *STATE OF CALIFORNIA BY AN EXECUTOR'S*
6 *DEED RECORDED APRIL 2, 1968 IN BOOK*
7 *2227, PAGE 136 OF OFFICIAL RECORDS OF*
8 *SAID COUNTY. THIS LEGAL IS MADE PURSU-*
9 *ANT TO THAT CERTAIN CERTIFICATE OF*
10 *COMPLIANCE RECORDED DECEMBER 5, 2001*
11 *AS INSTRUMENT NO. 01-105582 OF OFFICIAL*
12 *RECORDS. PARCEL 4: (APN: 141-240-02 AND*
13 *PORTION OF APN: 141-140-10) LOTS 1*
14 *THROUGH 12, INCLUSIVE, OF TRACT 25, IN*
15 *THE COUNTY OF SANTA BARBARA, STATE OF*
16 *CALIFORNIA, AS SHOWN ON THE MAP SHOW-*
17 *ING THE SUBDIVISIONS OF THE CANADA DE*
18 *LOS PINOS OR COLLEGE RANCHO, FILED IN*
19 *RACK 3, AS MAP 4 IN THE OFFICE OF THE*
20 *COUNTY RECORDER OF SAID COUNTY. THIS*
21 *LEGAL IS MADE PURSUANT TO THAT CER-*
22 *TAIN CERTIFICATE OF COMPLIANCE RE-*
23 *CORDED DECEMBER 5, 2001 AS INSTRUMENT*
24 *NO. 01-105583 OF OFFICIAL RECORDS. PAR-*
25 *CEL 5: (PORTION OF APN: 141-230-23) THAT*

1 *PORTION OF LOTS 3 AND 6 OF TRACT 16, IN*
2 *THE COUNTY OF SANTA BARBARA, STATE OF*
3 *CALIFORNIA, AS SHOWN ON THE MAP SHOW-*
4 *ING THE SUBDIVISIONS OF THE CANADA DE*
5 *LOS PINOS OR COLLEGE RANCHO, FILED IN*
6 *RACK 3, AS MAP 4 IN THE OFFICE OF THE*
7 *COUNTY RECORDER OF SAID COUNTY, THAT*
8 *LIES NORTHEASTERLY OF THE NORTHEAST-*
9 *ERLY LINE OF THE LAND GRANTED TO THE*
10 *STATE OF CALIFORNIA BY AN EXECUTOR'S*
11 *DEED RECORDED APRIL 2, 1968 IN BOOK*
12 *2227, PAGE 136 OF OFFICIAL RECORDS OF*
13 *SAID COUNTY. THIS LEGAL IS MADE PURSU-*
14 *ANT TO THAT CERTAIN CERTIFICATE OF*
15 *COMPLIANCE RECORDED DECEMBER 5, 2001*
16 *AS INSTRUMENT NO. 01-105584 OF OFFICIAL*
17 *RECORDS.*

18 *(4) RULES OF CONSTRUCTION.—Nothing in this*
19 *section shall—*

20 *(A) enlarge, impair, or otherwise affect any*
21 *right or claim of the Tribe to any land or inter-*
22 *est in land that is in existence before the date of*
23 *the enactment of this Act;*

1 (B) *affect any water right of the Tribe in*
 2 *existence before the date of the enactment of this*
 3 *Act; or*

4 (C) *terminate or limit any access in any*
 5 *way to any right-of-way or right-of-use issued,*
 6 *granted, or permitted before the date of the en-*
 7 *actment of this Act.*

8 (5) *RESTRICTED USE OF TRANSFERRED*
 9 *LANDS.—The Tribe may not conduct, on the land de-*
 10 *scribed in paragraph (3) taken into trust for the*
 11 *Tribe pursuant to this section, gaming activities—*

12 (A) *as a matter of claimed inherent author-*
 13 *ity; or*

14 (B) *under any Federal law, including the*
 15 *Indian Gaming Regulatory Act (25 U.S.C. 2701*
 16 *et seq.) and regulations promulgated by the Sec-*
 17 *retary or the National Indian Gaming Commis-*
 18 *sion under that Act.*

19 (6) *DEFINITIONS.—For the purposes of this sub-*
 20 *section:*

21 (A) *SECRETARY.—The term “Secretary”*
 22 *means the Secretary of the Interior.*

23 (B) *TRIBE.—The term “Tribe” means the*
 24 *Santa Ynez Band of Chumash Mission Indians.*

1 **SEC. 2877. REPORT ON LEAD SERVICE LINES AT MILITARY**
2 **INSTALLATIONS.**

3 *Not later than January 1, 2021, the Secretary of De-*
4 *fense shall submit to the congressional defense committees*
5 *a report that contains the following:*

6 (1) *The number of military installations at*
7 *which lead service lines are connected to schools,*
8 *childcare centers and facilities, buildings, and other*
9 *facilities of the installation as the Secretary deter-*
10 *mines appropriate.*

11 (2) *The total number of members of the Armed*
12 *Forces affected by the presence of lead service lines at*
13 *military installations.*

14 (3) *Of the total number of members under para-*
15 *graph (2), the number of such members with depend-*
16 *ents.*

17 (4) *Actions, if any, undertaken by the Secretary*
18 *to inform individuals affected by the presence of lead*
19 *service lines at military installations of such presence.*

20 (5) *Recommendations for legislative action relat-*
21 *ing to the replacement of lead service lines at military*
22 *installations.*

23 **SEC. 2878. RENAMING OF LEJEUNE HIGH SCHOOL IN**
24 **HONOR OF CONGRESSMAN WALTER B. JONES.**

25 (a) *RENAMING.*—*The Lejeune High School at Camp*
26 *Lejeune, North Carolina, shall hereafter be known and des-*

1 *ignated as the “Walter B. Jones Camp Lejeune High*
 2 *School”.*

3 (b) *REFERENCES.—Any reference in any law, map,*
 4 *regulation, map, document, paper, other record of the*
 5 *United States to the facility referred to in subsection (a)*
 6 *shall be considered to be a reference to the Walter B. Jones*
 7 *Camp Lejeune High School.*

8 **SEC. 2879. OPERATION, MAINTENANCE, AND PRESERVA-**
 9 **TION OF MARE ISLAND NAVAL CEMETERY,**
 10 **VALLEJO, CALIFORNIA.**

11 (a) *AUTHORITY TO ASSIST OPERATION, MAINTE-*
 12 *NANCE, AND PRESERVATION ACTIVITIES.—The Secretary of*
 13 *Defense may provide not more than \$250,000 per fiscal*
 14 *year to aid in the operation, maintenance, and preservation*
 15 *of the Mare Island Naval Cemetery in Vallejo, California*
 16 *(in this section referred to as the “Cemetery”) if, within*
 17 *one year after the date of the enactment of this Act—*

18 (1) *the city of Vallejo, California, enters into an*
 19 *agreement with a nonprofit historical preservation or-*
 20 *ganization (in this section referred to as the “organi-*
 21 *zation”) to manage the day-to-day operation, mainte-*
 22 *nance, and preservation activities of the Cemetery;*
 23 *and*

24 (2) *the organization enters into a memorandum*
 25 *of agreement with the Secretary that outlines the or-*

1 *ganization's plan and commitment to preserve the*
2 *Cemetery in perpetuity.*

3 *(b) RESTRICTION ON USE OF ASSISTANCE.—Assist-*
4 *ance provided under subsection (a) shall only be used by*
5 *the organization—*

6 *(1) for the direct operation, maintenance, and*
7 *preservation of the Cemetery; and*

8 *(2) to conduct an annual audit and prepare an*
9 *annual report of the organization's activities.*

10 *(c) REDUCTION IN ASSISTANCE.—The Secretary of De-*
11 *fense may reduce the amount of assistance provided under*
12 *subsection (a) for a fiscal year, or forgo the provision of*
13 *assistance for a fiscal year, whenever the Secretary deter-*
14 *mines that the organization has enough operational funds*
15 *to function for at least a two-year period.*

16 *(d) ANNUAL AUDIT AND REPORT.—As a condition of*
17 *receiving assistance under subsection (a), the organization*
18 *shall submit to the Secretary of Defense an annual report*
19 *containing an audit of the organization's financial revenues*
20 *and expenditures for the previous year and describing how*
21 *funds were used.*

22 *(e) OTHER FUND-RAISING.—Nothing in this section*
23 *shall be construed to preclude the organization from raising*
24 *additional funds to supplement the organization's activi-*
25 *ties.*

1 **SEC. 2880. RESTRICTIONS ON REHABILITATION OF OVER-**
2 **THE-HORIZON BACKSCATTER RADAR SYSTEM**
3 **RECEIVING STATION, MODOC COUNTY, CALI-**
4 **FORNIA.**

5 (a) *RESTRICTIONS.*—*Except as provided in subsection*
6 *(b), the Secretary of the Air Force may not use any funds*
7 *or resources of the Department of the Air Force to carry*
8 *out the rehabilitation of the obsolete Over-the-Horizon*
9 *Backscatter Radar System receiving station located in*
10 *Modoc National Forest in the State of California.*

11 (b) *EXCEPTION FOR REMOVAL OF PERIMETER*
12 *FENCE.*—*Notwithstanding subsection (a), the Secretary of*
13 *the Air Force may use funds and resources of the Depart-*
14 *ment of the Air Force—*

15 (1) *to remove the perimeter fence, which was*
16 *treated with an arsenic-based weatherproof coating,*
17 *surrounding the Over-the-Horizon Backscatter Radar*
18 *System receiving station referred to in such sub-*
19 *section; and*

20 (2) *to carry out the mitigation of soil contami-*
21 *nation associated with such fence.*

22 (c) *SUNSET.*—*The restrictions in subsection (a) shall*
23 *terminate on the date of the enactment of the National De-*
24 *fense Authorization Act for Fiscal Year 2021.*

1 **TITLE XXIX—OVERSEAS CONTIN-**
 2 **GENCY OPERATIONS MILI-**
 3 **TARY CONSTRUCTION**

4 **SEC. 2901. AUTHORIZED ARMY CONSTRUCTION AND LAND**
 5 **ACQUISITION PROJECTS.**

6 (a) *AUTHORIZATION.*—Subject to subsection (b), the
 7 Secretary of the Army may acquire real property and carry
 8 out the military construction projects for the installations
 9 outside the United States, and in the amounts, set forth
 10 in the following table:

Army: Outside the United States

Country	Location	Amount
<i>Cuba</i>	<i>Guantanamo Bay Naval Station</i>	<i>\$33,800,000</i>
<i>Unspecified Europe</i>	<i>European Deterrence Initiative: Various Locations</i>	<i>\$98,342,000</i>

11 (b) *REPORT REQUIRED AS CONDITION OF AUTHORIZA-*
 12 *TION.*—Not later than 90 days after the date of the enact-
 13 ment of this Act, the Secretary of the Army shall submit
 14 to the congressional defense committees a report containing
 15 a plan to carry out each military construction project au-
 16 thorized in the final item in the table in subsection (a) for
 17 an unspecified location for the European Deterrence Initia-
 18 tive. The plan shall include a Department of Defense Form
 19 1391 for each proposed project. The Secretary may not com-
 20 mence a project until the report has been submitted.

1 **SEC. 2902. AUTHORIZED NAVY CONSTRUCTION AND LAND**
 2 **ACQUISITION PROJECTS.**

3 (a) *AUTHORIZATION.*—Subject to subsection (b), the
 4 Secretary of the Navy may acquire real property and carry
 5 out the military construction projects for the installations
 6 outside the United States, and in the amounts, set forth
 7 in the following table:

Navy: Outside the United States

Country	Location	Amount
<i>Bahrain</i>	<i>SW Asia</i>	<i>\$53,360,000</i>
<i>Italy</i>	<i>Sigonella</i>	<i>\$77,400,000</i>
<i>Spain</i>	<i>Rota</i>	<i>\$69,570,000</i>
<i>Unspecified Europe</i>	<i>European Deterrence Initiative: Various Locations</i>	<i>\$56,246,000</i>

8 (b) *REPORT REQUIRED AS CONDITION OF AUTHORIZA-*
 9 *TION.*—Not later than 90 days after the date of the enact-
 10 ment of this Act, the Secretary of the Navy shall submit
 11 to the congressional defense committees a report containing
 12 a plan to carry out each military construction project au-
 13 thorized in the final item in the table in subsection (a) for
 14 an unspecified location for the European Deterrence Initia-
 15 tive. The plan shall include a Department of Defense Form
 16 1391 for each proposed project. The Secretary may not com-
 17 mence a project until the report has been submitted.

18 **SEC. 2903. AUTHORIZED AIR FORCE CONSTRUCTION AND**
 19 **LAND ACQUISITION PROJECTS.**

20 (a) *AUTHORIZATION.*—Subject to subsection (b), the
 21 Secretary of the Air Force may acquire real property and
 22 carry out the military construction projects for the installa-

1 tions outside the United States, and in the amounts, set
 2 forth in the following table:

Air Force: Outside the United States

Country	Location	Amount
<i>Iceland</i>	<i>Keflavik</i>	<i>\$57,000,000</i>
<i>Jordan</i>	<i>Azraq</i>	<i>\$66,000,000</i>
<i>Spain</i>	<i>Moron</i>	<i>\$8,500,000</i>
<i>Unspecified Europe</i>	<i>European Deterrence Initiative: Various</i>	<i>\$231,246,000</i>

3 **(b) REPORT REQUIRED AS CONDITION OF AUTHORIZA-**
 4 **TION.**—Not later than 90 days after the date of the enact-
 5 ment of this Act, the Secretary of the Air Force shall submit
 6 to the congressional defense committees a report containing
 7 a plan to carry out each military construction project au-
 8 thorized in the final item in the table in subsection (a) for
 9 an unspecified location for the European Deterrence Initia-
 10 tive. The plan shall include a Department of Defense Form
 11 1391 for each proposed project. The Secretary may not com-
 12 mence a project until the report has been submitted.

13 **SEC. 2904. AUTHORIZED DEFENSE AGENCIES CONSTRUC-**
 14 **TION AND LAND ACQUISITION PROJECTS.**

15 The Secretary of Defense may acquire real property
 16 and carry out the military construction project for the in-
 17 stallation outside the United States, and in the amount,
 18 set forth in the following table:

Defense Agencies: Outside the United States

Country	Location	Amount
<i>Germany</i>	<i>Germersheim</i>	<i>\$46,000,000</i>

1 **SEC. 2905. AUTHORIZATION OF APPROPRIATIONS.**

2 *Funds are hereby authorized to be appropriated for fis-*
 3 *cal years beginning after September 30, 2019, for the mili-*
 4 *tary construction projects outside the United States author-*
 5 *ized by this title as specified in the funding table in section*
 6 *4602.*

7 **TITLE XXX—AUTHORIZATION OF**
 8 **EMERGENCY MILITARY CON-**
 9 **STRUCTION**

10 **SEC. 3001. AUTHORIZATION OF EMERGENCY NAVY CON-**
 11 **STRUCTION AND LAND ACQUISITION**
 12 **PROJECTS.**

13 *(a) NAVY AUTHORIZATION.—Subject to subsection (c),*
 14 *pursuant to section 2802 of title 10, United States Code,*
 15 *the following real property acquisition and military con-*
 16 *struction projects, including planning and design related*
 17 *to military construction projects, in the following amounts,*
 18 *are authorized:*

Navy Authorization

<i>State or Location</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Amount</i>
<i>North Carolina</i>	<i>Camp Lejeune</i>	<i>Various construction</i>	<i>\$967,210,000</i>
	<i>Marine Corps Air Station Cherry Point</i>	<i>Various Construction</i>	<i>\$175,456,000</i>
<i>Unspecified Worldwide</i>	<i>Unspecified Worldwide Locations</i>	<i>Planning and Design</i>	<i>\$68,282,000</i>

19 *(b) AUTHORIZED NAVY CONSTRUCTION PROJECTS.—*
 20 *In addition to the projects authorized under subsection (a)*

1 *and subject to subsection (c), pursuant to section 2802 of*
2 *title 10, United States Code, the Secretary of Defense may*
3 *carry out military construction projects, including plan-*
4 *ning and design related to military construction projects,*
5 *at facilities damaged by earthquakes or other natural disas-*
6 *ters in 2019, in the amount of \$100,000,000.*

7 *(c) REPORT REQUIRED AS A CONDITION OF AUTHOR-*
8 *IZATION.—Not later than 90 days after the date of the en-*
9 *actment of this Act, the Secretary of Defense shall submit*
10 *to the Committees on Armed Services of the House of Rep-*
11 *resentatives and the Senate a report containing a plan to*
12 *carry out the military construction projects authorized by*
13 *this section. The plan shall include an explanation of how*
14 *each military construction project will incorporate mitiga-*
15 *tion measures that reduce the threat from natural disasters,*
16 *including a list of any areas in which there is a variance*
17 *from the local building requirements and an explanation*
18 *of the reason for the variance. The plan shall also include*
19 *a Department of Defense Form 1391 for each proposed*
20 *project. The Secretary may not commence a project until*
21 *the report required from the Secretary has been submitted.*

22 *(d) REVISION OF FUNDING.—*

23 *(1) INCREASE.—Notwithstanding the amounts*
24 *set forth in the funding tables in division D, the*
25 *amount authorized to be appropriated in section*

1 3001(b) for military construction projects carried out
2 under this section, as specified in the corresponding
3 funding table in section 4601, is hereby increased by
4 \$100,000,000, to be available for the purpose specified
5 in subsection (b).

6 (2) *OFFSET.*—Notwithstanding the amounts set
7 forth in the funding tables in division D, the amount
8 authorized to be appropriated in section 2403 for De-
9 fense Agencies planning and design at various world-
10 wide locations, as specified in the corresponding fund-
11 ing table in section 4601, is hereby reduced by
12 \$40,000,000.

13 (3) *OFFSET.*—Notwithstanding the amounts set
14 forth in the funding tables in division D, the amount
15 authorized to be appropriated in section 2403 for De-
16 fense Agencies unspecified minor construction at var-
17 ious worldwide locations, as specified in the cor-
18 responding funding table in section 4601, is hereby
19 reduced by \$10,000,000.

20 (4) *OFFSET.*—Notwithstanding the amounts set
21 forth in the funding tables in division D, the amount
22 authorized to be appropriated in section 2304 for Air
23 Force planning and design at various worldwide loca-
24 tions, as specified in the corresponding funding table
25 in section 4601, is hereby reduced by \$20,000,000.

(5) *OFFSET.*—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 2103 for Army planning and design at various worldwide locations, as specified in the corresponding funding table in section 4601, is hereby reduced by \$20,000,000.

(6) *OFFSET.*—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 2204 for Navy planning and design at various worldwide locations, as specified in the corresponding funding table in section 4601, is hereby reduced by \$10,000,000.

SEC. 3002. AUTHORIZATION OF EMERGENCY AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) *AIR FORCE AUTHORIZATION.*—Subject to subsection (b), pursuant to section 2802 of title 10, United States Code, the following real property acquisition and military construction projects, in the following amounts, are authorized:

Air Force Authorization

<i>State</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Amount</i>
<i>Florida</i>	<i>Tyndall Air Force Base</i>	<i>Various Construction</i>	<i>\$735,752,000</i>
<i>Nebraska</i>	<i>Offutt Air Force Base</i>	<i>Various Construction</i>	<i>\$300,000,000</i>

1 **(b) REPORT REQUIRED AS CONDITION OF AUTHORIZA-**
 2 **TION.**—*Not later than 90 days after the date of the enact-*
 3 *ment of this Act, the Secretary of the Air Force shall submit*
 4 *to the Committees on Armed Services of the House of Rep-*
 5 *resentatives and the Senate a report containing a plan to*
 6 *carry out the military construction projects authorized by*
 7 *this section. The plan shall include an explanation of how*
 8 *each military construction project will incorporate mitiga-*
 9 *tion measures that reduce the threat from extreme weather*
 10 *events, mean sea level fluctuation, flooding, and any other*
 11 *known environmental threat to resilience, including a list*
 12 *of any areas in which there is a variance from the local*
 13 *building requirements and an explanation of the reason for*
 14 *the variance. The plan shall also include a Department of*
 15 *Defense Form 1391 for each proposed project. The Secretary*
 16 *may not commence a project until the report required from*
 17 *the Secretary has been submitted.*

18 **SEC. 3003. AUTHORIZATION OF EMERGENCY ARMY NA-**
 19 **TIONAL GUARD AND ARMY RESERVE CON-**
 20 **STRUCTION AND LAND ACQUISITION**
 21 **PROJECTS.**

22 **(a) ARMY NATIONAL GUARD AUTHORIZATION.**—*Pur-*
 23 *suant to section 2802 of title 10, United States Code, the*
 24 *following real property acquisition and military construc-*
 25 *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 Carolina	Military Training Area Fort Fisher	General Purpose Administrative Building	\$25,000,000

1 (b) *ARMY RESERVE AUTHORIZATION.*—Pursuant to
2 section 2805 of title 10, United States Code, unspecified
3 minor construction, in the amount set forth in the following
4 table, is authorized:

Army Reserve Authorization

Country	Installation or Location	Project	Amount
Unspecified Worldwide	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 are*
 13 *hereby authorized to be appropriated to the Department of*
 14 *Energy for fiscal year 2020 for the activities of the National*
 15 *Nuclear Security Administration in carrying out programs*
 16 *as specified in the funding table in section 4701.*

17 *(b) AUTHORIZATION OF NEW PLANT PROJECTS.—*
 18 *From funds referred to in subsection (a) that are available*
 19 *for carrying out plant projects, the Secretary of Energy*
 20 *may carry out new plant projects for the National Nuclear*
 21 *Security Administration as follows:*

22 *Project 15–D–301, High Explosive Science and*
 23 *Engineering Facility, Pantex Plant, Amarillo, Texas,*
 24 *\$123,000,000.*

1 *Project 15–D–611, Emergency Operations Cen-*
 2 *ter, Sandia National Laboratories, Albuquerque, New*
 3 *Mexico, \$4,000,000.*

4 *Project 15–D–612, Emergency Operations Cen-*
 5 *ter, Lawrence Livermore National Laboratory, Liver-*
 6 *more, California, \$5,000,000.*

7 *Project 18–D–150, Surplus Plutonium Disposi-*
 8 *tion, Savannah River Site, Aiken, South Carolina,*
 9 *\$79,000,000.*

10 *Project 18–D–650, Tritium Finishing Facility,*
 11 *Savannah River Site, Aiken, South Carolina,*
 12 *\$27,000,000.*

13 *Project 19–D–670, 138k Power Transmission*
 14 *System Replacement, Nevada National Security Site,*
 15 *Mercury, Nevada, \$6,000,000.*

16 *Project 20–D–931, KL Fuel Development Lab-*
 17 *oratory, Knolls Atomic Power Laboratory, Schenec-*
 18 *tady, New York, \$23,700,000.*

19 **SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.**

20 *Funds are hereby authorized to be appropriated to the*
 21 *Department of Energy for fiscal year 2020 for defense envi-*
 22 *ronmental cleanup activities in carrying out programs as*
 23 *specified in the funding table in section 4701.*

1 **SEC. 3103. OTHER DEFENSE ACTIVITIES.**

2 *Funds are hereby authorized to be appropriated to the*
 3 *Department of Energy for fiscal year 2020 for other defense*
 4 *activities in carrying out programs as specified in the fund-*
 5 *ing table in section 4701.*

6 **SEC. 3104. NUCLEAR ENERGY.**

7 *Funds are hereby authorized to be appropriated to the*
 8 *Department of Energy for fiscal year 2020 for nuclear en-*
 9 *ergy as specified in the funding table in section 4701.*

10 **Subtitle B—Program Authoriza-**
 11 **tions, Restrictions, Limitations,**
 12 **and Other Matters**

13 **SEC. 3111. PERSONNEL LEVELS OF THE OFFICE OF THE AD-**
 14 **MINISTRATOR FOR NUCLEAR SECURITY.**

15 *(a) PERSONNEL LEVELS.—*

16 *(1) INCREASE.—Subsection (a) of section 3241A*
 17 *of the National Nuclear Security Administration Act*
 18 *(50 U.S.C. 2441a) is amended by striking “1,690”*
 19 *both places it appears and inserting “1,890”.*

20 *(2) TECHNICAL AMENDMENTS.—Such subsection*
 21 *is further amended—*

22 *(A) in paragraph (1), by striking “By Octo-*
 23 *ber 1, 2015, the” and inserting “The”; and*

24 *(B) in paragraph (2), by striking “2016”*
 25 *and inserting “2020”.*

1 (b) *REPORTS ON SERVICE SUPPORT CONTRACTS.*—

2 Subsection (f) of such section is amended—

3 (1) *in the matter preceding paragraph (1), by*
 4 *striking “as of the date of the report” and inserting*
 5 *“for the most recent fiscal year for which data is*
 6 *available”;* and

7 (2) *by striking paragraph (5) and inserting the*
 8 *following new paragraphs:*

9 “(5) *With respect to each contract identified*
 10 *under paragraph (2)—*

11 “(A) *identification of each appropriations*
 12 *account that supports the contract; and*

13 “(B) *the amount obligated under the con-*
 14 *tract during the fiscal year, listed by each such*
 15 *account.*

16 “(6) *With respect to each appropriations account*
 17 *identified under paragraph (5)(A), the total amount*
 18 *obligated for contracts identified under paragraph*
 19 *(2).”.*

20 **SEC. 3112. OFFICE OF COST ESTIMATING AND PROGRAM**
 21 **EVALUATION.**

22 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
 23 *that Congress is concerned that the staffing levels of the Of-*
 24 *fice of Cost Estimating and Program Evaluation of the Na-*

1 tional Nuclear Security Administration have been persist-
 2 ently below the authorized level.

3 (b) *REPORTING.*—Section 3221(b)(1) of the National
 4 Nuclear Security Administration Act (50 U.S.C.
 5 2411(b)(1)) is amended by adding at the end the following
 6 new sentence: “The Director shall report directly to the Ad-
 7 ministrator.”.

8 (c) *BRIEFING.*—Not later than 180 days after the date
 9 of the enactment of this Act, the Administrator for Nuclear
 10 Security shall provide to the congressional defense commit-
 11 tees a briefing on the plan of the Administrator to fully
 12 staff the Office of Cost Estimating and Program Evaluation
 13 of the National Nuclear Security Administration pursuant
 14 to section 3221(f) of the National Nuclear Security Admin-
 15 istration Act (50 U.S.C. 2411(f)).

16 **SEC. 3113. CLARIFICATION OF CERTAIN STOCKPILE RE-**
 17 **SPONSIVENESS PROGRAM OBJECTIVES.**

18 Section 4220(c) of the Atomic Energy Defense Act (50
 19 U.S.C. 2538b(c)) is amended—

20 (1) in paragraph (3), by striking “capabilities
 21 required, including prototypes” and inserting “capa-
 22 bilities as required, such as through the use of proto-
 23 types”; and

24 (2) in paragraph (6)—

1 (A) by striking “in consultation with the
2 Director of National Intelligence” and inserting
3 “in coordination with the Director of National
4 Intelligence”; and

5 (B) by inserting “if needed to meet intel-
6 ligence requirements” after “foreign countries”.

7 **SEC. 3114. MODIFICATION TO PLUTONIUM PIT PRODUCTION**
8 **CAPACITY.**

9 (a) *FINDING AND SENSE OF CONGRESS.*—

10 (1) *FINDING.*—Congress finds that a recent study
11 by the Institute of Defense Analyses notes, “a key
12 milestone will be achieving the Plutonium
13 Sustainment Program goal of 30 pits per year at Los
14 Alamos National Laboratory”.

15 (2) *SENSE OF CONGRESS.*—It is the sense of
16 Congress that the National Nuclear Security Admin-
17 istration should prioritize achieving production of 30
18 pits per year at Los Alamos National Laboratory and
19 ensure that efforts to design and construct a second
20 site do not divert resources, including personnel and
21 funding, from Los Alamos National Laboratory.

22 (b) *2027 REQUIREMENT.*—Section 4219 of the Atomic
23 Energy Defense Act (50 U.S.C. 2538a) is amended—

24 (1) in subsection (a)—

1 (A) in paragraph (3), by inserting “and”
 2 after the semicolon;

3 (B) in paragraph (4), by striking “; and”
 4 and inserting a period; and

5 (C) by striking paragraph (5);

6 (2) by striking subsection (b); and

7 (3) by redesignating subsections (c) and (d) as
 8 subsections (b) and (c), respectively.

9 (c) *CONFORMING AMENDMENT.*—Subsection (b) of such
 10 section, as redesignated by subsection (b), is amended by
 11 striking “(or, if the authority under subsection (b) is exer-
 12 cised, 2029)”.

13 **SEC. 3115. ANNUAL CERTIFICATION OF SHIPMENTS TO**
 14 **WASTE ISOLATION PILOT PLANT.**

15 Section 3115(a) of the National Defense Authorization
 16 Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat.
 17 2759), as amended by section 3137 of the John S. McCain
 18 National Defense Authorization Act for Fiscal Year 2019
 19 (Public Law 115–232; 132 Stat. 2303), is further amended,
 20 in the matter preceding paragraph (1), by striking “three-
 21 year period” and inserting “10-year period”.

1 **SEC. 3116. REPEAL OF LIMITATION ON AVAILABILITY OF**
2 **FUNDS FOR ACCELERATION OF NUCLEAR**
3 **WEAPONS DISMANTLEMENT.**

4 *Section 3125 of the National Defense Authorization*
5 *Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat.*
6 *2766) is repealed.*

7 **SEC. 3117. ELIMINATION OF LIMITATION ON AVAILABILITY**
8 **OF FUNDS RELATING TO SUBMISSION OF AN-**
9 **NUAL REPORTS ON UNFUNDED PRIORITIES.**

10 *Section 4716 of the Atomic Energy Defense Act (50*
11 *U.S.C. 2756) is amended—*

12 *(1) by striking subsection (c); and*

13 *(2) by redesignating subsection (d) as subsection*
14 *(c).*

15 **SEC. 3118. PROGRAM FOR RESEARCH AND DEVELOPMENT**
16 **OF ADVANCED NAVAL NUCLEAR FUEL SYS-**
17 **TEM BASED ON LOW-ENRICHED URANIUM.**

18 *(a) ESTABLISHMENT.—Not later than 60 days after*
19 *the date of the enactment of this Act, the Administrator for*
20 *Nuclear Security shall establish a program to assess the via-*
21 *bility of using low-enriched uranium in naval nuclear pro-*
22 *pulsion reactors, including such reactors located on aircraft*
23 *carriers and submarines, that meet the requirements of the*
24 *Navy.*

25 *(b) ACTIVITIES.—In carrying out the program under*
26 *subsection (a), the Administrator shall carry out activities*

1 *to develop an advanced naval nuclear fuel system based on*
2 *low-enriched uranium, including activities relating to—*

3 *(1) down-blending of high-enriched uranium into*
4 *low-enriched uranium;*

5 *(2) manufacturing of candidate advanced low-*
6 *enriched uranium fuels;*

7 *(3) irradiation tests and post-irradiation exam-*
8 *ination of these fuels; and*

9 *(4) modification or procurement of equipment*
10 *and infrastructure relating to such activities.*

11 *(c) REPORT.—Not later than 120 days after the date*
12 *of the enactment of this Act, the Administrator shall submit*
13 *to the congressional defense committees a plan outlining the*
14 *activities the Administrator will carry out under the pro-*
15 *gram established under subsection (a), including the fund-*
16 *ing requirements associated with developing a low-enriched*
17 *uranium fuel.*

18 **SEC. 3119. REPLACEMENT OF W78 WARHEAD.**

19 *(a) ANALYSIS OF ALTERNATIVES.—*

20 *(1) IN GENERAL.—The Administrator for Nu-*
21 *clear Security shall conduct an analysis of alter-*
22 *natives with respect to replacing the W78 warhead.*
23 *Such analysis shall describe the technical risks and*
24 *costs for each option to replace the W78 warhead.*

1 (2) *REVIEW.*—*The Director for Cost Estimating*
2 *and Program Evaluation of the National Nuclear Se-*
3 *curity Administration shall review the analysis of al-*
4 *ternatives under paragraph (1).*

5 (3) *REPORT.*—*Not later than 150 days after the*
6 *date of the enactment of this Act, the Administrator*
7 *shall submit to the congressional defense committees a*
8 *report on the replacement of the W78 warhead. Such*
9 *report shall include the analysis of alternatives under*
10 *paragraph (1) and the review under paragraph (2).*

11 (b) *LIMITATION.*—*Of the funds authorized to be appro-*
12 *priated by this Act or otherwise made available for fiscal*
13 *year 2020 for the National Nuclear Security Administra-*
14 *tion for the modernization of the W78 warhead, not more*
15 *than 75 percent may be obligated or expended until the date*
16 *on which the report is submitted under subsection (a)(3).*

17 (c) *INDEPENDENT STUDY.*—

18 (1) *IN GENERAL.*—*The Administrator shall seek*
19 *to enter into an arrangement with the private sci-*
20 *entific advisory group known as JASON to conduct*
21 *a study of the plan of the Administrator to replace*
22 *the W78 warhead. Such study shall include—*

23 (A) *an assessment of the risks to certifi-*
24 *cation; and*

1 (B) the need for planned upgrades to such
2 warhead.

3 (2) *SUBMISSION*.—Not later than 150 days after
4 the date of the enactment of this Act, the Adminis-
5 trator shall submit to the congressional defense com-
6 mittees the study under paragraph (1), without
7 change.

8 **SEC. 3120. NATIONAL LABORATORY JOBS ACCESS PRO-**
9 **GRAM.**

10 (a) *IN GENERAL*.—Not later than 180 days after the
11 date of enactment of this Act, the Secretary may establish
12 a program known as the “Department of Energy National
13 Lab Jobs ACCESS Program”, under which the Secretary
14 may award, on a competitive basis, 5-year grants to eligible
15 entities described in subsection (c) for the Federal share of
16 the costs of technical, skills-based preapprenticeship and ap-
17 prenticeship programs that provide employer-driven or rec-
18 ognized postsecondary credentials during the grant period.

19 (b) *REQUIREMENTS*.—A program funded by a grant
20 awarded under this section shall develop and deliver cus-
21 tomized and competency-based training that—

22 (1) leads to recognized postsecondary credentials
23 for secondary school and postsecondary students;

24 (2) is focused on skills and qualifications needed,
25 as determined by the Department of Energy in con-

1 *sultation with the national laboratories, to meet the*
2 *immediate and on-going needs of traditional and*
3 *emerging technician positions (including machinists*
4 *and cyber security technicians) at the National Lab-*
5 *oratories and covered facilities of the National Nu-*
6 *clear Security Administration;*

7 (3) *creates an apprenticeship or*
8 *preapprenticeship program in consultation with a*
9 *National Laboratory or covered facility of the Na-*
10 *tional Nuclear Security Administration; and*

11 (4) *creates an apprenticeship or*
12 *preapprenticeship program registered with and ap-*
13 *proved by the Secretary of Labor or a State Appren-*
14 *ticeship Agency.*

15 (c) *ELIGIBLE ENTITIES.*—*An entity that is eligible to*
16 *receive a grant under this section shall be a workforce inter-*
17 *mediary or an eligible sponsor of a preapprenticeship or*
18 *an apprenticeship program that—*

19 (1) *demonstrates experience in implementing*
20 *and providing career planning and career pathways*
21 *towards apprenticeship or preapprenticeship pro-*
22 *grams;*

23 (2)(A) *has a relationship with a National Lab-*
24 *oratory or covered facility of the National Nuclear Se-*
25 *curity Administration;*

1 (B) has knowledge of technician workforce needs
2 of such laboratory or facility and the associated secu-
3 rity requirements of such laboratory or facility; and

4 (C) is eligible to enter into an agreement with
5 such laboratory or facility that would be paid for in
6 part or entirely from grant funds received under this
7 section;

8 (3) demonstrates the ability to recruit and sup-
9 port individuals who plan to work in relevant techni-
10 cian positions upon the successful completion of such
11 programs;

12 (4) provides students who complete such pro-
13 grams with a recognized postsecondary credential,
14 such as a journeyman craft license or an industry-
15 recognized certification;

16 (5) uses a customized training curriculum that
17 is specifically aligned with employers, utilizing work-
18 place learning advisors and on-the-job training to the
19 greatest extent possible; and

20 (6) demonstrates successful outcomes connecting
21 graduates of such programs to careers relevant to such
22 programs.

23 (d) APPLICATIONS.—An eligible entity seeking a grant
24 under this section shall submit to the Secretary an applica-

1 *tion at such time, in such manner, and containing such*
 2 *information as the Secretary may require.*

3 *(e) PRIORITY.—In selecting eligible entities to receive*
 4 *grants under this section, the Secretary shall prioritize an*
 5 *eligible entity that—*

6 *(1) is a member of an industry or sector part-*
 7 *nership;*

8 *(2) provides the training described in subsection*
 9 *(b)—*

10 *(A) at an institution of higher education*
 11 *(such as a community college) that includes*
 12 *basic science, technology, and mathematics edu-*
 13 *cation in the curriculum;*

14 *(B) through an apprenticeship program*
 15 *that was registered with the Department of*
 16 *Labor or a State Apprenticeship Agency before*
 17 *the date on which the eligible entity applies for*
 18 *the grant under subsection (d); or*

19 *(C) with respect to a preapprenticeship pro-*
 20 *gram, at a local educational agency, a secondary*
 21 *school, a provider of adult education, an area ca-*
 22 *reer and technical education school, or an appro-*
 23 *priate community facility;*

24 *(3) works with the Secretary of Defense, Sec-*
 25 *retary of Veteran Affairs, or veterans organizations to*

1 *transition members of the Armed Forces and veterans*
2 *to apprenticeship or preapprenticeship programs in a*
3 *relevant sector;*

4 *(4) plans to use the grant to carry out the train-*
5 *ing described in subsection (b) with an entity that re-*
6 *ceives State funding or is operated by a State agency;*
7 *and*

8 *(5) plans to use the grant to carry out the train-*
9 *ing described in subsection (b) for—*

10 *(A) young adults ages 16 to 29, inclusive; or*

11 *(B) individuals with barriers to employ-*
12 *ment.*

13 *(f) ADDITIONAL CONSIDERATION.—In making grants*
14 *under this section, the Secretary shall consider regional di-*
15 *versity.*

16 *(g) LIMITATION ON APPLICATIONS.—An eligible entity*
17 *may not submit, either individually or as part of a joint*
18 *application, more than 1 application for a grant under this*
19 *section during any 1 fiscal year.*

20 *(h) LIMITATIONS ON AMOUNT OF GRANT.—The*
21 *amount of a grant provided under this section for any 24-*
22 *month period of the 5-year grant period shall not exceed*
23 *\$500,000.*

24 *(i) NON-FEDERAL SHARE.—The non-Federal share of*
25 *the cost of a customized training program carried out using*

1 *a grant under this section shall be not less than 25 percent*
2 *of the total cost of the program.*

3 (j) *TECHNICAL ASSISTANCE.—The Secretary may pro-*
4 *vide technical assistance to eligible entities described in sub-*
5 *section (c) to leverage the existing job training and edu-*
6 *cation programs of the Department of Labor and other rel-*
7 *evant programs at appropriate Federal agencies.*

8 (k) *REPORT.—*

9 (1) *IN GENERAL.—Not less than once every 2*
10 *years, the Secretary of Labor shall submit to Con-*
11 *gress, and make publicly available on the website of*
12 *the Department of Labor, a report on the program es-*
13 *tablished under this section, including—*

14 (A) *a description of—*

15 (i) *any entity that receives a grant*
16 *under this section;*

17 (ii) *any activity carried out using the*
18 *grants under this section; and*

19 (iii) *best practices used to leverage the*
20 *investment of the Federal Government*
21 *under this section; and*

22 (B) *an assessment of the results achieved by*
23 *the program established under this section, in-*
24 *cluding the rate of employment for participants*
25 *after completing a job training and education*

1 program carried out using a grant under this
2 section.

3 (2) *PROVISION OF INFORMATION.*—*The Secretary*
4 *of Energy shall provide such information as necessary*
5 *to the Secretary of Labor for purposes of the report*
6 *under paragraph (1).*

7 (3) *PERFORMANCE REPORTS.*—*Not later than*
8 *one year after the start of a new apprenticeship or*
9 *preapprenticeship program established under this sec-*
10 *tion, and annually thereafter, the entity carrying out*
11 *the programs shall submit to the Secretary of Labor*
12 *a report on the effectiveness of the program based on*
13 *the accountability measures described in clauses (i)*
14 *and (ii) of section 116(b)(2)(A) of the Workforce Inno-*
15 *vation and Opportunity Act (29 U.S.C.*
16 *3141(b)(2)(A)).*

17 (4) *DEFINITIONS.*—*In this section:*

18 (1) *ESEA TERMS.*—*The terms “local educational*
19 *agency” and “secondary school” have the meanings*
20 *given the terms in section 8101 of the Elementary*
21 *and Secondary Education Act of 1965 (20 U.S.C.*
22 *7801).*

23 (2) *WIOA TERMS.*—*The terms “career plan-*
24 *ning”, “community-based organization”, “customized*
25 *training”, “economic development agency”, “indi-*

vidual with a barrier to employment”, “industry or sector partnership”, “on-the-job training”, “recognized postsecondary credential”, and “workplace learning advisor” have the meanings given such terms in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

(3) *APPRENTICESHIP*.—The term “apprenticeship” means an apprenticeship registered under the Act of August 16, 1937 (commonly known as the “National Apprenticeship Act”; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.).

(4) *AREA CAREER AND TECHNICAL EDUCATION SCHOOL*.—The term “area career and technical education school” has the meaning given the term in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302).

(5) *COMMUNITY COLLEGE*.—The term “community college” has the meaning given the term “junior or community college” in section 312(f) of the Higher Education Act of 1965 (20 U.S.C. 1058(f)).

(6) *COVERED FACILITY OF THE NATIONAL NUCLEAR SECURITY ADMINISTRATION*.—The term “covered facility of the National Nuclear Security Administration” means a national security laboratory or a nuclear weapons production facility as such terms are

1 *defined in section 4002 of the Atomic Energy Defense*
 2 *Act (50 U.S.C. 2501).*

3 (7) *ELIGIBLE SPONSOR.—The term “eligible*
 4 *sponsor” means a public organization or an organi-*
 5 *zation described in section 501(c) of the Internal Rev-*
 6 *enue Code of 1986 and exempt from tax under section*
 7 *501(a) of that Code, that—*

8 (A) *with respect to an apprenticeship pro-*
 9 *gram, administers such program through a part-*
 10 *nership that may include—*

11 (i) *an industry or sector partnership;*

12 (ii) *an employer or industry associa-*
 13 *tion;*

14 (iii) *a labor-management organization;*

15 (iv) *a local workforce development*
 16 *board or State workforce development board;*

17 (v) *a 2- or 4-year institution of higher*
 18 *education that offers an educational pro-*
 19 *gram leading to an associate’s or bachelor’s*
 20 *degree in conjunction with a certificate of*
 21 *completion of apprenticeship;*

22 (vi) *the Armed Forces (including the*
 23 *National Guard and Reserves);*

24 (vii) *a community-based organization;*

25 *or*

1 (viii) *an economic development agency;*

2 *and*

3 (B) *with respect to a preapprenticeship pro-*
 4 *gram, is a local educational agency, a secondary*
 5 *school, an area career and technical education*
 6 *school, a provider of adult education, a State*
 7 *workforce development board, a local workforce*
 8 *development board, or a community-based orga-*
 9 *nization, that administers such program with*
 10 *any required coordination and necessary approv-*
 11 *als from the Secretary of Labor or a State de-*
 12 *partment of labor.*

13 (8) *INSTITUTION OF HIGHER EDUCATION.—The*
 14 *term “institution of higher education” has the mean-*
 15 *ing given the term in section 101 of the Higher Edu-*
 16 *cation Act of 1965 (20 U.S.C. 1001).*

17 (9) *LOCAL WORKFORCE DEVELOPMENT BOARD.—*
 18 *The term “local workforce development board” has the*
 19 *meaning given the term “local board” in section 3 of*
 20 *the Workforce Innovation and Opportunity Act (29*
 21 *U.S.C. 3102).*

22 (10) *NATIONAL LABORATORY.—The term “Na-*
 23 *tional Laboratory” has the meaning given the term in*
 24 *section 2 of the Energy Policy Act of 2005 (42 U.S.C.*
 25 *15801).*

1 (11) *PROVIDER OF ADULT EDUCATION.*—*The*
 2 *term “provider of adult education” has the meaning*
 3 *given that term in section 203 of the Adult Education*
 4 *and Literacy Act (29 U.S.C. 3272).*

5 (12) *RELATED INSTRUCTION.*—*The term “related*
 6 *instruction” means an organized and systematic form*
 7 *of instruction designed to provide an apprentice with*
 8 *the knowledge of the technical subjects related to the*
 9 *occupation of the apprentice.*

10 (13) *SECRETARY.*—*The term “Secretary” means*
 11 *the Secretary of Energy, in consultation with the Sec-*
 12 *retary of Labor, except as otherwise specified in this*
 13 *Act.*

14 (14) *STATE WORKFORCE DEVELOPMENT*
 15 *BOARD.*—*The term “State workforce development*
 16 *board” has the meaning given the term “State board”*
 17 *in section 3 of the Workforce Innovation and Oppor-*
 18 *tunity Act (29 U.S.C. 3102).*

19 (15) *WORKFORCE INTERMEDIARY.*—*The term*
 20 *“workforce intermediary”—*

21 *(A) means an organization that proactively*
 22 *addresses workforce needs using a dual customer*
 23 *approach, which considers the needs of both em-*
 24 *ployees and employers; and*

1 (B) may include a community organiza-
 2 tion, an employer organization, a community
 3 college, a temporary staffing agency, a State
 4 workforce development board, a local workforce
 5 development board, or a labor organization.

6 **SEC. 3121. INDEPENDENT REVIEW OF PLANS AND CAPABILI-**
 7 **TIES FOR NUCLEAR VERIFICATION, DETEC-**
 8 **TION, AND MONITORING OF NUCLEAR WEAP-**
 9 **ONS AND FISSILE MATERIAL.**

10 (a) *PLAN*.—Not later than 30 days after the date of
 11 the enactment of this Act, the Secretary of Energy, in con-
 12 sultation with the Secretary of Defense, shall seek to enter
 13 into a contract with the National Academies of Sciences to
 14 conduct an independent review and assessment of a plan
 15 for nuclear detection and verification and monitoring of
 16 nuclear weapons and fissile material.

17 (b) *ELEMENTS*.—The review under subsection (a) shall
 18 include the following:

19 (1) *Recommendations for a national research in-*
 20 *frastructure for enhanced nuclear verification, detec-*
 21 *tion, and monitoring, with respect to policy, oper-*
 22 *ations, and research, development, testing, and eval-*
 23 *uation, including—*

1 (A) an evaluation of current national re-
2 search enterprise for such nuclear verification,
3 detection, and monitoring;

4 (B) a plan for maximizing a national re-
5 search enterprise to prevent the proliferation of
6 nuclear weapons and fissile material;

7 (C) integration of roles, responsibilities, and
8 planning for such verification, detection, and
9 monitoring within the Federal Government; and

10 (D) a mechanism for the Department of En-
11 ergy to consult across the intelligence community
12 when setting the research agenda to ensure that
13 goals and priorities are aligned.

14 (2) Recommendations for international engage-
15 ment for building cooperation and transparency, in-
16 cluding bilateral and multilateral efforts, to improve
17 inspections, detection, and monitoring, and to create
18 incentives for cooperation and transparency.

19 (3) Recommendations for—

20 (A) research and development efforts to im-
21 prove monitoring, detection, and in-field inspec-
22 tion and analysis capabilities, including per-
23 sistent surveillance, remote monitoring, and
24 rapid analysis of large data sets, including open-
25 source data; and

1 (B) measures to coordinate technical and
2 operational requirements early in the process.

3 (4) Recommendations for improved coordination
4 between departments and agencies of the Federal Gov-
5 ernment and the military departments, national lab-
6 oratories, commercial industry, and academia.

7 (5) Recommendations for leveraging commercial
8 capability, such as remote sensing.

9 (c) SUBMISSION AND BRIEFING.—Not later than 270
10 days after the date of the enactment of this Act, the Sec-
11 retary of Energy shall—

12 (1) submit to the congressional defense commit-
13 tees a report containing the review under subsection
14 (a); and

15 (2) provide to such committees a briefing on such
16 review.

17 (d) FORM.—The review under subsection (a) and the
18 report under subsection (c) shall be submitted in unclassi-
19 fied form, but may include a classified annex, consistent
20 with the protection of intelligence sources and methods.

21 **SEC. 3122. FUNDING FOR LOW-ENRICHED URANIUM RE-**
22 **SEARCH AND DEVELOPMENT.**

23 (a) INCREASE.—Notwithstanding the amounts set
24 forth in the funding tables in division D, the amount au-
25 thorized to be appropriated by this title for defense nuclear

1 nonproliferation, as specified in the corresponding funding
2 table in section 4701, for low-enriched uranium research
3 and development is hereby increased by \$20,000,000.

4 (b) *OFFSET*.—Notwithstanding the amounts set forth
5 in the funding tables in division D, the amount authorized
6 to be appropriated by this title for atomic energy defense
7 activities, as specified in the corresponding funding table
8 in section 4701, for Federal salaries and expenses is hereby
9 reduced by \$20,000,000.

10 **SEC. 3123. AVAILABILITY OF AMOUNTS FOR**
11 **DENUCLEARIZATION OF DEMOCRATIC PEO-**
12 **PLE'S REPUBLIC OF NORTH KOREA.**

13 (a) *IN GENERAL*.—The amount authorized to be ap-
14 propriated by section 3101 and available as specified in
15 the funding table in section 4701 for defense nuclear non-
16 proliferation is hereby increased by \$10,000,000, with the
17 amount of the increase to be available to develop and pre-
18 pare to implement a comprehensive, long-term monitoring
19 and verification program for activities related to the phased
20 denuclearization of the Democratic People's Republic of
21 North Korea, in coordination with relevant international
22 partners and organizations.

23 (b) *OFFSET*.—The amount authorized to be appro-
24 priated by this title and available as specified in the fund-
25 ing table in section 4701 for weapons activities for stockpile

1 services, production support is hereby reduced by
2 \$10,000,000.

3 **SEC. 3124. ACCOUNTING PRACTICES OF NATIONAL NU-**
4 **CLEAR SECURITY ADMINISTRATION FACILI-**
5 **TIES.**

6 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
7 *that the Secretary of Energy should ensure that each labora-*
8 *tory operating contractor or plant or site manager of Na-*
9 *tional Nuclear Security Administration sites applies gen-*
10 *erally accepted and consistent accounting best practices for*
11 *laboratory, plant, or site directed research and development.*

12 (b) *REPORT REQUIRED.*—*Not later than 210 days*
13 *after the date of the enactment of this Act, the Adminis-*
14 *trator for Nuclear Security shall submit to the congressional*
15 *defense committees a report that assesses the costs, benefits,*
16 *risks, and other effects of the pilot program under section*
17 *3119 of the National Defense Authorization Act for Fiscal*
18 *Year 2017 (Public Law 114–328; 50 U.S.C. 2791 note).*

19 **SEC. 3125. FUNDING FOR INERTIAL CONFINEMENT FUSION**
20 **IGNITION AND HIGH YIELD PROGRAM.**

21 (a) *INCREASE.*—*Notwithstanding the amounts set*
22 *forth in the funding tables in division D, the amount au-*
23 *thorized to be appropriated by this title for Weapons Activi-*
24 *ties, as specified in the corresponding funding table in sec-*
25 *tion 4701, for the Inertial Confinement Fusion Ignition and*

1 *High Yield program, facility operations and target produc-*
 2 *tion, 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 by this title for Weapons Activities, as*
 6 *specified in the corresponding funding table in section 4701,*
 7 *for Stockpile Services, management, technology, and pro-*
 8 *duction, is hereby reduced by \$5,000,000.*

9 **SEC. 3126. IMPROVEMENTS TO ENERGY EMPLOYEES OCCU-**
 10 **PATIONAL ILLNESS COMPENSATION PRO-**
 11 **GRAM ACT OF 2000.**

12 (a) *OFFICE OF OMBUDSMAN.*—*Section 3686 of the En-*
 13 *ergy Employees Occupational Illness Compensation Pro-*
 14 *gram Act of 2000 (42 U.S.C. 7385s–15) is amended—*

15 (1) *in subsection (c)—*

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

18 (B) *by inserting after paragraph (1) the fol-*
 19 *lowing new paragraph:*

20 “(2) *To provide guidance and assistance to*
 21 *claimants.*”; and

22 (2) *in subsection (h), by striking “2019” and in-*
 23 *serting “2020”.*

24 (b) *ADVISORY BOARD ON TOXIC SUBSTANCES AND*
 25 *WORKER HEALTH.*—*Section 3687 of the Energy Employees*

1 *Occupational Illness Compensation Program Act of 2000*

2 *(42 U.S.C. 7385s–16) is amended—*

3 *(1) in subsection (b)(1)—*

4 *(A) in subparagraph (C), by striking “;*
5 *and” and inserting a semicolon;*

6 *(B) in subparagraph (D), by striking “;*
7 *and” and inserting a semicolon; and*

8 *(C) by adding after subparagraph (D) the*
9 *following:*

10 *“(E) the claims adjudication process gen-*
11 *erally, including review of procedure manual*
12 *changes prior to incorporation into the manual*
13 *and claims for medical benefits; and*

14 *“(F) such other matters as the Secretary*
15 *considers appropriate; and”;*

16 *(2) in subsection (g)—*

17 *(A) by striking “The Secretary of Energy*
18 *shall” and inserting “The Secretary of Energy*
19 *and the Secretary of Labor shall each”;* and

20 *(B) by adding at the end the following new*
21 *sentence: “The Secretary of Labor shall make*
22 *available to the Board the program’s medical di-*
23 *rector, toxicologist, industrial hygienist and pro-*
24 *gram’s support contractors as requested by the*
25 *Board.”;*

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

3 (4) by inserting after subsection (g) the fol-
4 lowing:

5 “(h) *RESPONSE TO RECOMMENDATIONS.*—Not later
6 than 60 days after submission to the Secretary of Labor
7 of the Board’s recommendations, the Secretary shall respond
8 to the Board in writing, and post on the public Internet
9 website of the Department of Labor, a response to the rec-
10 ommendations that—

11 “(1) includes a statement of whether the Sec-
12 retary accepts or rejects the Board’s recommendations;

13 “(2) if the Secretary accepts the board’s rec-
14 ommendations, describes the timeline for when those
15 recommendations will be implemented; and

16 “(3) if the Secretary does not accept the rec-
17 ommendations, describes the reasons the Secretary
18 does not agree and provide all scientific research to
19 the Board supporting that decision.”.

20 **SEC. 3127. CIVIL PENALTIES FOR VIOLATIONS OF CERTAIN**
21 **WHISTLEBLOWER PROTECTIONS.**

22 (a) *IN GENERAL.*—Section 234A of the Atomic Energy
23 Act of 1954 (42 U.S.C. 2282a) is amended—

24 (1) in the heading, by inserting “**AND WHIS-**
25 **TLEBLOWER**” after “**SAFETY**”;

1 (2) *in subsection a.—*

2 (A) *by inserting “, or who violates any ap-*
 3 *plicable rule, regulation or order related to whis-*
 4 *tleblower protections,” before “shall be subject to*
 5 *a civil penalty”; and*

6 (B) *by adding at the end the following new*
 7 *sentence: “The Secretary of Energy may carry*
 8 *out this section with respect to the National Nu-*
 9 *clear Security Administration by acting through*
 10 *the Administrator for Nuclear Security.”; and*

11 (3) *by adding at the end the following new sub-*
 12 *section:*

13 *“e. In this section, the term ‘whistleblower protections’*
 14 *means the protections for contractors from reprisals pursu-*
 15 *ant to section 4712 of title 41, United States Code, section*
 16 *211 of the Energy Reorganization Act of 1974 (42 U.S.C.*
 17 *5851), or other provisions of Federal law affording such*
 18 *protections.”.*

19 **SEC. 3128. LIMITATION RELATING TO RECLASSIFICATION**
 20 **OF HIGH-LEVEL WASTE.**

21 (a) *LIMITATION.—None of the funds authorized to be*
 22 *appropriated by this Act or otherwise made available for*
 23 *fiscal year 2020 for the Department of Energy may be obli-*
 24 *gated or expended by the Secretary of Energy to apply the*
 25 *interpretation of high-level radioactive waste described in*

1 *the notice published by the Secretary titled “Supplemental*
 2 *Notice Concerning U.S. Department of Energy Interpreta-*
 3 *tion of High-Level Radioactive Waste” (84 Fed. Reg.*
 4 *26835), or successor notice, with respect to such waste lo-*
 5 *cated in the State of Washington.*

6 (b) *RULE OF CONSTRUCTION.—Nothing in subsection*
 7 *(a) may be construed as an affirmation of the interpreta-*
 8 *tion of high-level radioactive waste of the Secretary of En-*
 9 *ergy described in such subsection.*

10 ***TITLE XXXII—DEFENSE NU-***
 11 ***CLEAR FACILITIES SAFETY***
 12 ***BOARD***

13 ***SEC. 3201. AUTHORIZATION.***

14 *There are authorized to be appropriated for fiscal year*
 15 *2020, \$29,450,000 for the operation of the Defense Nuclear*
 16 *Facilities Safety Board under chapter 21 of the Atomic En-*
 17 *ergy Act of 1954 (42 U.S.C. 2286 et seq.).*

18 ***SEC. 3202. IMPROVEMENTS TO DEFENSE NUCLEAR FACILI-***
 19 ***TIES SAFETY BOARD.***

20 (a) *STAFF.—*

21 (1) *SENSE OF CONGRESS.—It is the sense of*
 22 *Congress that the Defense Nuclear Facilities Safety*
 23 *Board is not adequately staffed, particularly given*
 24 *the ongoing increase in defense nuclear activities dur-*

1 *ing the decade following the date of the enactment of*
 2 *this Act.*

3 (2) *EXECUTIVE DIRECTOR OF OPERATIONS.—*

4 (A) *ESTABLISHMENT OF POSITION.—Sub-*
 5 *section (b) of section 313 of the Atomic Energy*
 6 *Act of 1954 (42 U.S.C. 2286b) is amended by*
 7 *adding at the end the following new paragraph:*

8 “(3)(A) *The Board shall have an Executive Director*
 9 *of Operations who shall be appointed under section*
 10 *311(c)(7).*

11 “(B) *The Executive Director of Operations shall report*
 12 *to the Chairman.*

13 “(C) *The Executive Director of Operations shall be the*
 14 *senior employee of the Board responsible for—*

15 “(i) *general administration and technical mat-*
 16 *ters;*

17 “(ii) *ensuring that the members of the Board are*
 18 *fully and currently informed with respect to matters*
 19 *for which the members are responsible; and*

20 “(iii) *the functions delegated by the Chairman*
 21 *pursuant to section 311(c)(3)(B).”.*

22 (B) *DELEGATION OF FUNCTIONS.—Para-*
 23 *graph (3) of section 311(c) of such Act (42*
 24 *U.S.C. 2286(c)) is amended—*

1 (i) by striking “The Chairman” and
 2 inserting “(A) The Chairman”; and
 3 (ii) by adding at the end the following
 4 new subparagraph:

5 “(B) In carrying out subparagraph (A), the Chairman
 6 shall delegate to the Executive Director of Operations estab-
 7 lished under section 313(b)(3) the following functions:

8 “(i) Administrative functions of the Board.

9 “(ii) Appointment and supervision of employees
 10 of the Board not specified under paragraph (7).

11 “(iii) Distribution of business among the em-
 12 ployees and administrative units and offices of the
 13 Board.

14 “(iv) Preparation of—

15 “(I) proposals for the reorganization of the
 16 administrative units or offices of the Board;

17 “(II) the budget estimate for the Board; and

18 “(III) the proposed distribution of funds ac-
 19 cording to purposes approved by the Board.”.

20 (3) APPOINTMENT AND REMOVAL POWERS.—

21 Paragraph (7) of such section 311(c) is amended to
 22 read as follows:

23 “(7)(A) The Chairman, subject to the approval of the
 24 Board, shall appoint the senior employees described in sub-

1 paragraph (C). Any member of the Board may propose to
 2 the Chairman an individual to be so appointed.

3 “(B) The Chairman, subject to the approval of the
 4 Board, may remove a senior employee described in subpara-
 5 graph (C). Any member of the Board may propose to the
 6 Chairman an individual to be so removed.

7 “(C) The senior employees described in this subpara-
 8 graph are the following senior employees of the Board:

9 “(i) The Executive Director of Operations estab-
 10 lished under section 313(b)(3).

11 “(ii) The general counsel.”

12 (4) *FULL-TIME EQUIVALENT PERSONNEL LEV-*
 13 *ELS.*—Section 313(b)(1)(A) of such Act (42 U.S.C.
 14 2286b(b)(1)(A)) is amended by striking “but not” and
 15 all that follows through the semicolon and inserting
 16 “but not fewer than the equivalent of 110 full-time
 17 employees and not more than the equivalent of 130
 18 full-time employees;”.

19 (b) *PUBLIC HEALTH AND SAFETY.*—Section 312(a) of
 20 such Act (42 U.S.C. 2286a(a)) is amended by inserting be-
 21 fore the period at the end the following: “, including with
 22 respect to the health and safety of employees and contractors
 23 at such facilities”.

1 (c) *ACCESS TO FACILITIES, PERSONNEL, AND INFOR-*
 2 *MATION.—Section 314 of such Act (42 U.S.C. 2286c) is*
 3 *amended—*

4 (1) *in subsection (a)—*

5 (A) *by striking “The Secretary of Energy”*
 6 *and inserting “Except as specifically provided*
 7 *by this section, the Secretary of Energy”;*

8 (B) *by striking “ready access” both places it*
 9 *appears and inserting “prompt and unfettered*
 10 *access”;* and

11 (C) *by adding at the end the following new*
 12 *sentence: “The access provided to facilities, per-*
 13 *sonnel, and information under this subsection*
 14 *shall be provided without regard to the hazard or*
 15 *risk category assigned to a facility by the Sec-*
 16 *retary.”;* and

17 (2) *by striking subsection (b) and inserting the*
 18 *following new subsections:*

19 “(b) *AUTHORITY OF SECRETARY DENY INFORMA-*
 20 *TION.—The Secretary may only deny access to information*
 21 *pursuant to subsection (a)—*

22 “(1) *to any person who—*

23 “(A) *has not been granted an appropriate*
 24 *security clearance or access authorization by the*
 25 *Secretary; or*

1 “(B) does not need such access in connection
2 with the duties of such person; or

3 “(2) if such denial is authorized by a provision
4 of Federal law that specifically limits the right of the
5 Board to access such information.

6 “(c) *APPLICATION OF NONDISCLOSURE PROTECTIONS*
7 *BY BOARD.*—The Board may not publicly disclose informa-
8 tion provided under this section if such information is oth-
9 erwise protected from disclosure by law, including delibera-
10 tive process information.”.

11 ***TITLE XXXIV—NAVAL***
12 ***PETROLEUM RESERVES***

13 ***SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.***

14 (a) *AMOUNT.*—There are hereby authorized to be ap-
15 propriated to the Secretary of Energy \$14,000,000 for fiscal
16 year 2020 for the purpose of carrying out activities under
17 chapter 869 of title 10, United States Code, relating to the
18 naval petroleum reserves.

19 (b) *PERIOD OF AVAILABILITY.*—Funds appropriated
20 pursuant to the authorization of appropriations in sub-
21 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 academies.

6 (3) For expenses necessary to support the Na-
7 tional Security Multi-Mission Vessel Program,
8 \$300,000,000, which shall remain available until ex-
9 pended.

10 (4) For expenses necessary to support Maritime
11 Administration operations and programs,
12 \$53,273,000.

13 (5) For expenses necessary to dispose of vessels in
14 the National Defense Reserve Fleet, \$5,000,000, which
15 shall remain available until expended.

16 (6) For expenses necessary to maintain and pre-
17 serve a United States flag merchant marine to serve
18 the national security needs of the United States under
19 chapter 531 of title 46, United States Code,
20 \$300,000,000.

21 (7) For expenses necessary for the loan guarantee
22 program authorized under chapter 537 of title 46,
23 United States Code, \$33,000,000, of which—

24 (A) \$30,000,000 may be used for the cost
25 (as defined in section 502(5) of the Federal Cred-

1 *it Reform Act of 1990 (2 U.S.C. 661a(5))) of*
 2 *loan guarantees under the program; and*

3 *(B) \$3,000,000 may be used for administra-*
 4 *tive expenses relating to loan guarantee commit-*
 5 *ments under the program.*

6 *(8) For expenses necessary to provide small ship-*
 7 *yards and maritime communities grants under sec-*
 8 *tion 54101 of title 46, United States Code,*
 9 *\$35,000,000.*

10 **SEC. 3502. REAUTHORIZATION OF MARITIME SECURITY**
 11 **PROGRAM.**

12 *(a) AWARD OF OPERATING AGREEMENTS.—Section*
 13 *53103 of title 46, United States Code, is amended by strik-*
 14 *ing “2025” each place it appears and inserting “2035”.*

15 *(b) EFFECTIVENESS OF OPERATING AGREEMENTS.—*
 16 *Section 53104(a) of title 46, United States Code, is amend-*
 17 *ed by striking “2025” and inserting “2035”.*

18 *(c) PAYMENTS.—Section 53106(a)(1) of title 46,*
 19 *United States Code, is amended—*

20 *(1) in subparagraph (B), by striking “and”;*

21 *(2) in subparagraph (C), by striking*
 22 *“\$3,700,000 for each of fiscal years 2022, 2023, 2024,*
 23 *and 2025.” and inserting “\$5,300,000 for each of fis-*
 24 *cal years 2022, 2023, 2024, and 2025; and”;*

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

3 “(D) \$5,800,000 for each of fiscal years
 4 2026, 2027, and 2028;

5 “(E) \$6,300,000 for each of fiscal years
 6 2029, 2030, and 2031; and

7 “(F) \$6,800,000 for each of fiscal years
 8 2032, 2033, 2034, and 2035.”.

9 (d) *AUTHORIZATION OF APPROPRIATIONS.*—Section
 10 53111 of title 46, United States Code, is amended—

11 (1) *in paragraph (2), by striking “and”;*

12 (2) *in paragraph (3), by striking “\$222,000,000*
 13 *for each fiscal year thereafter through fiscal year*
 14 *2025.” and inserting “\$318,000,000 for each of fiscal*
 15 *years 2022, 2023, 2024, and 2025;”; and*

16 (3) *by adding at the end the following new para-*
 17 *graphs:*

18 “(4) \$348,000,000 for each of fiscal years 2026,
 19 2027, and 2028;

20 “(5) \$378,000,000 for each of fiscal years 2029,
 21 2030, and 2031; and

22 “(6) \$408,000,000 for each of fiscal years 2032,
 23 2033, 2034, and 2035.”.

1 **SEC. 3503. MARITIME OCCUPATIONAL SAFETY AND HEALTH**
2 **ADVISORY COMMITTEE.**

3 *Section 7 of the Occupational Safety and Health Act*
4 *of 1970 (29 U.S.C. 656) is amended by adding at the end*
5 *the following:*

6 “(d) *There is established a Maritime Occupational*
7 *Safety and Health Advisory Committee, which shall be a*
8 *continuing body and shall provide advice to the Secretary*
9 *in formulating maritime industry standards and regarding*
10 *matters pertaining to the administration of this Act related*
11 *to the maritime industry. The composition of such advisory*
12 *committee shall be consistent with the advisory committees*
13 *established under subsection (b). A member of the advisory*
14 *committee who is otherwise qualified may continue to serve*
15 *until a successor is appointed. The Secretary may promul-*
16 *gate or amend regulations as necessary to implement this*
17 *subsection.”.*

18 **SEC. 3504. MILITARY TO MARINER PROGRAM.**

19 (a) *CREDENTIALING SUPPORT.*—*Not later than one*
20 *year after the date of the enactment of this Act, the Sec-*
21 *retary of Defense and the Secretary of the Department in*
22 *which the Coast Guard operates, in coordination with one*
23 *another and with the United States Committee on the Ma-*
24 *rine Transportation System, and in consultation with the*
25 *Merchant Marine Personnel Advisory Committee, shall*
26 *identify all training and experience within each of the*

1 *Armed Forces that may qualify for merchant mariner*
 2 *credentialing, and submit a list of all identified training*
 3 *and experience to the United States Coast Guard National*
 4 *Maritime Center for a determination of whether such train-*
 5 *ing and experience counts for credentialing purposes.*

6 (b) *REVIEW OF APPLICABLE SERVICE.*—*The United*
 7 *States Coast Guard Commandant shall make a determina-*
 8 *tion of whether training and experience counts for*
 9 *credentialing purposes, as described in subsection (a), not*
 10 *later than 6 months after the date on which the United*
 11 *States Coast Guard National Maritime Center receives a*
 12 *submission under subsection (a) identifying a training or*
 13 *experience and requesting such a determination.*

14 (c) *FEEES AND SERVICES.*—*The Secretary of Defense*
 15 *and the Secretary of the Department in which the Coast*
 16 *Guard operates, with respect to the applicable services in*
 17 *their respective departments, shall—*

18 (1) *take all necessary and appropriate actions to*
 19 *provide for the waiver of fees through the National*
 20 *Maritime Center license evaluation, issuance, and ex-*
 21 *amination for members of the Armed Forces on active*
 22 *duty, if a waiver is authorized and appropriate, and,*
 23 *if a waiver is not granted, take all necessary and ap-*
 24 *propriate actions to provide for the payment of fees*
 25 *for members of the Armed Forces on active duty by*

1 *the applicable service to the fullest extent permitted*
2 *by law;*

3 *(2) direct the Armed Forces to take all necessary*
4 *and appropriate actions to provide for Transpor-*
5 *tation Worker Identification Credential cards for*
6 *members of the Armed Forces on active duty pursuing*
7 *or possessing a mariner credential, such as implemen-*
8 *tation of an equal exchange process for active duty*
9 *service members at no or minimal cost;*

10 *(3) ensure that members of the Armed Forces*
11 *who are to be discharged or released from active duty*
12 *and who request certification or verification of sea*
13 *service be provided such certification or verification*
14 *no later than one month after discharge or release;*

15 *(4) ensure the Armed Forces have developed, or*
16 *continue to operate, as appropriate, the online re-*
17 *source known as Credentialing Opportunities On-*
18 *Line to support separating members of the Armed*
19 *Forces who are seeking information and assistance on*
20 *merchant mariner credentialing; and*

21 *(5) not later than one year after the date of en-*
22 *actment of this section, take all necessary and appro-*
23 *priate actions to review and implement service-related*
24 *medical certifications to merchant mariner credential*
25 *requirements.*

1 (d) *ADVANCING MILITARY TO MARINER WITHIN THE*
 2 *EMPLOYER AGENCIES.*—

3 (1) *IN GENERAL.*—*The Secretary of Defense and*
 4 *the Secretary of the Department in which the Coast*
 5 *Guard operates shall have direct hiring authority to*
 6 *employ separated members of the Armed Forces with*
 7 *valid merchant mariner licenses or sea service experi-*
 8 *ence in support of United States national maritime*
 9 *needs, including the Army Corps of Engineers.*

10 (2) *APPOINTMENTS OF RETIRED MEMBERS OF*
 11 *THE ARMED FORCES.*—*Except in the case of positions*
 12 *in the Senior Executive Service, the requirements of*
 13 *section 3326(b) of title 5, United States Code, shall*
 14 *not apply with respect to the hiring of a separated*
 15 *member of the Armed Forces under paragraph (1).*

16 (e) *SEPARATED MEMBER OF THE ARMED FORCES.*—
 17 *In this section, the term “separated member of the Armed*
 18 *Forces” means an individual who—*

19 (1) *is retiring or is retired as a member of the*
 20 *Armed Forces;*

21 (2) *is voluntarily separating or voluntarily sepa-*
 22 *rated from the Armed Forces at the end of enlistment*
 23 *or service obligation; or*

1 (3) is administratively separating or has admin-
 2 istratively separated from the Armed Forces with an
 3 honorable or general discharge characterization.

4 ***Subtitle B—Tanker Security Fleet***

5 ***SEC. 3511. TANKER SECURITY FLEET.***

6 (a) *IN GENERAL.*—Subtitle VII of title 46, United
 7 States Code, is amended by adding at the end the following:

8 ***“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.

9 ***§ 70701. Definitions***

10 *“In this chapter:*

11 *“(1) FOREIGN COMMERCE.—The term ‘foreign*
 12 *commerce’ means—*

13 *“(A) commerce or trade between the United*
 14 *States, its territories or possessions, or the Dis-*
 15 *trict of Columbia, and a foreign country; and*

16 *“(B) commerce or trade between foreign*
 17 *countries including trade between foreign ports*
 18 *in accordance with normal commercial bulk*
 19 *shipping practices in such a manner as will per-*

1 *mit vessels of the United States freely to compete*
 2 *with foreign-flag liquid bulk carrying vessels in*
 3 *their operation or in competing charters, subject*
 4 *to rules and regulations promulgated by the Sec-*
 5 *retary of Transportation pursuant to this chap-*
 6 *ter or subtitle.*

7 “(2) *PARTICIPATING FLEET VESSEL.*—*The term*
 8 *‘participating Fleet vessel’ means any tank vessel cov-*
 9 *ered by an operating agreement under this chapter on*
 10 *or after January 1, 2021.*

11 “(3) *PERSON.*—*The term ‘person’ includes cor-*
 12 *porations, partnerships, and associations existing*
 13 *under, or authorized by, laws of the United States, or*
 14 *any State, territory, district, or possession thereof, or*
 15 *any foreign country.*

16 “(4) *TANK VESSEL.*—*The term ‘tank vessel’ has*
 17 *the meaning that term has under section 2101 of this*
 18 *title.*

19 “(5) *UNITED STATES CITIZEN TRUST.*—*The term*
 20 *‘United States citizen trust’—*

21 “(A) *means a trust for which—*

22 “(i) *each of the trustees is a citizen of*
 23 *the United States; and*

24 “(ii) *the application for documentation*
 25 *of the vessel under chapter 121 of this title*

1 includes an affidavit of each trustee stating
2 that the trustee is not aware of any reason
3 involving a beneficiary of the trust that is
4 not a citizen of the United States, or involv-
5 ing any other person who is not a citizen
6 of the United States, as a result of which
7 the beneficiary or other person would hold
8 more than 25 percent of the aggregate power
9 to influence or limit the exercise of the au-
10 thority of the trustee with respect to matters
11 involving any ownership or operation of the
12 vessel that may adversely affect the interests
13 of the United States;

14 “(B) does not include a trust for which any
15 person that is not a citizen of the United States
16 has authority to direct, or participate in direct-
17 ing, a trustee for a trust in matters involving
18 any ownership or operation of the vessel that
19 may adversely affect the interests of the United
20 States or in removing a trustee without cause,
21 either directly or indirectly through the control
22 of another person, unless the trust instrument
23 provides that persons who are not citizens of the
24 United States may not hold more than 25 per-

1 *cent of the aggregate authority to so direct or re-*
 2 *move a trustee; and*

3 “(C) *may include a trust for which a per-*
 4 *son who is not a citizen of the United States*
 5 *holds more than 25 percent of the beneficial in-*
 6 *terest in the trust.*

7 **“§ 70702. Establishment of the Tanker Security Fleet**

8 “(a) *IN GENERAL.—The Secretary of Transportation,*
 9 *in consultation with the Secretary of Defense, shall establish*
 10 *a fleet of active, commercially viable, militarily useful, pri-*
 11 *vately owned product tankers to meet national defense and*
 12 *other security requirements and maintain a United States*
 13 *presence in international commercial shipping. The fleet*
 14 *shall consist of privately owned vessels of the United States*
 15 *for which there are in effect operating agreements under this*
 16 *chapter, and shall be known as the ‘Tanker Security Fleet’*
 17 *(hereinafter in this chapter referred to as the ‘Fleet’).*

18 “(b) *VESSEL ELIGIBILITY.—A vessel is eligible to be*
 19 *included in the Fleet if the vessel—*

20 “(1) *meets the requirements under paragraph*
 21 *(1), (2), (3), or (4) of subsection (c);*

22 “(2) *is operated (or in the case of a vessel to be*
 23 *constructed, will be operated) in providing transpor-*
 24 *tation in United States foreign commerce;*

25 “(3) *is self-propelled;*

1 “(4) is not more than ten years of age on the
2 date the vessel is first included in the Fleet and not
3 more than 25 years of age at any time during which
4 the vessel is included in the Fleet;

5 “(5) is determined by the Secretary of Defense to
6 be suitable for use by the United States for national
7 defense or military purposes in time of war or na-
8 tional emergency;

9 “(6) is commercially viable, as determined by the
10 Secretary of Transportation; and

11 “(7) is—

12 “(A) a vessel of the United States; or

13 “(B) not a vessel of the United States, but—

14 “(i) the owner of the vessel has dem-
15 onstrated an intent to have the vessel docu-
16 mented under chapter 121 of this title if it
17 is included in the Fleet; and

18 “(ii) at the time an operating agree-
19 ment is entered into under this chapter, the
20 vessel is eligible for documentation under
21 chapter 121 of this title.

22 “(c) *REQUIREMENTS REGARDING CITIZENSHIP OF*
23 *OWNERS, CHARTERERS, AND OPERATORS.—*

24 “(1) *VESSELS OWNED AND OPERATED BY SEC-*
25 *TION 50501 CITIZENS.—A vessel meets the require-*

1 *ments of this paragraph if, during the period of an*
 2 *operating agreement under this chapter that applies*
 3 *to the vessel, the vessel will be owned and operated by*
 4 *one or more persons that are citizens of the United*
 5 *States under section 50501 of this title.*

6 “(2) *VESSELS OWNED BY A SECTION 50501 CIT-*
 7 *IZEN, OR UNITED STATES CITIZEN TRUST, AND CHAR-*
 8 *TERED TO A DOCUMENTATION CITIZEN.—A vessel*
 9 *meets the requirements of this paragraph if—*

10 “(A) *during the period of an operating*
 11 *agreement under this chapter that applies to the*
 12 *vessel, the vessel will be—*

13 “(i) *owned by a person that is a cit-*
 14 *izen of the United States under section*
 15 *50501 of this title or that is a United States*
 16 *citizen trust; and*

17 “(ii) *demise chartered to a person—*

18 “(I) *that is eligible to document*
 19 *the vessel under chapter 121 of this*
 20 *title;*

21 “(II) *the chairman of the board of*
 22 *directors, chief executive officer, and a*
 23 *majority of the members of the board of*
 24 *directors of which are citizens of the*
 25 *United States under section 50501 of*

1 *this title, and are appointed and sub-*
2 *jected to removal only upon approval*
3 *by the Secretary; and*

4 “(III) that certifies to the Sec-
5 *retary that there are no treaties, stat-*
6 *utes, regulations, or other laws that*
7 *would prohibit the owner or operator*
8 *for the vessel from performing its obli-*
9 *gations under an operating agreement*
10 *under this chapter;*

11 “(B) in the case of a vessel that will be de-
12 *mise chartered to a person that is owned or con-*
13 *trolled by another person that is not a citizen of*
14 *the United States under section 50501 of this*
15 *title, the other person enters into an agreement*
16 *with the Secretary not to influence the operation*
17 *of the vessel in a manner that will adversely af-*
18 *fect the interests of the United States; and*

19 “(C) the Secretary of Transportation and
20 *the Secretary of Defense notify the Committee on*
21 *Armed Services and the Committee on Com-*
22 *merce, Science, and Transportation of the Senate*
23 *and the Committee on Armed Services and the*
24 *Committee on Transportation and Infrastructure*
25 *of the House of Representatives that the Secre-*

1 *taries concur with the certification required*
 2 *under subparagraph (A)(ii)(III), and have re-*
 3 *viewed and agree that there are no legal, oper-*
 4 *ational, or other impediments that would pro-*
 5 *hibit the owner or operator for the vessel from*
 6 *performing its obligations under an operating*
 7 *agreement under this chapter.*

8 *“(3) VESSELS OWNED AND OPERATED BY A DE-*
 9 *FENSE OWNER OR OPERATOR.—A vessel meets the re-*
 10 *quirements of this paragraph if—*

11 *“(A) during the period of an operating*
 12 *agreement under this chapter that applies to the*
 13 *vessel, the vessel will be owned and operated by*
 14 *a person that—*

15 *“(i) is eligible to document a vessel*
 16 *under chapter 121 of this title;*

17 *“(ii) operates or manages other vessels*
 18 *of the United States for the Secretary of De-*
 19 *fense, or charts other vessels to the Sec-*
 20 *retary of Defense;*

21 *“(iii) has entered into a special secu-*
 22 *rity agreement for the purpose of this para-*
 23 *graph with the Secretary of Defense;*

24 *“(iv) makes the certification described*
 25 *in paragraph (2)(A)(ii)(III); and*

1 “(v) in the case of a vessel described in
 2 paragraph (2)(B), enters into an agreement
 3 referred to in that subparagraph; and

4 “(B) the Secretary of Transportation and
 5 the Secretary of Defense notify the Committee on
 6 Armed Services and the Committee on Com-
 7 merce, Science, and Transportation of the Senate
 8 and the Committee on Armed Services and the
 9 Committee on Transportation and Infrastructure
 10 of the House of Representatives that they concur
 11 with the certification required under subpara-
 12 graph (A)(iv), and have reviewed and agree that
 13 there are no legal, operational, or other impedi-
 14 ments that would prohibit the owner or operator
 15 for the vessel from performing its obligations
 16 under an operating agreement under this chap-
 17 ter.

18 “(4) VESSELS OWNED BY DOCUMENTATION CITI-
 19 ZENS AND CHARTERED TO SECTION 50501 CITIZENS.—
 20 A vessel meets the requirements of this paragraph if,
 21 during the period of an operating agreement under
 22 this chapter, the vessel will be—

23 “(A) owned by a person who is eligible to
 24 document a vessel under chapter 121 of this title;
 25 and

1 “(B) demise chartered to a person that is a
2 citizen of the United States under section 50501
3 of this title.

4 “(d) *REQUEST BY SECRETARY OF DEFENSE.*—The
5 Secretary of Defense shall request that the Commandant of
6 the Coast Guard issue any waiver under section 501 of this
7 title that the Secretary of Defense determines is necessary
8 for purposes of this chapter.

9 “(e) *VESSEL STANDARDS.*—

10 “(1) *CERTIFICATE OF INSPECTION.*—A vessel
11 used to provide oceangoing transportation that the
12 Commandant of the Coast Guard determines meets
13 the criteria of subsection (b) but which, on the date
14 of enactment of this section, is not documented under
15 chapter 121 of this title, shall be eligible for a certifi-
16 cate of inspection if the Commandant of the Coast
17 Guard determines that—

18 “(A) the vessel is classed by and designed in
19 accordance with the rules of the American Bu-
20 reau of Shipping, or another classification soci-
21 ety accepted by the Commandant of the Coast
22 Guard;

23 “(B) the vessel complies with applicable
24 international agreements and associated guide-
25 lines, as determined by the country in which the

1 vessel was documented immediately before becom-
 2 ing documented under chapter 121 of this title;
 3 and

4 “(C) the country has not been identified by
 5 the Commandant of the Coast Guard as inad-
 6 equately enforcing international vessel regula-
 7 tions as to that vessel.

8 “(2) *RELIANCE ON CLASSIFICATION SOCIETY.*—

9 “(A) *IN GENERAL.*—The Commandant of
 10 the Coast Guard may rely on a certification
 11 from the American Bureau of Shipping or, sub-
 12 ject to subparagraph (B), another classification
 13 society accepted by the Commandant of the Coast
 14 Guard, to establish that a vessel is in compliance
 15 with the requirements of paragraph (1).

16 “(B) *FOREIGN CLASSIFICATION SOCIETY.*—
 17 The Secretary may accept certification from a
 18 foreign classification society under subparagraph
 19 (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 recip-
 23 rocal basis to the American Bureau of Ship-
 24 ping; and

1 “(ii) if the foreign classification society
2 has offices and maintains records in the
3 United States.

4 **“§ 70703. Vessel standards**

5 “(a) *CERTIFICATE OF INSPECTION*.—A vessel used to
6 provide transportation service as a common carrier that the
7 Secretary of Transportation determines meets the criteria
8 of section 53102(b) of this title, which on the date of enact-
9 ment of this section is not a documented vessel (as that term
10 is defined in section 106 of this title), shall be eligible for
11 a certificate of inspection if the Secretary determines that—

12 “(1) the vessel is classed by and designed in ac-
13 cordance with the rules of the American Bureau of
14 Shipping or another classification society accepted by
15 the Secretary;

16 “(2) the vessel complies with applicable inter-
17 national agreements and associated guidelines, as de-
18 termined by the country in which the vessel was docu-
19 mented immediately before becoming a documented
20 vessel (as defined in that section); and

21 “(3) that country has not been identified by the
22 Secretary as inadequately enforcing international ves-
23 sel regulations as to that vessel.

24 “(b) *CONTINUED ELIGIBILITY FOR CERTIFICATE*.—
25 Subsection (a) does not apply to any vessel that has failed

1 *to comply with the applicable international agreements and*
 2 *association guidelines referred to in subsection (a)(2).*

3 “(c) *RELIANCE ON CLASSIFICATION SOCIETY.*—

4 “(1) *IN GENERAL.*—*The Secretary may rely on*
 5 *a certification from the American Bureau of Ship-*
 6 *ping or, subject to paragraph (2), another classifica-*
 7 *tion society accepted by the Secretary, to establish*
 8 *that a vessel is in compliance with the requirements*
 9 *of subsections (a) and (b).*

10 “(2) *FOREIGN CLASSIFICATION SOCIETY.*—*The*
 11 *Secretary may accept certification from a foreign*
 12 *classification society under paragraph (1) only—*

13 “(A) *to the extent that the government of the*
 14 *foreign country in which the society is*
 15 *headquartered provides access on a reciprocal*
 16 *basis to the American Bureau of Shipping; and*

17 “(B) *if the foreign classification society has*
 18 *offices and maintains records in the United*
 19 *States.*

20 “§ 70704. ***Award of operating agreements***

21 “(a) *IN GENERAL.*—*The Secretary of Transportation*
 22 *shall require, as a condition of including any vessel in the*
 23 *Fleet, that the owner or operator of the vessel enter into*
 24 *an operating agreement with the Secretary under this sec-*
 25 *tion.*

1 “(b) *PROCEDURE FOR APPLICATIONS.*—

2 “(1) *PARTICIPATING FLEET VESSELS.*—

3 “(A) *IN GENERAL.*—*The Secretary of*
 4 *Transportation shall accept an application for*
 5 *an operating agreement for a participating Fleet*
 6 *vessel under the priority under paragraph (2)*
 7 *only from a person that has authority to enter*
 8 *into an operating agreement under this chapter.*

9 “(B) *VESSEL UNDER DEMISE CHARTER.*—
 10 *For purposes of subparagraph (A), in the case of*
 11 *a vessel that is subject to a demise charter that*
 12 *terminates by its own terms on September 30,*
 13 *2035 (without giving effect to any extension pro-*
 14 *vided therein for completion of a voyage or to ef-*
 15 *fect the actual redelivery of the vessel), or that is*
 16 *terminable at the will of the owner of the vessel*
 17 *after such date, only the owner of the vessel shall*
 18 *be treated as having the authority referred to in*
 19 *subparagraph (A).*

20 “(C) *VESSEL OWNED BY A UNITED STATES*
 21 *CITIZEN TRUST.*—*For purposes of subparagraph*
 22 *(B), in the case of a vessel owned by a United*
 23 *States citizen trust, the term ‘owner of the vessel’*
 24 *includes the beneficial owner of the vessel with*
 25 *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 priorities*
5 *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 De-*
10 *fense;*

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 for*
21 *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 year.*
 2 *Each such agreement may be renewed annually for up to*
 3 *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 pursuant*
 7 *to any operating agreement that covers such vessel.*

8 “(c) *TERMINATION.—*

9 “(1) *TERMINATION BY SECRETARY FOR LACK OF*
 10 *OWNER OR OPERATOR COMPLIANCE.—If the owner or*
 11 *operator with respect to an operating agreement ma-*
 12 *terially fails to comply with the terms of the agree-*
 13 *ment—*

14 “(A) *the Secretary shall notify the owner or*
 15 *operator and provide a reasonable opportunity*
 16 *to comply with the operating agreement; and*

17 “(B) *the Secretary shall terminate the oper-*
 18 *ating agreement if the owner or operator fails to*
 19 *achieve such compliance.*

20 “(2) *TERMINATION BY OWNER OR OPERATOR.—*

21 “(A) *IN GENERAL.—If an owner or operator*
 22 *provides notice of the intent to terminate an op-*
 23 *erating agreement under this chapter on a date*
 24 *specified by not later than 60 days prior to such*

1 *date, such agreement shall terminate on the date*
2 *specified by the owner or operator.*

3 “(B) *REPLACEMENT.*—*An operating agree-*
4 *ment with respect to a vessel shall terminate on*
5 *the date that is three years after the date on*
6 *which the vessel begins operating under the*
7 *agreement, if—*

8 “(i) *the owner or operator notifies the*
9 *Secretary, by not later than two years after*
10 *the date the vessel begins operating under*
11 *the agreement, that the owner or operator*
12 *intends to terminate the agreement under*
13 *this subparagraph; and*

14 “(ii) *the Secretary of Transportation,*
15 *in coordination with the Secretary of De-*
16 *fense, determines that—*

17 “(I) *an application for an oper-*
18 *ating agreement under this chapter has*
19 *been received for a replacement vessel*
20 *that is acceptable to the Secretaries;*
21 *and*

22 “(II) *during the period of an op-*
23 *erating agreement under this chapter*
24 *that applies to the replacement vessel,*
25 *the replacement vessel will be—*

1 “(aa) owned and operated by
 2 one or more persons that are citi-
 3 zens of the United States under
 4 section 50501 of this title; or

5 “(bb) owned by a person who
 6 is eligible to document the vessel
 7 under chapter 121 of this title,
 8 and operated by a person that is
 9 a citizen of the United States
 10 under section 50501 of this title.

11 “(d) NONRENEWAL FOR LACK OF FUNDS.—

12 “(1) IN GENERAL.—If sufficient funds are not
 13 made available to carry out an operating agreement
 14 under this chapter—

15 “(A) the Secretary of Transportation shall
 16 submit to the Committee on Armed Services and
 17 the Committee on Commerce, Science, and
 18 Transportation of the Senate and the Committee
 19 on Armed Services and the Committee on Trans-
 20 portation and Infrastructure of the House of
 21 Representatives notice that such agreement shall
 22 be not renewed effective on the 60th day of the
 23 fiscal year, unless such funds are made available
 24 before such day; and

1 “(B) *effective on the 60th day of such fiscal*
 2 *year, terminate such agreement and provide no-*
 3 *tice of such termination to the owner or operator*
 4 *of the vessel covered by the agreement.*

5 “(2) *RELEASE OF VESSELS FROM OBLIGA-*
 6 *TIONS.—If an operating agreement for a vessel under*
 7 *this chapter is not renewed pursuant to paragraph*
 8 *(1), then the owner or operator of the vessel is released*
 9 *from any further obligation under the operating*
 10 *agreement as of the date of such termination or non-*
 11 *renewal.*

12 “(3) *FOREIGN TRANSFER AND REGISTRATION.—*
 13 *The owner or operator of a vessel covered by an oper-*
 14 *ating agreement under this chapter may transfer and*
 15 *register such vessel under a foreign registry that is ac-*
 16 *ceptable to the Secretary and the Secretary of Defense,*
 17 *notwithstanding section 70701 of this title.*

18 “(4) *REQUISITION.—If chapter 563 of this title*
 19 *is applicable to a vessel after registration, then the*
 20 *vessel is available to be requisitioned by the Secretary*
 21 *pursuant to chapter 563 of this title.*

22 **“§ 70706. Obligations and rights under operating**
 23 **agreements**

24 “(a) *OPERATION OF VESSEL.—An operating agree-*
 25 *ment under this chapter shall require that, during the pe-*

1 *riod the vessel covered by the agreement is operating under*
 2 *the agreement the vessel shall—*

3 “(1) *be operated in the United States foreign*
 4 *commerce, mixed United States foreign commerce and*
 5 *domestic trade allowed under a registry endorsement*
 6 *issued under section 12111 of this title, foreign-to-for-*
 7 *foreign commerce, or under a charter to the United*
 8 *States;*

9 “(2) *not be operated in the coastwise trade except*
 10 *as described in paragraph (1); and*

11 “(3) *be documented under chapter 121 of this*
 12 *title.*

13 “(b) *OPERATING AGREEMENT IS AN OBLIGATION OF*
 14 *THE UNITED STATES GOVERNMENT.—An operating agree-*
 15 *ment under this chapter constitutes a contractual obligation*
 16 *of the United States Government to pay the amounts pro-*
 17 *vided for in the agreement to the extent of actual appropria-*
 18 *tions.*

19 “(c) *OBLIGATIONS OF OWNER OR OPERATOR.—*

20 “(1) *IN GENERAL.—The owner or operator of a*
 21 *vessel covered by an operating agreement under this*
 22 *chapter shall agree, as a condition of such agreement,*
 23 *to remain obligated to carry out the requirements de-*
 24 *scribed in paragraph (2) until the termination date*
 25 *specified in the agreement, even in the case of early*

1 *termination of the agreement under section 70705(c)*
2 *of this title. This subsection shall not apply in the*
3 *case of an operating agreement terminated for lack of*
4 *funds under section 70705(d) of this title.*

5 “(2) *REQUIREMENTS.—The requirements de-*
6 *scribed in this paragraph are the following:*

7 “(A) *To continue the documentation of the*
8 *vessel under chapter 121 of this title.*

9 “(B) *To be bound by the requirements of*
10 *section 70708 of this title.*

11 “(C) *That all terms and conditions of an*
12 *emergency preparedness agreement entered into*
13 *under section 70708 of this title shall remain in*
14 *effect, except that the terms of such emergency*
15 *preparedness agreement may be modified by the*
16 *mutual consent of the owner or operator, the Sec-*
17 *retary and the Secretary of Defense as provided*
18 *in such section.*

19 “(d) *TRANSFER OF OPERATING AGREEMENTS.—The*
20 *owner or operator of a vessel covered by an operating agree-*
21 *ment under this chapter may transfer that agreement (in-*
22 *cluding all rights and obligations under the agreement) to*
23 *any person that is eligible to enter into that operating*
24 *agreement under this chapter, if the transfer is approved*

1 *by the Secretary of Transportation and the Secretary of De-*
2 *fense.*

3 “(e) *REPLACEMENT OF VESSELS COVERED BY AGREE-*
4 *MENTS.—A owner or operator may replace a vessel covered*
5 *by an operating agreement with another vessel that is eligi-*
6 *ble to be included in the Fleet under section 70702(b), if*
7 *the Secretary of Transportation, in coordination with the*
8 *Secretary of Defense, approves the replacement of the vessel.*
9 *In selecting a replacement vessel, the owner or operator*
10 *shall give primary consideration to—*

11 “(1) *the commercial viability of the vessel;*
12 “(2) *the utility of the vessel with respect to the*
13 *operating requirements of the owner or operator; and*
14 “(3) *ensuring that the commercial and military*
15 *utility of any replacement vessel is not less than that*
16 *of the initial vessel.*

17 **“§ 70707. Payments**

18 “(a) *ANNUAL PAYMENT.—Subject to the availability of*
19 *appropriations for such purpose and the other provisions*
20 *of this chapter, the Secretary shall pay to the owner or oper-*
21 *ator of a vessel covered by an operating agreement under*
22 *this chapter an amount equal to \$6,000,000 for each vessel*
23 *covered by the agreement for each fiscal year that the vessel*
24 *is covered by the agreement. Such amount shall be paid in*
25 *equal monthly installments on the last day of each month.*

1 *The amount payable under this subsection may not be re-*
 2 *duced except as provided by this section.*

3 “(b) *CERTIFICATION REQUIRED FOR PAYMENT.*—*As a*
 4 *condition of receiving payment under this section for a fis-*
 5 *cal year for a vessel, the owner or operator for the vessel*
 6 *shall certify, in accordance with regulations issued by the*
 7 *Secretary, that the vessel has been and will be operated in*
 8 *accordance with section 70706 of this title for at least 320*
 9 *days during the fiscal year. Days during which the vessel*
 10 *is drydocked, surveyed, inspected, or repaired shall be con-*
 11 *sidered days of operation for purposes of this subsection.*

12 “(c) *GENERAL LIMITATIONS.*—*The Secretary may not*
 13 *make any payment under this chapter for a vessel with re-*
 14 *spect to any days for which the vessel is—*

15 “(1) *not operated or maintained in accordance*
 16 *with an operating agreement under this chapter; or*

17 “(2) *more than 25 years of age.*

18 “(d) *REDUCTIONS IN PAYMENTS.*—*With respect to*
 19 *payments under this chapter for a vessel covered by an oper-*
 20 *ating agreement, the Secretary—*

21 “(1) *except as provided in paragraph (2), may*
 22 *not reduce such a payment for the operation of the*
 23 *vessel to carry military or other preference cargoes*
 24 *under section 55302(a), 55304, 55305, or 55314 of*

1 *this title, section 2631 of title 10, or any other cargo*
 2 *preference law of the United States;*

3 “(2) *may not make such a payment for any day*
 4 *that the vessel is engaged in transporting more than*
 5 *7,500 tons of civilian bulk preference cargoes pursu-*
 6 *ant to section 55302(a), 55305, or 55314 of this title,*
 7 *section 90l(a) or (b) of the Merchant Marine Act,*
 8 *1936 (46 App. U.S.C. 124l(a), 1241(b), or 1241(f)),*
 9 *that is bulk cargo; and*

10 “(3) *shall make a pro rata reduction for each*
 11 *day less than 320 in a fiscal year that the vessel is*
 12 *not operated in accordance with section 70706 of this*
 13 *title.*

14 “(e) *LIMITATIONS REGARDING NONCONTIGUOUS DO-*
 15 *MESTIC TRADE.—*

16 “(1) *IN GENERAL.—No owner or operator shall*
 17 *receive payments pursuant to this chapter during a*
 18 *period in which it participates in noncontiguous do-*
 19 *mestic trade.*

20 “(2) *LIMITATION ON APPLICATION.—Paragraph*
 21 *(1) shall not apply to a owner or operator that is a*
 22 *citizen of the United States within the meaning of*
 23 *section 50501 of this title, applying the 75 percent*
 24 *ownership requirement of that section.*

1 “(3) *PARTICIPATES IN A NONCONTIGUOUS TRADE*
 2 *DEFINED.*—*In this subsection the term ‘participates*
 3 *in a noncontiguous domestic trade’ means directly or*
 4 *indirectly owns, charters, or operates a vessel engaged*
 5 *in transportation of cargo between a point in the con-*
 6 *tiguous 48 States and a point in Alaska, Hawaii, or*
 7 *Puerto Rico, other than a point in Alaska north of*
 8 *the Arctic Circle.*

9 **“§ 70708. National security requirements**

10 “(a) *EMERGENCY PREPAREDNESS AGREEMENT RE-*
 11 *QUIRED.*—*The Secretary of Transportation, in coordina-*
 12 *tion with the Secretary of Defense, shall establish an emer-*
 13 *gency preparedness program under this section under which*
 14 *the owner or operator of a vessel covered by an operating*
 15 *agreement under this chapter shall agree, as a condition*
 16 *of the operating agreement, to enter into an emergency pre-*
 17 *paredness agreement with the Secretaries. Each such emer-*
 18 *gency preparedness agreement shall be entered into as*
 19 *promptly as practicable after the owner or operator has en-*
 20 *tered into the operating agreement.*

21 “(b) *TERMS OF AGREEMENT.*—*The terms of an agree-*
 22 *ment under this section—*

23 “(1) *shall provide that upon request by the Sec-*
 24 *retary of Defense during time of war or national*
 25 *emergency, or whenever determined by the Secretary*

1 *of Defense to be necessary for national security or*
2 *contingency operation (as that term is defined in sec-*
3 *tion 101 of title 10), the owner or operator shall make*
4 *available commercial transportation resources (in-*
5 *cluding services) described in subsection (d) to the*
6 *Secretary of Defense;*

7 *“(2) shall include such additional terms as may*
8 *be established by the Secretary of Transportation and*
9 *the Secretary of Defense; and*

10 *“(3) shall allow for the modification or addition*
11 *of terms upon agreement by the Secretary of Trans-*
12 *portation and the owner or operator and the approval*
13 *by the Secretary of Defense.*

14 *“(c) PARTICIPATION AFTER EXPIRATION OF OPER-*
15 *ATING AGREEMENT.—Except as provided by section 70706*
16 *of this title, the Secretary may not require, through an*
17 *emergency preparedness agreement or an operating agree-*
18 *ment, that an owner or operator of a vessel covered by an*
19 *operating agreement continue to participate in an emer-*
20 *gency preparedness agreement after the operating agree-*
21 *ment has expired according to its terms or is otherwise no*
22 *longer in effect. After the expiration of an emergency pre-*
23 *paredness agreement, a owner or operator may voluntarily*
24 *continue to participate in the agreement.*

1 “(d) *RESOURCES MADE AVAILABLE.*—*The commercial*
 2 *transportation resources to be made available under an*
 3 *emergency preparedness agreement shall include vessels or*
 4 *capacity in vessels, terminal facilities, management serv-*
 5 *ices, and other related services, or any agreed portion of*
 6 *such nonvessel resources for activation as the Secretary of*
 7 *Defense may determine to be necessary, seeking to minimize*
 8 *disruption of the owner or operator’s service to commercial*
 9 *customers.*

10 “(e) *COMPENSATION.*—

11 “(1) *IN GENERAL.*—*Each emergency prepared-*
 12 *ness agreement under this section shall provide that*
 13 *the Secretary of Defense shall pay fair and reasonable*
 14 *compensation for all commercial transportation re-*
 15 *sources provided pursuant to this section.*

16 “(2) *SPECIFIC REQUIREMENTS.*—*Compensation*
 17 *under this subsection—*

18 “(A) *shall not be less than the owner or op-*
 19 *erator’s commercial market charges for like*
 20 *transportation resources;*

21 “(B) *shall be fair and reasonable consid-*
 22 *ering all circumstances;*

23 “(C) *shall be provided from the time that a*
 24 *vessel or resource is required by the Secretary of*
 25 *Defense until the time it is redelivered to the*

1 owner or operator and is available to reenter
2 commercial service; and

3 “(D) shall be in addition to and shall not
4 in any way reflect amounts payable under sec-
5 tion 70707 of this title.

6 “(f) *TEMPORARY REPLACEMENT VESSELS.*—Notwith-
7 standing section 55302(a), 55304, 55305, or 55314 of this
8 title, section 2631 of title 10, or any other cargo preference
9 law of the United States—

10 “(1) an owner or operator may operate or em-
11 ploy in foreign commerce a foreign-flag vessel or for-
12 eign-flag vessel capacity as a temporary replacement
13 for a vessel of the United States or vessel of the
14 United States capacity that is activated by the Sec-
15 retary of Defense under an emergency preparedness
16 agreement or a primary Department of Defense sealift
17 readiness program; and

18 “(2) such replacement vessel or vessel capacity
19 shall be eligible during the replacement period to
20 transport preference cargoes subject to sections
21 55302(a), 55304, 55305, and 55314 of this title and
22 section 2631 of title 10 to the same extent as the eligi-
23 bility of the vessel or vessel capacity replaced.

24 “(g) *REDELIVERY AND LIABILITY OF THE UNITED*
25 *STATES FOR DAMAGES.*—

1 “(1) *IN GENERAL.*—*All commercial transpor-*
 2 *tation resources activated under an emergency pre-*
 3 *paredness agreement shall, upon termination of the*
 4 *period of activation, be redelivered to the owner or op-*
 5 *erator in the same good order and condition as when*
 6 *received, less ordinary wear and tear, or the Sec-*
 7 *retary of Defense shall fully compensate the owner or*
 8 *operator for any necessary repair or replacement.*

9 “(2) *LIMITATION ON UNITED STATES LIABIL-*
 10 *ITY.*—*Except as may be expressly agreed in an emer-*
 11 *gency preparedness agreement, or as otherwise pro-*
 12 *vided by law, the Government shall not be liable for*
 13 *disruption of an owner or operator’s commercial busi-*
 14 *ness or other consequential damages to an owner or*
 15 *operator arising from the activation of commercial*
 16 *transportation resources under an emergency pre-*
 17 *paredness agreement.*

18 **“§ 70709. Regulatory relief**

19 “(a) *OPERATION IN FOREIGN COMMERCE.*—*An owner*
 20 *or operator for a vessel included in an operating agreement*
 21 *under this chapter may operate the vessel in the foreign*
 22 *commerce of the United States without restriction.*

23 “(b) *OTHER RESTRICTIONS.*—*The restrictions of sec-*
 24 *tion 55305(a) of this title concerning the building, rebuild-*
 25 *ing, or documentation of a vessel in a foreign country shall*

1 *not apply to a vessel for any day the operator of the vessel*
2 *is receiving payments for the operation of that vessel under*
3 *an operating agreement under this chapter.*

4 “(c) *TELECOMMUNICATIONS EQUIPMENT.*—*The tele-*
5 *communications and other electronic equipment on an ex-*
6 *isting vessel that is redocumented under the laws of the*
7 *United States for operation under an operating agreement*
8 *under this chapter shall be deemed to satisfy all Federal*
9 *Communications Commission equipment certification re-*
10 *quirements, if—*

11 “(1) *such equipment complies with all applicable*
12 *international agreements and associated guidelines as*
13 *determined by the country in which the vessel was*
14 *documented immediately before becoming documented*
15 *under the laws of the United States;*

16 “(2) *that country has not been identified by the*
17 *Secretary as inadequately enforcing international reg-*
18 *ulations as to that vessel; and*

19 “(3) *at the end of its useful life, such equipment*
20 *shall be replaced with equipment that meets Federal*
21 *Communications Commission equipment certification*
22 *standards.*

1 **“§ 70710. Special rule regarding age of participating**

2 ***Fleet vessels***

3 *“Any age restriction under section 70702(b)(4) of this*
 4 *title shall not apply to a participating Fleet vessel during*
 5 *the 30-month period beginning on the date the vessel begins*
 6 *operating under an operating agreement under this chapter,*
 7 *if the Secretary of Transportation determines that the*
 8 *owner or operator of the vessel has entered into an arrange-*
 9 *ment to obtain and operate under the operating agreement*
 10 *for the participating Fleet vessel a replacement vessel that,*
 11 *upon commencement of such operation, will be eligible to*
 12 *be included in the Fleet under section 70702(b) of this title.*

13 **“§ 70711. Regulations**

14 *“The Secretary of Transportation and the Secretary*
 15 *of Defense may each prescribe rules as necessary to carry*
 16 *out their respective responsibilities under this chapter.*

17 **“§ 70712. Authorization of appropriations**

18 *“There is authorized to be appropriated for payments*
 19 *under section 70707, \$60,000,000 for each of fiscal years*
 20 *2021 through 2035, to remain available until expended.*

21 **“§ 70713. Acquisition of Fleet vessels**

22 *“(a) IN GENERAL.—Upon replacement of a Fleet Ves-*
 23 *sel under an operating agreement under this chapter, and*
 24 *subject to agreement by the owner or operator of the vessel,*
 25 *the Secretary of Transportation is authorized, subject to the*
 26 *concurrence of the Secretary of Defense, to acquire the vessel*

1 *being replaced for inclusion in the National Defense Reserve*
 2 *Fleet.*

3 “(b) *REQUIREMENTS.*—*To be eligible for acquisition*
 4 *by the Secretary of Transportation under this section a ves-*
 5 *sel shall—*

6 “(1) *have been covered by an operating agree-*
 7 *ment under this chapter for not less than three years;*
 8 *and*

9 “(2) *meet recapitalization requirements for the*
 10 *Ready Reserve Force.*

11 “(c) *FAIR MARKET VALUE.*—*A fair market value shall*
 12 *be established by the Maritime Administration for acquisi-*
 13 *tion of an eligible vessel under this section.*

14 “(d) *APPROPRIATIONS.*—*Vessel acquisitions under this*
 15 *section shall be subject to the availability of appropriations.*
 16 *Amounts made available to carry out this section shall be*
 17 *derived from amounts authorized to be appropriated for the*
 18 *National Defense Reserve Fleet. Amounts authorized to be*
 19 *appropriated to carry out the Maritime Security Program*
 20 *may not be use to carry out this section.”.*

21 (b) *CLERICAL AMENDMENT.*—*The table of chapters for*
 22 *subtitle VII of title 46, United States Code, is amended by*
 23 *adding at the end the following:*

“707. *Tanker Security Fleet* 70701”.

24 (c) *DEADLINE FOR ACCEPTING APPLICATIONS.*—

1 (1) *IN GENERAL.*—*The Secretary of Transpor-*
 2 *tation shall begin accepting applications for enroll-*
 3 *ment of vessels in the Tanker Security Fleet estab-*
 4 *lished under chapter 707 of title 46, United States*
 5 *Code, as added by subsection (a), by not later than*
 6 *30 days after the date of the enactment of this Act.*

7 (2) *APPROVAL.*—*Not later than 90 days after re-*
 8 *ceipt of an application for the enrollment of a vessel*
 9 *in the Tanker Security Fleet, the Secretary, in coordi-*
 10 *nation with the Secretary of Defense shall—*

11 (A) *approve the application and enter into*
 12 *an operating agreement with the applicant; or*

13 (B) *provide to the applicant a written ex-*
 14 *planation for the denial of the application.*

15 ***Subtitle C—Cable Security Fleet***

16 ***SEC. 3521. ESTABLISHMENT OF CABLE SECURITY FLEET.***

17 (a) *IN GENERAL.*—*Title 46, United States Code, is*
 18 *amended by inserting before chapter 533 the following new*
 19 *chapter:*

20 ***“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.

1 **“§ 53201. Definitions**

2 *“In this chapter:*

3 *“(1) CABLE SERVICES.—The term ‘cable services’*
 4 *means the installation, maintenance, or repair of sub-*
 5 *marine cables and related equipment, and related*
 6 *cable vessel operations.*

7 *“(2) CABLE VESSEL.—The term ‘cable vessel’*
 8 *means a vessel—*

9 *“(A) classed as a cable ship or cable vessel*
 10 *by, and designed in accordance with the rules of,*
 11 *the American Bureau of Shipping, or another*
 12 *classification society accepted by the Secretary;*
 13 *and*

14 *“(B) capable of installing, maintaining,*
 15 *and repairing submarine cables.*

16 *“(3) CABLE FLEET.—The term ‘Cable Fleet’*
 17 *means the Cable Security Fleet established under sec-*
 18 *tion 53202(a).*

19 *“(4) CONTINGENCY AGREEMENT.—The term*
 20 *‘Contingency Agreement’ means the agreement re-*
 21 *quired by section 53207.*

22 *“(5) CONTRACTOR.—The term ‘Contractor’*
 23 *means an owner or operator of a vessel that enters*
 24 *into an Operating Agreement for a cable vessel with*
 25 *the Secretary under section 53203.*

1 “(6) *FISCAL YEAR.*—*The term ‘fiscal year’*
 2 *means any annual period beginning on October 1 and*
 3 *ending on September 30.*

4 “(7) *OPERATING AGENCY.*—*The term ‘Operating*
 5 *Agency’ means that agency or component of the De-*
 6 *partment of Defense so designated by the Secretary of*
 7 *Defense under this chapter.*

8 “(8) *OPERATING AGREEMENT OR AGREEMENT.*—
 9 *The terms ‘Operating Agreement’ or ‘Agreement’*
 10 *mean the agreement required by section 53203.*

11 “(9) *PERSON.*—*The term ‘person’ includes cor-*
 12 *porations, partnerships, and associations existing*
 13 *under or authorized by the laws of the United States,*
 14 *or any State, Territory, District, or possession there-*
 15 *of, or of any foreign country.*

16 “(10) *SECRETARY.*—*The term ‘Secretary’ means*
 17 *the Secretary of Transportation.*

18 “(11) *UNITED STATES.*—*The term ‘United*
 19 *States’ includes the States, the District of Columbia,*
 20 *the Commonwealth of Puerto Rico, the Northern Mar-*
 21 *iana Islands, Guam, American Samoa, and the Vir-*
 22 *gin Islands.*

23 “(12) *UNITED STATES CITIZEN TRUST.*—

1 “(A) Subject to paragraph (C), the term
2 ‘United States citizen trust’ means a trust that
3 is qualified under this paragraph.

4 “(B) A trust is qualified under this para-
5 graph with respect to a vessel only if—

6 “(i) it was created under the laws of a
7 state of the United States;

8 “(ii) each of the trustees is a citizen of
9 the United States; and

10 “(iii) the application for documenta-
11 tion of the vessel under chapter 121 of this
12 title includes the affidavit of each trustee
13 stating that the trustee is not aware of any
14 reason involving a beneficiary of the trust
15 that is not a citizen of the United States, or
16 involving any other person that is not a cit-
17 izen of the United States, as a result of
18 which the beneficiary or other person would
19 hold more than 25 percent of the aggregate
20 power to influence, or limit the exercise of
21 the authority of, the trustee with respect to
22 matters involving any ownership or oper-
23 ation of the vessel that may adversely affect
24 the interests of the United States.

1 “(C) *If any person that is not a citizen of*
 2 *the United States has authority to direct, or par-*
 3 *ticipate in directing, the trustee for a trust in*
 4 *matters involving any ownership or operation of*
 5 *the vessel that may adversely affect the interests*
 6 *of the United States or in removing a trustee for*
 7 *a trust without cause, either directly or indi-*
 8 *rectly through the control of another person, the*
 9 *trust is not qualified under this paragraph un-*
 10 *less the trust instrument provides that persons*
 11 *who are not citizens of the United States may*
 12 *not hold more than 25 percent of the aggregate*
 13 *authority to direct or remove a trustee.*

14 “(D) *This paragraph shall not be considered*
 15 *to prohibit a person who is not a citizen of the*
 16 *United States from holding more than 25 percent*
 17 *of the beneficial interest in a trust.*

18 **“§ 53202. Establishment of the Cable Security Fleet**

19 “(a) *IN GENERAL.*—

20 “(1) *The Secretary, in consultation with the Op-*
 21 *erating Agency, shall establish a fleet of active, com-*
 22 *mercially viable, cable vessels to meet national secu-*
 23 *rity requirements. The fleet shall consist of privately*
 24 *owned, United States-documented cable vessels for*
 25 *which there are in effect Operating Agreements under*

1 *this chapter, and shall be known as the Cable Secu-*
 2 *rity Fleet.*

3 *“(2) The Fleet described under this section shall*
 4 *include two vessels.*

5 *“(b) VESSEL ELIGIBILITY.—A cable vessel is eligible*
 6 *to be included in the Fleet if—*

7 *“(1) the vessel meets the requirements of para-*
 8 *graph (1), (2), (3), or (4) of subsection (c);*

9 *“(2) the vessel is operated (or in the case of a*
 10 *vessel to be constructed, will be operated) in commer-*
 11 *cial service providing cable services;*

12 *“(3) the vessel is 40 years of age or less on the*
 13 *date the vessel is included in the Fleet;*

14 *“(4) the vessel is—*

15 *“(A) determined by the Operating Agency*
 16 *to be suitable for engaging in cable services by*
 17 *the United States in the interest of national se-*
 18 *curity; and*

19 *“(B) determined by the Secretary to be com-*
 20 *mercially viable, whether independently or tak-*
 21 *ing any payments which are the consequence of*
 22 *participation in the Cable Fleet into account;*
 23 *and*

24 *“(5) the vessel—*

1 “(A) is a United States-documented vessel;

2 or

3 “(B) is not a United States-documented ves-

4 sel, but—

5 “(i) the owner of the vessel has dem-

6 onstrated an intent to have the vessel docu-

7 mented under chapter 121 of this title if it

8 is included in the Cable Fleet; and

9 “(ii) at the time an Operating Agree-

10 ment is entered into under this chapter, the

11 vessel is eligible for documentation under

12 chapter 121 of this title.

13 “(c) REQUIREMENTS REGARDING CITIZENSHIP OF

14 OWNERS AND OPERATORS.—

15 “(1) VESSELS OWNED AND OPERATED BY SEC-

16 TION 50501 CITIZENS.—A vessel meets the require-

17 ments of this paragraph if, during the period of an

18 Operating Agreement under this chapter that applies

19 to the vessel, the vessel will be owned and operated by

20 one or more persons that are citizens of the United

21 states under section 50501 of this title.

22 “(2) VESSELS OWNED BY A SECTION 50501 CIT-

23 IZEN, OR UNITED STATES CITIZEN TRUST, AND CHAR-

24 TERED TO A DOCUMENTATION CITIZEN.—A vessel

25 meets the requirements of this paragraph if—

1 “(A) during the period of an Operating
2 Agreement under this chapter that applies to the
3 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 States
7 citizen trust; and

8 “(ii) demise chartered to and operated
9 by a person—

10 “(I) that is eligible to document
11 the vessel under chapter 121 of this
12 title;

13 “(II) the chairman of the board of
14 directors, chief executive officer, and a
15 majority of the members of the board of
16 directors of which are citizens of the
17 United States under section 50501 of
18 this title, and are appointed and sub-
19 ject to removal only upon approval by
20 the Secretary; and

21 “(III) that certifies to the Sec-
22 retary that there are no treaties, stat-
23 utes, regulations, or other laws that
24 would prohibit the Contractor for the
25 vessel from performing its obligations

1 *under an Operating Agreement under*
2 *this chapter;*

3 “(B) *in the case of a vessel that will be de-*
4 *mise chartered to a person that is owned or con-*
5 *trolled by another person that is not a citizen of*
6 *the United States under section 50501 of this*
7 *title, the other person enters into an agreement*
8 *with the Secretary not to influence the operation*
9 *of the vessel in a manner that will adversely af-*
10 *fect the interests of the United States; and*

11 “(C) *the Secretary and the Operating Agen-*
12 *cy notify the Committee on Armed Services and*
13 *the Committee on Commerce, Science and Trans-*
14 *portation of the Senate, and the Committee on*
15 *Armed Services of the House of Representatives*
16 *that they concur, and have reviewed the certifi-*
17 *cation required under subparagraph (A)(ii)(III)*
18 *and determined that there are no legal, oper-*
19 *ational, or other impediments that would pro-*
20 *hibit the Contractor for the vessel from per-*
21 *forming its obligations under an Operating*
22 *Agreement under this chapter.*

23 “(3) *VESSEL OWNED AND OPERATED BY A DE-*
24 *FENSE CONTRACTOR.—A vessel meets the requirements*
25 *of this paragraph if—*

1 “(A) during the period of an Operating
2 Agreement under this chapter that applies to the
3 vessel, the vessel will be owned and operated by
4 a person that—

5 “(i) is eligible to document a vessel
6 under chapter 121 of this title;

7 “(ii) operates or manages other United
8 States-documented vessels for the Secretary
9 of Defense, or charters other vessels to the
10 Secretary of Defense;

11 “(iii) has entered into a special secu-
12 rity agreement for purposes of this para-
13 graph with the Secretary of Defense;

14 “(iv) makes the certification described
15 in paragraph (2)(A)(ii)(III); and

16 “(v) in the case of a vessel described in
17 paragraph (2)(B), enters into an agreement
18 referred to in that paragraph; and

19 “(B) the Secretary and the Secretary of De-
20 fense notify the Committee on Armed Services
21 and Committee on Commerce, Science, and
22 Transportation of the Senate and the Committee
23 on Armed Services of the House of Representa-
24 tives that they have reviewed the certification re-
25 quired by subparagraph (A)(iv) and determined

1 *that there are no other legal, operational, or*
 2 *other impediments that would prohibit the Con-*
 3 *tractor for the vessel from performing its obliga-*
 4 *tions under an Operating Agreement under this*
 5 *chapter.*

6 “(4) *VESSEL OWNED BY A DOCUMENTATION CIT-*
 7 *IZEN AND CHARTERED TO A SECTION 50501 CIT-*
 8 *IZEN.*—*A vessel meets the requirements of this para-*
 9 *graph if, during the period of an Operating Agree-*
 10 *ment under this chapter that applies to the vessel, the*
 11 *vessel will be—*

12 “(A) *owned by a person that is eligible to*
 13 *document a vessel under chapter 121 of this title;*
 14 *and*

15 “(B) *demise chartered to a person that is a*
 16 *citizen of the United States under section 50501*
 17 *of this title.*

18 “(d) *VESSEL STANDARDS.*—

19 “(1) *CERTIFICATE OF INSPECTION.*—*A cable ves-*
 20 *sel which the Secretary of the Department in which*
 21 *the Coast Guard is operating determines meets the*
 22 *criteria of subsection (b) of this section but which, on*
 23 *the date of enactment of the Act, is not documented*
 24 *under chapter 121 of this title, shall be eligible for a*

1 *certificate of inspection if that Secretary determines*
 2 *that—*

3 “(A) *the vessel is classed by, and designed*
 4 *in accordance with the rules of, the American*
 5 *Bureau of Shipping, or another classification so-*
 6 *cietly accepted by that Secretary;*

7 “(B) *the vessel complies with applicable*
 8 *international agreements and associated guide-*
 9 *lines, as determined by the country in which the*
 10 *vessel was documented immediately before becom-*
 11 *ing documented under chapter 121; and*

12 “(C) *that country has not been identified by*
 13 *that Secretary as inadequately enforcing inter-*
 14 *national vessel regulations as to that vessel.*

15 “(2) *CONTINUED ELIGIBILITY FOR CERTIFI-*
 16 *CATE.—Paragraph (1) does not apply to a vessel after*
 17 *any date on which the vessel fails to comply with the*
 18 *applicable international agreements and associated*
 19 *guidelines referred to in paragraph (1)(B).*

20 “(3) *RELIANCE ON CLASSIFICATION SOCIETY.—*

21 “(A) *IN GENERAL.—The Secretary of the*
 22 *Department in which the Coast Guard is oper-*
 23 *ating may rely on a certification from the Amer-*
 24 *ican Bureau of Shipping or, subject to subpara-*
 25 *graph (B), another classification society accepted*

1 *by that Secretary to establish that a vessel is in*
 2 *compliance with the requirements of paragraphs*
 3 *(1) and (2).*

4 “(B) *FOREIGN CLASSIFICATION SOCIETY.*—
 5 *The Secretary of the Department in which the*
 6 *Coast Guard is operating may accept certifi-*
 7 *cation from a foreign classification society under*
 8 *subparagraph (A) only—*

9 “(i) *to the extent that the government*
 10 *of the foreign country in which the society*
 11 *is headquartered provides access on a recip-*
 12 *rocal basis to the American Bureau of Ship-*
 13 *ping; and*

14 “(ii) *if the foreign classification society*
 15 *has offices and maintains records in the*
 16 *United States.*

17 “(e) *WAIVER OF AGE REGISTRATION.*—*The Secretary,*
 18 *in conjunction with the Operating Agency, may waive the*
 19 *application of the age restriction under subsection (b)(3)*
 20 *if they jointly determine that the waiver—*

21 “(1) *is in the national interest;*

22 “(2) *the subject cable vessel and any associated*
 23 *operating network is and will continue to be economi-*
 24 *cally viable; and*

1 “(3) *is necessary due to the lack of availability*
 2 *of other vessels and operators that comply with the re-*
 3 *quirements of this chapter.*

4 **“§ 53203. Award of operating agreements**

5 “(a) *IN GENERAL.—The Secretary shall require, as a*
 6 *condition of including any vessel in the Cable Fleet, that*
 7 *the person that is the owner or operator of the vessel for*
 8 *purposes of section 53202(c) enter into an Operating Agree-*
 9 *ment with the Secretary under this section.*

10 “(b) *PROCEDURE FOR APPLICATIONS.—*

11 “(1) *ACCEPTANCE OF APPLICATIONS.—Beginning*
 12 *no later than 60 days after the effective date of this*
 13 *chapter, the Secretary shall accept applications for*
 14 *enrollment of vessels in the Cable Fleet.*

15 “(2) *ACTION ON APPLICATIONS.—Within 120*
 16 *days after receipt of an application for enrollment of*
 17 *a vessel in the Cable Fleet, the Secretary shall ap-*
 18 *prove the application in conjunction with the Oper-*
 19 *ating Agency, and shall enter into an Operating*
 20 *Agreement with the applicant, or provide in writing*
 21 *the reason for denial of that application.*

22 “(c) *PRIORITY FOR AWARDING AGREEMENTS.—Subject*
 23 *to the availability of appropriations, the Secretary shall*
 24 *enter into Operating Agreements with those vessels deter-*
 25 *mined by the Operating Agency, in its sole discretion, to*

1 *best meet the national security requirements of the United*
 2 *States. After consideration of national security require-*
 3 *ments, priority shall be given to an applicant that is a*
 4 *United States citizen under section 50501 of this title.*

5 **“§ 53204. Effectiveness of operating agreements**

6 “(a) *EFFECTIVENESS GENERALLY.—The Secretary*
 7 *may enter into an Operating Agreement under this chapter*
 8 *for fiscal year 2021. Except as provided in subsection (d),*
 9 *the agreement shall be effective only for one fiscal year, but*
 10 *shall be renewable, subject to available appropriations, for*
 11 *each subsequent year.*

12 “(b) *VESSELS UNDER CHARTER TO THE UNITED*
 13 *STATES.—Vessels under charter to the United States are eli-*
 14 *gible to receive payments pursuant to their Operating*
 15 *Agreements.*

16 “(c) *TERMINATION.—*

17 “(1) *TERMINATION BY THE SECRETARY.—If the*
 18 *Contractor with respect to an Operating Agreement*
 19 *materially fails to comply with the terms of the*
 20 *Agreement—*

21 “(A) *the Secretary shall notify the Con-*
 22 *tractor and provide a reasonable opportunity for*
 23 *it to comply with the Operating Agreement;*

1 “(B) the Secretary shall terminate the Op-
 2 erating Agreement if the Contractor fails to
 3 achieve such compliance; and

4 “(C) upon such termination, any funds ob-
 5 ligated by the Agreement shall be available to the
 6 Secretary to carry out this chapter.

7 “(2) *EARLY TERMINATION BY A CONTRACTOR.*—
 8 An Operating Agreement under this chapter shall ter-
 9 minate on a date specified by the Contractor if the
 10 Contractor notifies the Secretary, not fewer than 60
 11 days prior to the effective date of the termination,
 12 that the Contractor intends to terminate the Agree-
 13 ment.

14 “(d) *NONRENEWAL FOR LACK OF FUNDS.*—If, by the
 15 first day of a fiscal year, sufficient funds have not been
 16 appropriated under the authority provided by this chapter
 17 for that fiscal year for all Operating Agreements, then the
 18 Secretary shall notify the Committee on Armed Services
 19 and the Committee on Commerce, Science, and Transpor-
 20 tation of the Senate and the Committee on Armed Services
 21 of the House of Representatives that Operating Agreements
 22 authorized under this chapter for which sufficient funds are
 23 not available will not be renewed for that fiscal year if suffi-
 24 cient funds are not appropriated by the 60th day of that
 25 fiscal year. If only partial funding is appropriated by the

1 60th day of such fiscal year, then the Secretary, in consulta-
2 tion with the Operating Agency, shall select the vessels to
3 retain under Operating Agreements, based on their deter-
4 minations of which vessels are most useful for national secu-
5 rity. In the event that no funds are appropriated, then no
6 Operating Agreements shall be renewed and each Contractor
7 shall be released from its obligations under the Operating
8 Agreement. Final payments under an Operating Agreement
9 that is not renewed shall be made in accordance with sec-
10 tion 53206. To the extent that sufficient funds are appro-
11 priated in a subsequent fiscal year, an Operating Agree-
12 ment that has not been renewed pursuant to this subsection
13 may be reinstated if mutually acceptable to the Secretary,
14 in consultation with the Operating Agency, and the Con-
15 tractor, provided the vessel remains eligible for participa-
16 tion pursuant to section 53202, without regard to subsection
17 53202 (b)(3).

18 “(e) *RELEASE OF VESSELS FROM OBLIGATIONS.*—If
19 funds are not appropriated for payments under an Oper-
20 ating Agreement under this chapter for any fiscal year by
21 the 60th day of a fiscal year, and the Secretary, in consulta-
22 tion with the Operating Agency determines to not renew
23 a Contractor’s Operating Agreement for a vessel, then—

1 “(1) *each vessel covered by the Operating Agree-*
 2 *ment that is not renewed is thereby released from any*
 3 *further obligation under the Operating Agreement;*

4 “(2) *the owner or operator of the vessel whose*
 5 *Operating Agreement was not renewed may transfer*
 6 *and register such vessel under a foreign registry that*
 7 *is acceptable to the Secretary and the Operating*
 8 *Agency, notwithstanding section 56101 of this title;*
 9 *and*

10 “(3) *if chapter 563 of this title is applicable to*
 11 *such vessel after registration, then the vessel is avail-*
 12 *able to be requisitioned by the Secretary pursuant to*
 13 *chapter 563.*

14 **“§ 53205. Obligations and rights under operating**
 15 ***agreements***

16 “(a) *OPERATION OF VESSEL.—An Operating Agree-*
 17 *ment under this chapter shall require that, during the pe-*
 18 *riod the vessel is operating under the Agreement, the ves-*
 19 *sel—*

20 “(1) *shall be operated in the trade for Cable*
 21 *Services, or under a charter to the United States; and*

22 “(2) *shall be documented under chapter 121 of*
 23 *this title.*

24 “(b) *ANNUAL PAYMENTS BY THE SECRETARY.—*

1 “(1) *IN GENERAL.*—*An Operating Agreement*
 2 *under this chapter shall require, subject to the avail-*
 3 *ability of appropriations, that the Secretary make*
 4 *payment to the Contractor in accordance with section*
 5 *53206.*

6 “(2) *OPERATING AGREEMENT IS AN OBLIGATION*
 7 *OF THE UNITED STATES GOVERNMENT.*—*An Oper-*
 8 *ating Agreement under this chapter constitutes a con-*
 9 *tractual obligation of the United States Government*
 10 *to pay the amounts provided for in the Operating*
 11 *Agreement to the extent of actual appropriations.*

12 “(c) *DOCUMENTATION REQUIREMENT.*—*Each vessel*
 13 *covered by an Operating Agreement (including an Agree-*
 14 *ment terminated under section 53204(c)(2)) shall remain*
 15 *documented under chapter 121 of this title, until the date*
 16 *the Operating Agreement would terminate according to its*
 17 *own terms.*

18 “(d) *NATIONAL SECURITY REQUIREMENTS.*—

19 “(1) *IN GENERAL.*—*A Contractor with respect to*
 20 *an Operating Agreement (including an Agreement*
 21 *terminated under section 53204(c)(2)) shall continue*
 22 *to be bound by the provisions of section 53207 until*
 23 *the date the Operating Agreement would terminate*
 24 *according to its terms.*

1 “(2) *CONTINGENCY AGREEMENT WITH OPER-*
 2 *ATING AGENCY.*—*All terms and conditions of a Con-*
 3 *tingency Agreement entered into under section 53207*
 4 *shall remain in effect until a date the Operating*
 5 *Agreement would terminate according to its terms, ex-*
 6 *cept that the terms of such Contingency Agreement*
 7 *may be modified by the mutual consent of the Con-*
 8 *tractor, and the Operating Agency.*

9 “(e) *TRANSFER OF OPERATING AGREEMENTS.*—*Oper-*
 10 *ating Agreements shall not be transferrable by the Con-*
 11 *tractor.*

12 “(f) *REPLACEMENT VESSEL.*—*A Contractor may re-*
 13 *place a vessel under an Operating Agreement with another*
 14 *vessel that is eligible to be included in the Fleet under sec-*
 15 *tion 53202(b), if the Secretary and the Operating Agency*
 16 *jointly determine that the replacement vessel meets national*
 17 *security requirements and approve the replacement.*

18 **“§ 53206. Payments**

19 “(a) *ANNUAL PAYMENT.*—

20 “(1) *IN GENERAL.*—*The Secretary, subject to*
 21 *availability of appropriations and other provisions of*
 22 *this section, shall pay to the Contractor for an oper-*
 23 *ating agreement, for each vessel that is covered by the*
 24 *operating agreement, an amount equal to \$5,000,000*
 25 *for each fiscal year 2021 through 2035.*

1 “(2) *TIMING.*—*This amount shall be paid in*
 2 *equal monthly installments at the end of each month.*
 3 *The amount shall not be reduced except as provided*
 4 *by this section.*

5 “(b) *CERTIFICATION REQUIRED FOR PAYMENT.*—*As a*
 6 *condition of receiving payment under this section for a fis-*
 7 *cal year for a vessel, the Contractor for the vessel shall cer-*
 8 *tify that the vessel has been and will be operated in accord-*
 9 *ance with section 53205(a)(1) for 365 days in each fiscal*
 10 *year. Up to thirty (30) days during which the vessel is*
 11 *drydocked, surveyed, inspected, or repaired shall be consid-*
 12 *ered days of operation for purposes of this subsection.*

13 “(c) *GENERAL LIMITATIONS.*—*The Secretary shall not*
 14 *make any payment under this chapter for a vessel with re-*
 15 *spect to any days for which the vessel is—*

16 “(1) *not operated or maintained in accordance*
 17 *with an Operating Agreement under this chapter; or*

18 “(2) *more than 40 years of age.*

19 “(d) *REDUCTIONS IN PAYMENTS.*—*With respect to*
 20 *payments under this chapter for a vessel covered by an Op-*
 21 *erating Agreement, the Secretary shall make a pro rata re-*
 22 *duction for each day less than 365 in a fiscal year that*
 23 *the vessel is not operated in accordance with section*
 24 *53205(a)(1), with days during which the vessel is drydocked*
 25 *or undergoing survey, inspection or repair to be considered*

1 *days on which the vessel is operated as provided in sub-*
 2 *section (b).*

3 **“§ 53207. National security requirements**

4 “(a) *CONTINGENCY AGREEMENT REQUIRED.—The*
 5 *Secretary shall include in each Operating Agreement under*
 6 *this chapter a requirement that the Contractor enter into*
 7 *a Contingency Agreement with the Operating Agency. The*
 8 *Operating Agency shall negotiate and enter into a Contin-*
 9 *gency Agreement with each Contractor as promptly as prac-*
 10 *ticable after the Contractor has entered into an Operating*
 11 *Agreement under this chapter.*

12 “(b) *TERMS OF CONTINGENCY AGREEMENT.—*

13 “(1) *IN GENERAL.—A Contingency Agreement*
 14 *under this section shall require that a Contractor for*
 15 *a vessel covered by an Operating Agreement under*
 16 *this chapter make the vessel, including all necessary*
 17 *resources to engage in Cable Services required by the*
 18 *Operating Agency, available upon request by the Op-*
 19 *erating Agency.*

20 “(2) *TERMS.—*

21 “(A) *IN GENERAL.—The basic terms of a*
 22 *Contingency Agreement shall be established (sub-*
 23 *ject to subparagraph (B)) by the Operating*
 24 *Agency.*

1 “(B) *ADDITIONAL TERMS.—The Operating*
 2 *Agency and a Contractor may agree to addi-*
 3 *tional or modifying terms appropriate to the*
 4 *Contractor’s circumstances.*

5 “(c) *DEFENSE MEASURES AGAINST UNAUTHORIZED*
 6 *SEIZURES.—*

7 “(1) *The Contingency Agreement shall require*
 8 *that any vessel operating under the direction of the*
 9 *Operating Agency operating in area that is des-*
 10 *ignated by the Coast Guard as an area of high risk*
 11 *of piracy shall be equipped with, at a minimum, ap-*
 12 *propriate non-lethal defense measures to protect the*
 13 *vessel and crew from unauthorized seizure at sea.*

14 “(2) *The Secretary of Defense and the Secretary*
 15 *of the department in which the Coast Guard is oper-*
 16 *ating shall jointly prescribe the non-lethal defense*
 17 *measures that are required under this paragraph.*

18 “(d) *PARTICIPATION AFTER EXPIRATION OF OPER-*
 19 *ATING AGREEMENT.—Except as provided by section*
 20 *53205(d), the Operating Agency may not require, through*
 21 *a Contingency Agreement or an Operating Agreement, that*
 22 *a Contractor continue to participate in a Contingency*
 23 *Agreement after the Operating Agreement with the Con-*
 24 *tractor has expired according to its terms or is otherwise*
 25 *no longer in effect.*

1 “(e) *RESOURCES MADE AVAILABLE.*—*The resources to*
 2 *be made available in addition to the vessel under a Contin-*
 3 *gency Agreement shall include all equipment, personnel,*
 4 *supplies, management services, and other related services as*
 5 *the Operating Agency may determine to be necessary to pro-*
 6 *vide the Cable Services required by the Operating Agency.*

7 “(f) *COMPENSATION.*—

8 “(1) *IN GENERAL.*—*The Operating Agency shall*
 9 *include in each Contingency Agreement provisions*
 10 *under which the Operating Agency shall pay fair and*
 11 *reasonable compensation for use of the vessel and all*
 12 *Cable Services provided pursuant to this section and*
 13 *the Contingency Agreement.*

14 “(2) *SPECIFIC REQUIREMENTS.*—*Compensation*
 15 *under this subsection—*

16 “(A) *shall be at the rate specified in the*
 17 *Contingency Agreement;*

18 “(B) *shall be provided from the time that a*
 19 *vessel is required by the Operating Agency under*
 20 *the Contingency Agreement until the time it is*
 21 *made available by the Operating Agency avail-*
 22 *able to reenter commercial service; and*

23 “(C) *shall be in addition to and shall not*
 24 *in any way reflect amounts payable under sec-*
 25 *tion 53206.*

1 “(g) *LIABILITY OF THE UNITED STATES FOR DAM-*
2 *AGES.*—

3 “(1) *LIMITATION ON THE LIABILITY OF THE*
4 *U.S.—Except as otherwise provided by law, the Gov-*
5 *ernment shall not be liable for disruption of a Con-*
6 *tractor’s commercial business or other consequential*
7 *damages to a Contractor arising from the activation*
8 *of the Contingency Agreement.*

9 “(2) *AFFIRMATIVE DEFENSE.*—*In any action in*
10 *any Federal or State court for breach of third-party*
11 *contract, there shall be available as an affirmative de-*
12 *fense that the alleged breach of contract was caused*
13 *predominantly by action taken to carry out a Contin-*
14 *gent Agreement. Such defense shall not release the*
15 *party asserting it from any obligation under applica-*
16 *ble law to mitigate damages to the greatest extent pos-*
17 *sible.*

18 **“§ 53208. Regulatory relief**

19 “(a) *APPLICABILITY OF COASTWISE LAWS.*—*A vessel*
20 *covered by an Operating Agreement that is operating pur-*
21 *suant to a Contingency Agreement, shall not be subject to*
22 *the coastwise laws (46 U.S.C. 55101 et seq.).*

23 “(b) *TELECOMMUNICATIONS EQUIPMENT.*—*The tele-*
24 *communications and other electronic equipment on an ex-*
25 *isting vessel that is redocumented under the laws of the*

1 *United States for operation under an Operating Agreement*
 2 *under this chapter shall be deemed to satisfy all Federal*
 3 *Communication Commission equipment certification re-*
 4 *quirements, if—*

5 “(1) *such equipment complies with all applicable*
 6 *international agreements and associated guidelines as*
 7 *determined by the country in which the vessel was*
 8 *documented immediately before becoming documented*
 9 *under the laws of the United States;*

10 “(2) *that country has not been identified by the*
 11 *Secretary of the Department in which the Coast*
 12 *Guard is operating as inadequately enforcing inter-*
 13 *national regulations as to that vessel; and*

14 “(3) *at the end of its useful life, such equipment*
 15 *shall be replaced with equipment that meets Federal*
 16 *Communication Commission equipment certification*
 17 *standards.*

18 **“§ 53209. Authorization of appropriations**

19 *“There are authorized to be appropriated for payments*
 20 *under section 53206, \$10,000,000 for each of the fiscal years*
 21 *2021 through 2035.”.*

22 (b) *CONFORMING AMENDMENT.—The table of chapters*
 23 *at the beginning of subtitle V of title 46, United States Code,*
 24 *is amended by inserting before the item relating to chapter*
 25 *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 activity*
 8 *is hereby authorized, subject to the availability of appro-*
 9 *priations.*

10 *(b) MERIT-BASED DECISIONS.—A decision to commit,*
 11 *obligate, or expend funds with or to a specific entity on*
 12 *the basis of a dollar amount authorized pursuant to sub-*
 13 *section (a) shall—*

14 *(1) be based on merit-based selection procedures*
 15 *in accordance with the requirements of sections*
 16 *2304(k) and 2374 of title 10, United States Code, or*
 17 *on competitive procedures; and*

18 *(2) comply with other applicable provisions of*
 19 *law.*

20 *(c) RELATIONSHIP TO TRANSFER AND PROGRAMMING*
 21 *AUTHORITY.—An amount specified in the funding tables in*
 22 *this division may be transferred or reprogrammed under*
 23 *a transfer or reprogramming authority provided by another*
 24 *provision of this Act or by other law. The transfer or re-*
 25 *programming of an amount specified in such funding tables*

1 shall not count against a ceiling on such transfers or
 2 reprogrammings under section 1001 or section 1512 of this
 3 Act or any other provision of law, unless such transfer or
 4 reprogramming would move funds between appropriation
 5 accounts.

6 (d) *APPLICABILITY TO CLASSIFIED ANNEX.*—This sec-
 7 tion applies to any classified annex that accompanies this
 8 Act.

9 (e) *ORAL AND WRITTEN COMMUNICATIONS.*—No oral
 10 or written communication concerning any amount specified
 11 in the funding tables in this division shall supersede the
 12 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, 30MM, 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: LHMCB 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 (HMEE)	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-3 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 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 MULTIBRAND 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	CAISR 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	90,037
	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-32 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	INDUSTRI'L PREPAREDNS/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 SPRS/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	GPSII 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 TRANSPT 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 (CIRCUM)	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 (LAWS-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 ECUS	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)

<i>Line</i>	<i>Item</i>	<i>FY 2020 Request</i>	<i>House Authorized</i>
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, DEVEL-**
2 **OPMENT, TEST, AND EVALUA-**
3 **TION**

4 **SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
5 **TION.**

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

<i>Line</i>	<i>Program Element</i>	<i>Item</i>	<i>FY 2020 Request</i>	<i>House Authorized</i>
		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
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

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2020 Request	House Authorized
		<i>Qualification testing early to need</i>		[−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
		<i>Program delay</i>		[−15,000]
120	0604710A	NIGHT VISION SYSTEMS—ENG DEV	181,732	166,732
		<i>Insufficient justification (IVAS)</i>		[−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
		<i>Historical underexecution</i>		[−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 SUBUNITION (BAT)	25,000	20,000
		<i>PFAL excess</i>		[−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
		<i>RCO support excess</i>		[−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
		<i>CPI2 testing previously funded</i>		[−2,500]
136	0604820A	RADAR DEVELOPMENT	105,243	105,243
137	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	46,683	41,683
		<i>Program decrease</i>		[−5,000]
138	0604823A	FIREFINDER	17,294	17,294
139	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL	5,803	4,803
		<i>Historical underexecution</i>		[−1,000]
140	0604852A	SUITE OF SURVIVABILITY ENHANCEMENT SYSTEMS—EMD	98,698	128,698
		<i>Program increase for vehicle protection evaluation</i>		[30,000]
141	0604854A	ARTILLERY SYSTEMS—EMD	15,832	10,832
		<i>Mobile howitzer testing early to need</i>		[−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
		<i>Program decrease</i>		[−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 (CHRCM)	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
		<i>Excess growth</i>		[−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
		<i>Testing and evaluation excess growth</i>		[−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
		<i>Testing and evaluation excess growth</i>		[−5,000]
167	0605625A	MANNED GROUND VEHICLE	378,400	378,400
168	0605766A	NATIONAL CAPABILITIES INTEGRATION (MIP)	7,835	9,835
		<i>Mobile ground terminal</i>		[2,000]
169	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH.	2,732	7,232
		<i>Army requested realignment from OPA 7</i>		[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

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		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	0607665A	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
		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	WWMCCS/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

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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
		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

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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 COUNTERMEASURES	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
080	0604126N	LITTORAL AIRBORNE MCM	17,248	17,248
081	0604127N	SURFACE MINE COUNTERMEASURES	18,735	18,735
082	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (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

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		<i>Excess growth</i>		[-80,000]
090	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT	5,263	5,263
091	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT	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 priority		[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-SB 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
		<i>Support cost growth</i>		[-500]
109	0604261N	ACOUSTIC SEARCH SENSORS	47,013	47,013
110	0604262N	V-22A	185,105	172,105
		<i>Excess to need</i>		[-13,000]
111	0604264N	AIR CREW SYSTEMS DEVELOPMENT	21,172	21,172
112	0604269N	EA-18	143,585	123,585
		<i>Unjustified cost growth</i>		[-20,000]
113	0604270N	ELECTRONIC WARFARE DEVELOPMENT	116,811	109,651
		<i>Unjustified request</i>		[-7,160]
114	0604273M	EXECUTIVE HELO DEVELOPMENT	187,436	187,436
116	0604274N	NEXT GENERATION JAMMER (NGJ)	524,261	443,261
		<i>Underexecution</i>		[-81,000]
117	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)	192,345	190,845
		<i>Early to need</i>		[-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 SYSTEMS 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
		<i>Program increase—DDG-51 advanced degaussing</i>		[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
		<i>Excess to need</i>		[-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 FACTORS	5,500	5,500
142	0604727N	JOINT STANDOFF WEAPON SYSTEMS	18,725	16,225
		<i>Excess to need</i>		[-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
		<i>Enterotoxigenic escherichia coli research</i>		[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
		<i>Unjustified growth over FY19 projection</i>		[-13,500]
155	0605024N	ANTI-TAMPER TECHNOLOGY SUPPORT	4,882	4,882
156	0605212M	CH-53K RDTE	516,955	496,955

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Line	Program Element	Item	FY 2020 Request	House Authorized
		<i>Excess to need</i>		[-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
		<i>Schedule delays</i>		[-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
		<i>Early to need</i>		[-2,201]
		<i>Excess growth</i>		[-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
		<i>Unjustified growth</i>		[-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
		<i>Block III support prior year carryover</i>		[-7,500]
		<i>Jet noise reduction research</i>		[10,000]
213	0204228N	SURFACE SUPPORT	36,389	45,389
		<i>WSN-12 Technology Insertion</i>		[9,000]
214	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TPMC).	320,134	320,134
215	0204311N	INTEGRATED SURVEILLANCE SYSTEM	88,382	88,382
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
		<i>Prior year carryover</i>		[-20,000]
222	0205601N	HARM IMPROVEMENT	138,431	132,431
		<i>AARGM ER test schedule discrepancy</i>		[-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
		<i>Program delay</i>		[-9,000]

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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 (STUASLo)	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-IP)	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 HEAD-QUARTERS 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
		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

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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
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

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		Unjustified requirement (JAGM-F)		[-5,500]
082	0604604F	SUBUNITIONS	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 IIF)	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]
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	ENTREPRISE 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

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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 C3D2	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-3 SQUADRONS	97,276	97,276
168	0101213F	MINUTEMAN SQUADRONS	128,961	106,939
		Technical adjustment for NC3		[−22,032]
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
		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	DCAPES	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	GEORASE	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

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		<i>Advanced concept development—NC3 demonstration and evaluation ...</i>		<i>[15,000]</i>
229	0303133F	HIGH FREQUENCY RADIO SYSTEMS	15,881	1,881
		<i>Prior-year carryover</i>		<i>[-14,000]</i>
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
		<i>Unjustified growth</i>		<i>[-50,000]</i>
235	0304260F	AIRBORNE SIGINT ENTERPRISE	102,667	94,167
		<i>Common development ahead of need</i>		<i>[-8,500]</i>
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
		<i>Unjustified request</i>		<i>[-16,000]</i>
242	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	4,544	4,544
243	0305111F	WEATHER SERVICE	25,461	27,461
		<i>Commercial weather data pilot</i>		<i>[2,000]</i>
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
		<i>Program increase for Goryon Stare sensor enhancements</i>		<i>[10,000]</i>
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
		<i>Unjustified request</i>		<i>[-17,850]</i>
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 ARCHITEC- TURES	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-108	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
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 DEVELOP- MENT	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
		<i>Unjustified growth</i>		<i>[-5,000]</i>
294	1203110F	SATELLITE CONTROL NETWORK (SPACE)	61,891	54,291
		<i>Underexecution of funds and unjustified growth</i>		<i>[-7,600]</i>
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
		<i>Unjustified growth</i>		<i>[-21,500]</i>
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

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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	138,670
		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
		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

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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—DEM/VAL	83,662	83,662
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 SUPPORT ...	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 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

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(In Thousands of Dollars)

Line	Program Element	Item	FY 2020 Request	House Authorized
		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		[−50,000]
		Undistributed		[−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 SEGMENT 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
		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	06050708	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION.	2,378	2,378
133	0605075D8Z	CMO POLICY AND INTEGRATION	1,618	1,618
134	06050808	DEFENSE AGENCY INITIATIVES (DAI)—FINANCIAL SYSTEM	27,944	27,944
135	06050908	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 (EEM).	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

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2020 Request	House Authorized
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	06058038E	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
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	08087098E	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-TSCMIS).	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

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2020 Request	House Authorized
		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 TECH- NOLOGY	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]
		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

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Program Element	Item	FY 2020 Request	House Authorized
		<i>Unjustified request</i>		<i>[-6,000]</i>
097	0604119A	ARMY ADVANCED COMPONENT DEVELOPMENT & PROTOTYPING	4,529	4,529
105	0604785A	INTEGRATED BASE DEFENSE (BUDGET ACTIVITY 4)	2,000	0
		<i>Unjustified request</i>		<i>[-2,000]</i>
		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 & DEMONSTRATION	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 & PROTOTYPES		
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
		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

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

<i>Line</i>	<i>Program Element</i>	<i>Item</i>	<i>FY 2020 Request</i>	<i>House Authorized</i>
		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)

<i>Line</i>	<i>Item</i>	<i>FY 2020 Request</i>	<i>House Authorized</i>
	OPERATION & MAINTENANCE, ARMY OPERATING FORCES		
010	MANEUVER UNITS	1,735,922	1,659,222
	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 & MODERNIZATION	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

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2020 Request	House Authorized
	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]
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 & MODERNIZA- TION	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

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2020 Request	House Authorized
	SUBTOTAL OPERATING FORCES	2,918,372	2,911,856
	ADMIN & SRVWD ACTIVITIES		
140	SERVICEWIDE TRANSPORTATION	14,533	14,533
150	ADMINISTRATION	17,231	17,231
160	SERVICEWIDE 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]
100	BASE OPERATIONS SUPPORT	1,153,076	1,121,576
	Insufficient justification		[-31,500]
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	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 SERVICES ...	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]

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SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
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 WARFARE ...	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 SUP- PORT	161,579	161,579
190	COMBATANT COMMANDERS CORE OPERATIONS	59,521	59,521
200	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	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
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 MANAGEMENT	178,342	175,342
	Excess civilian growth		[-3,000]
460	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	418,413	418,413
490	SERVICEWIDE TRANSPORTATION	157,465	157,465
510	PLANNING, ENGINEERING, AND PROGRAM SUPPORT	485,397	485,397

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
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]
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

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
ADMIN & SRVWD ACTIVITIES			
130	ADMINISTRATION	1,888	1,888
140	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	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
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 & MODERNIZA- TION	4,142,435	4,142,435
060	CYBERSPACE SUSTAINMENT	228,811	228,811
070	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT Expansion of Conditions Based Maintenance Plus (CBM+)	8,329,364	8,438,364
	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

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
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
	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 & MODERNIZA- TION	128,746	128,746
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	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 ACTIVITIES		
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 RESERVE	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]

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
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 & MODERNIZA- TION	400,734	395,134
	Insufficient justification		[-5,600]
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT Excess growth	1,299,089	1,290,089
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 ACTIVITIES			
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 DEVELOPMENT ACTIVITIES	1,075,762	1,075,762
050	SPECIAL OPERATIONS COMMAND CYBERSPACE ACTIVI- TIES	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/OPER- ATIONAL HEADQUARTERS	177,928	177,928
090	SPECIAL OPERATIONS COMMAND OPERATIONAL SUPPORT Base support underexecution	925,262	899,262
	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]

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
	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
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 depend- ents		[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 ACTIVITIES		
010	US COURT OF APPEALS FOR THE ARMED FORCES, DE- FENSE	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 DEVELOPMENT FUND		
	ACQUISITION WORKFORCE DEVELOPMENT		
010	ACQ WORKFORCE DEV FD	400,000	375,000
	Program decrease		[-25,000]
	SUBTOTAL ACQUISITION WORKFORCE DEVELOP- MENT	400,000	375,000
	TOTAL DOD ACQUISITION WORKFORCE DEVELOP- MENT FUND	400,000	375,000
	OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID		
	HUMANITARIAN ASSISTANCE		
010	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	108,600	110,800

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2020 Request	House Authorized
	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
	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		

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2020 Request	House Authorized
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
090	LAND FORCES DEPOT MAINTENANCE	86,931	86,931
100	BASE OPERATIONS SUPPORT	115,706	115,706
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ...	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
563	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

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2020 Request</i>	<i>House Authorized</i>
	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
	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 SUPPORT	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

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2020 Request</i>	<i>House Authorized</i>
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			
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 & MODERNIZATION ...	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

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2020 Request</i>	<i>House Authorized</i>
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
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 AC- TIVITIES	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
	<i>Project underexecution—communications</i>		<i>[−35,500]</i>
100	SPECIAL OPERATIONS COMMAND THEATER FORCES	808,729	808,729
	SUBTOTAL OPERATING FORCES	3,825,313	3,789,813
	ADMIN & SRVWIDE ACTIVITIES		

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2020 Request</i>	<i>House Authorized</i>
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
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)

<i>Item</i>	<i>FY 2020 Request</i>	<i>House Authorized</i>
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)

<i>Item</i>	<i>FY 2020 Request</i>	<i>House Authorized</i>
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
<i>Realignment from Operations and Maintenance, Navy</i>		<i>[264,751]</i>
DOD MOBILIZATION ALTERATIONS		9,590
<i>Realignment from Operations and Maintenance, Navy</i>		<i>[9,590]</i>
TAH MAINTENANCE		96,867
<i>Realignment from Operations and Maintenance, Navy</i>		<i>[96,867]</i>
READY RESERVE FORCE		352,044
<i>Realignment from Operations and Maintenance, Navy</i>		<i>[352,044]</i>
TOTAL NATIONAL DEFENSE SEALIFT FUND		723,252
WCF, DEF COUNTERINTELLIGENCE & SECURITY AGENCY		
DEFENSE COUNTERINTELLIGENCE AND SECURITY AGEN- CY	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	863,930
<i>Unjustified growth</i>		<i>[-10,000]</i>
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
<i>Realignment of National Guard Bureau funding</i>		<i>[-30,921]</i>
<i>Unjustified growth</i>		<i>[-33,647]</i>
DRUG DEMAND REDUCTION PROGRAM	120,922	120,922
NATIONAL GUARD COUNTER-DRUG PROGRAM	91,370	122,291
<i>Realignment of National Guard Bureau funding</i>		<i>[30,921]</i>

SEC. 4501. OTHER AUTHORIZATIONS (In Thousands of Dollars)		
<i>Item</i>	<i>FY 2020 Request</i>	<i>House Authorized</i>
NATIONAL GUARD COUNTER-DRUG SCHOOLS	5,371	5,371
TOTAL DRUG INTERDICTION & CTR-DRUG AC- TIVITIES, 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 GENERAL ..	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 SYS- TEM	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)		
<i>Item</i>	<i>FY 2020 Request</i>	<i>House Authorized</i>
WORKING CAPITAL FUND, ARMY		
INDUSTRIAL OPERATIONS		
SUPPLY MANAGEMENT—ARMY	20,100	20,100
TOTAL WORKING CAPITAL FUND, ARMY	20,100	20,100
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
COUNTER-NARCOTICS SUPPORT	163,596	153,100

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

<i>Item</i>	<i>FY 2020 Request</i>	<i>House Authorized</i>
<i>Unjustified growth</i>		<i>[−10,496]</i>
TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, 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)

<i>Account</i>	<i>State/Country and Installation</i>	<i>Project Title</i>	<i>FY 2020 Request</i>	<i>House Agreement</i>
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, Incr 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	Kuwait			
	Kuwait Atoll	Air Traffic Control Tower and Terminal	0	40,000
Army	Massachusetts			
	U.S. Army Natick Soldier 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 Cplc, 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
Army	Virginia			
	Fort Belvoir	Secure Operations and Admin Facility	60,000	60,000
Army	Joint Base Langley-Eustis	Adv Individual Training Barracks Cplc, Ph4	55,000	55,000

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2020 Request	House Agreement
Army	Washington			
	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
Navy	Arizona			
	Marine Corps Air Station Yuma	Bachelor Enlisted Quarters	0	99,600
	Marine Corps Air Station Yuma	Hangar 95 Renovation & Addition	90,160	90,160
Navy	Bahrain Island			
	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
Navy	Connecticut			
	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
Navy	Florida			
	Blount Island	Police Station and EOC Facility	0	18,700
	Naval Air Station Jacksonville	Targeting & Surveillance Syst Prod Supp Fac	32,420	32,420
Navy	Guam			
	Joint Region Marianas	Bachelor Enlisted Quarters H	164,100	64,100
	Joint Region Marianas	EOD Compound Facilities	61,900	61,900
Navy	Joint Region Marianas	Machine Gun Range (Inc)	91,287	91,287
Navy	Hawaii			
	Marine Corps Air Station Kaneohe Bay	Bachelor Enlisted Quarters	134,050	134,050
	Naval Ammunition Depot West Loch	Magazine Consolidation, Phase 1	53,790	53,790
Navy	Italy			
	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
Navy	Maryland			
	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
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

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2020 Request	House Agreement
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 Corison 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	MMHAS Aited Support	0	17,000
AF	Colorado Peterson Air Force Base	Sconorth 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
AF	Nevada 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

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2020 Request	House Agreement
AF	Nellis Air Force Base New Mexico	F-35A Munitions Assembly Conveyor Facility	8,200	8,200
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
AF	Minot Air Force Base North Dakota	Helo/TRFOps/AMUfacility	5,500	5,500
AF	Wright-Patterson Air Force Base Ohio	ADAL Intelligence Prod. Complex (NASIC) Inc 2	120,900	120,900
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
AF	Royal Air Force Lakenheath United Kingdom	F-35A PGM Facility	14,300	14,300
AF	Hill Air Force Base Utah	GBSD Mission Integration Facility	108,000	40,000
AF	Hill Air Force Base	Joint Advanced Tactical Missile Storage Fac	6,500	6,500
AF	Fairchild Air Force Base Washington	Consolidated TFI Base Operations	31,000	31,000
AF	Fairchild Air Force Base	SERE Pipeline Dormitory Cost-to-Complete	0	4,800
AF	Various Worldwide Locations	Planning and Design	142,148	153,148
AF	Various Worldwide Locations	Unspecified Minor Construction	79,682	79,682
AF	F. E. Warren Air Force Base Wyoming	Consolidated Helo/TRF Ops/AMU and Alert Fac	18,100	18,100
Def-Wide	Beale Air Force Base California	Hydrant Fuel System Replacement	33,700	33,700
Def-Wide	Camp Pendleton Conus Classified	Ambul Care Center/Dental Clinic Replacement	17,700	17,700
Def-Wide	Classified Location	Battalion Complex, Ph 3	82,200	82,200
Def-Wide	Eglin Air Force Base Florida	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
Def-Wide	Geilenkirchen Air Base Germany	Ambulatory Care Center/Dental Clinic	30,479	30,479
Def-Wide	Joint Region Marianas Guam	Xray Wharf Refueling Facility	19,200	19,200
Def-Wide	Joint Base Pearl Harbor-Hickam Hawaii	SOF Undersea Operational Training Facility	67,700	67,700
Def-Wide	Yokosuka Japan	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
Def-Wide	Bethesda Naval Hospital Maryland	MEDCEN Addition/Alteration 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
Def-Wide	Columbus Air Force Base Mississippi	Fuel Facilities Replacement	16,800	16,800
Def-Wide	Fort Leonard Wood Missouri	Hospital Replacement Iner 2	50,000	50,000
Def-Wide	St. Louis	Nert NGA West (N2W) Complex Phase 2 Inc. 2	218,800	118,800
Def-Wide	Camp Lejeune North Carolina	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
Def-Wide	Tulsa LAF Oklahoma	Fuels Storage Complex	18,900	18,900

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2020 Request	House Agreement
	<i>Rhode Island</i>			
Def-Wide	Quonset State Airport	Fuels Storage Complex Replacement	11,600	11,600
	<i>South Carolina</i>			
Def-Wide	Joint Base Charleston	Medical Consolidated Storage & Distrib Center	33,300	33,300
	<i>South Dakota</i>			
Def-Wide	Ellsworth Air Force Base	Hydrant Fuel System Replacement	24,800	24,800
	<i>Virginia</i>			
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
	<i>Washington</i>			
Def-Wide	Joint Base Lewis-McChord	SOF 22 STS Operations Facility	47,700	47,700
	<i>Wisconsin</i>			
Def-Wide	Gen Mitchell IAP	POL Facilities Replacement	25,900	25,900
	<i>Worldwide Classified</i>			
Def-Wide	Classified Location	Mission Support Compound	52,000	0
	<i>Worldwide Unspecified</i>			
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
	<i>Alabama</i>			
Army NG	Anniston Army Depot	Enlisted Transient Barracks	0	34,000
Army NG	Foley	National Guard Readiness Center	12,000	12,000
	<i>California</i>			
Army NG	Camp Roberts	Automated Multipurpose Machine Gun Range	12,000	12,000
	<i>Idaho</i>			
Army NG	Orchard Combat Training Center	Railroad Tracks	29,000	29,000
	<i>Maryland</i>			
Army NG	Havre de Grace	Combined Support Maintenance Shop	12,000	12,000
	<i>Massachusetts</i>			
Army NG	Camp Edwards	Automated Multipurpose Machine Gun Range	9,700	9,700
	<i>Minnesota</i>			
Army NG	New Ulm	National Guard Vehicle Maintenance Shop	11,200	11,200
	<i>Mississippi</i>			
Army NG	Camp Shelby	Automated Multipurpose Machine Gun Range	8,100	8,100
	<i>Missouri</i>			
Army NG	Springfield	National Guard Readiness Center	12,000	12,000
	<i>Nebraska</i>			
Army NG	Bellevue	National Guard Readiness Center	29,000	29,000
	<i>New Hampshire</i>			
Army NG	Concord	National Guard Readiness Center	5,950	5,950
	<i>New York</i>			
Army NG	Jamaica Armory	National Guard Readiness Center	0	91,000
	<i>Pennsylvania</i>			
Army NG	Moon Township	Combined Support Maintenance Shop	23,000	23,000
	<i>Vermont</i>			
Army NG	Jericho	General Instruction Building	0	30,000
	<i>Washington</i>			
Army NG	Richland	National Guard Readiness Center	11,400	11,400
	<i>Worldwide Unspecified</i>			
Army NG	Unspecified Worldwide Locations	Planning and Design	20,469	20,469

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2020 Request	House Agreement
Army NG	Unspecified Worldwide Locations	Unspecified Minor Construction	15,000	15,000
	Delaware			
Army Res	Newark	Army Reserve Center/BMA	21,000	21,000
	Wisconsin			
Army Res	Fort McCoy	Transient Training Barracks	25,000	25,000
	Worldwide Unspecified			
Army Res	Unspecified Worldwide Locations	Planning and Design	6,000	6,000
Army Res	Unspecified Worldwide Locations	Unspecified Minor Construction	8,928	8,928
	Louisiana			
N/MC Res	New Orleans	Entry Control Facility Upgrades	25,260	25,260
	Worldwide Unspecified			
N/MC Res	Unspecified Worldwide Locations	Planning and Design	4,780	4,780
N/MC Res	Unspecified Worldwide Locations	Unspecified Minor Construction	24,915	24,915
	California			
Air NG	Moffett Air National Guard Base	Fuels/Corrosion Control Hanger and Shops	0	57,000
	Georgia			
Air NG	Savannah/Hilton Head IAP	Consolidated Joint Air Dominance Hangar/Shops	24,000	24,000
	Missouri			
Air NG	Rosecrans Memorial Airport	C-130 Flight Simulator Facility	9,500	9,500
	Puerto Rico			
Air NG	Luis Munoz-Marin IAP	Communications Facility	12,500	0
Air NG	Luis Munoz-Marin IAP	Maintenance Hangar	37,500	0
	Wisconsin			
Air NG	Truax Field	F-35 Simulator Facility	14,000	14,000
Air NG	Truax Field	Fighter Alert Shelters	20,000	20,000
	Worldwide Unspecified			
Air NG	Unspecified Worldwide Locations	Unspecified Minor Construction	31,471	31,471
Air NG	Various Worldwide Locations	Planning and Design	17,000	17,000
	Georgia			
AF Res	Robins Air Force Base	Consolidated Mission Complex Phase 3	43,000	43,000
	Maryland			
AF Res	Joint Base Andrews	AES Training Admin Facility	0	15,000
	Minnesota			
AF Res	Minneapolis-St. Paul IAP	Aerial Port Facility	0	9,800
	Worldwide Unspecified			
AF Res	Unspecified Worldwide Locations	Planning and Design	4,604	4,604
AF Res	Unspecified Worldwide Locations	Unspecified Minor Construction	12,146	12,146
	Germany			
FH Con Army	Baumholder	Family Housing Improvements	29,983	29,983
	Korea			
FH Con Army	Camp Humphreys	Family Housing New Construction Incr 4	83,167	83,167
	Pennsylvania			
FH Con Army	Tobyhanna Army Depot	Family Housing Replacement Construction	19,000	19,000
	Worldwide Unspecified			
FH Con Army	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
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

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2020 Request	House Agreement
<i>FH Con Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>USMC DPRI/Guam Planning and Design</i>	2,000	2,000
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Furnishings</i>	19,009	19,009
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Housing Privatization Support</i>	21,975	81,575
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Leasing</i>	64,126	64,126
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Maintenance</i>	82,611	82,611
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Management</i>	50,122	50,122
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Miscellaneous</i>	151	151
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Services</i>	16,647	16,647
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Utilities</i>	63,229	63,229
	<i>Germany</i>			
<i>FH Con AF</i>	<i>Spangdahlem Air Base</i>	<i>Construct Deficit Military Family Housing</i>	53,584	53,584
	<i>Worldwide Unspecified</i>			
<i>FH Con AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Construction Improvements</i>	46,638	46,638
<i>FH Con AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Planning & Design</i>	3,409	3,409
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Furnishings</i>	30,283	30,283
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Housing Privatization</i>	22,593	53,793
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Leasing</i>	15,768	15,768
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Maintenance</i>	117,704	117,704
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Management</i>	56,022	56,022
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Miscellaneous</i>	2,144	2,144
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Services</i>	7,770	7,770
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Utilities</i>	42,732	42,732
<i>FH Ops DW</i>	<i>Unspecified Worldwide Locations</i>	<i>Furnishings</i>	727	727
<i>FH Ops DW</i>	<i>Unspecified Worldwide Locations</i>	<i>Leasing</i>	52,128	52,128
<i>FH Ops DW</i>	<i>Unspecified Worldwide Locations</i>	<i>Maintenance</i>	32	32
<i>FH Ops DW</i>	<i>Unspecified Worldwide Locations</i>	<i>Utilities</i>	4,113	4,113
<i>FHIF</i>	<i>Unspecified Worldwide Locations</i>	<i>Administrative Expenses—FHIF</i>	3,045	3,045
<i>UHIF</i>	<i>Unspecified Worldwide Locations</i>	<i>Administrative Expenses—UHIF</i>	500	500
<i>BRAC</i>	<i>Worldwide Unspecified Locations</i>	<i>Base Realignment and Closure</i>	66,111	96,111
<i>BRAC</i>	<i>Unspecified Worldwide Locations</i>	<i>Base Realignment & Closure</i>	158,349	218,349
<i>BRAC</i>	<i>Unspecified Worldwide Locations</i>	<i>DoD BRAC Activities—Air Force</i>	54,066	84,066
	<i>Prior Year Savings</i>			
<i>PYS</i>	<i>Prior Year Savings</i>	<i>Prior Year Savings</i>	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
	<i>Guantanamo Bay, Cuba</i>			
<i>Army</i>	<i>Guantanamo Bay Naval Station</i>	<i>OCO: Communications Facility</i>	22,000	22,000

SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2020 Request	House Agreement
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 site-wide 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, Erascale 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
Total, Defense Nuclear Nonproliferation Programs	1,607,507	1,651,007

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2020 Request	House Authorized
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
SSG 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—LBL/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
Los Alamos National Laboratory	195,462	195,462

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2020 Request	House Authorized
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
Specialized security activities	254,578	254,578

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2020 Request	House Authorized
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

Attest:

Clerk.

116TH CONGRESS
1ST SESSION

S. 1790

AMENDMENT